



### **Time and Date**

2.00 pm on Tuesday, 17th June, 2014

### **Place**

Committee Rooms 2 and 3 - Council House

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### **Public business**

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes** (Pages 5 - 10)
  - (a) To agree the minutes from the meeting of Cabinet on 13<sup>th</sup> May 2014
  - (b) Matters Arising
4. **Exclusion of Press And Public**

To consider whether to exclude the press and public for the item(s) of private business for the reasons shown in the report.
5. **2013/14 Revenue and Capital Financial Outturn** (Pages 11 - 36)

Report of the Executive Director, Resources
6. **Increased Community Support Through Telecare** (Pages 37 - 46)

Report of the Executive Director, People.
7. **Coventry & Warwickshire Gateway - Section 106 Planning Agreement** (Pages 47 - 80)

Report of the Executive Director, Place
8. **European Regional Development Fund (ERDF) Open Call for Projects** (Pages 81 - 92)

Report of the Executive Director, Place
9. **Canley Regeneration Programme - Freehold Disposal of Development Land** (Pages 93 - 100)

Report of the Executive Director, Place

10. **Award of Contracts for Domestic Violence and Abuse Services** (Pages 101 - 140)  
Report of the Executive Director, People
11. **Authority for Attendance at Conference** (Pages 141 - 144)  
To approve the attendance of the Lord Mayor and an officer from the City Centre and Development Division, Place Directorate to attend Kiel Week and International City Forum 2014, to be held in Kiel, Germany from 20<sup>th</sup> to 23<sup>rd</sup> June 2014.
12. **Outstanding Issues** (Pages 145 - 150)  
Report of the Executive Director, Resources
13. **Any other items of public business which the Chair decides to take as a matter of urgency because of the special circumstances involved.**

#### **Private business**

14. **European Regional Development Fund (ERDF) Open Call for Projects** (Pages 151 - 180)  
Report of the Executive Director, Place  
  
(Listing Officer: A Williams, tel: 024 7683 3731)
15. **Canley Regeneration Programme - Freehold Disposal of Development Land** (Pages 181 - 188)  
Report of the Executive Director, Place  
  
(Listing Officer: D Cass, tel: 024 7683 2793)
16. **Award of Contracts for Domestic Violence and Abuse Services** (Pages 189 - 228)  
Report of the Executive Director, People  
  
(Listing Officer: P Kay, tel: 024 7683 1960)
17. **Any other items of private business which the Chair decides to take as a matter of urgency because of the special circumstances involved.**

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Chris West, Executive Director, Resources, Council House Coventry

Monday, 9 June 2014

Note: The person to contact about the agenda and documents for this meeting is Lara Knight / Michelle Salmon tel: 024 7683 3237 / 3065 email: [lara.knight@coventry.gov.uk](mailto:lara.knight@coventry.gov.uk) or [michelle.salmon@coventry.gov.uk](mailto:michelle.salmon@coventry.gov.uk)

Membership: Councillors D Gannon, A Gingell, D Kershaw, A Khan, R Lancaster, A Lucas (Chair), P Townshend (Deputy Chair), E Ruane, F Abbott, K Maton, K Caan (Deputy Cabinet Member), D Chater (Deputy Cabinet Member), C Fletcher (Deputy Cabinet Member) and J McNicholas (Deputy Cabinet Member)

By invitation Councillors A Andrews and J Blundell (non-voting Opposition representatives)

Please note: a hearing loop is available in the committee rooms

If you require a British Sign Language interpreter for this meeting OR if you would like this information in another format or language please contact us.

**Lara Knight / Michelle Salmon**

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# Agenda Item 3

## Coventry City Council Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 13 May 2014

Cabinet Members:	Councillor Mrs Lucas (Chair) Councillor Townshend (Deputy Chair) Councillor Duggins Councillor Gannon Councillor Gingell Councillor Kelly Councillor Kershaw Councillor A. Khan Councillor Lancaster
Deputy Cabinet Members:	Councillor Howells
Non-voting Opposition Members:	Councillor Andrews Councillor Blundell
Other Members:	Councillor Fletcher Councillor Hetherton Councillor Skipper Councillor Thomas
Employees (by Directorate):	
Chief Executive's:	M Reeves (Chief Executive), F Collingham, N Inglis, J Moore
People:	D Haley, S Roach, A Simpson,
Place:	O Chittem, A Walster, R Young
Resources:	B Hastie, H Lynch, L Knight, N Sutaria, A West
Apologies:	Councillors Innes, McNicholas and Ruane

### **Public Business**

#### 167. **Declarations of Interest**

There were declarations of Disclosable Pecuniary Interests.

#### 168. **Minutes**

The minute of the meetings held on 3<sup>rd</sup> and 10<sup>th</sup> April 2014 were agreed and signed as true records, subject to the attendance at the meeting on the 10<sup>th</sup> April 2014 being amended to record that Councillor A Khan was present.

169. **Sexual Health Services Review and Retendering**

The Cabinet considered a report of the Director of Public Health which set out proposals for jointly retendering for sexual health services with Warwickshire County Council.

The report indicated that, from 1<sup>st</sup> April 2013, local authorities had been mandated to commission comprehensive open access sexual health services, to include free sexually transmitted infection testing and treatment, notification of sexual partners of infected persons and free provision of contraception. An integrated health service model aimed to improve sexual health by providing easy access services through open access 'one stop shops', where the majority of sexual health and contraceptive needs could be met, usually by one health professional, in services with extended opening hours and accessible locations.

At the end of 2013, a survey was conducted to ask the general public, service users and professionals with an interest in the area of sexual health, their opinions on how the services were currently delivered and how they thought they should be provided in the future. In addition, a further consultation event was organised for professionals and members of the public to further listen to and understand views about current services.

The Council was looking to tender for sexual health services jointly with Warwickshire County Council during 2014/15, and discussions were under way with the NHS England Specialised Commissioning Team with regard to their responsibilities for HIV treatment services and the possibility of joint commissioning. The incumbent contractor of the main contract in Coventry was Coventry and Warwickshire Partnership Trust and a notice was issued on the contract on the 17<sup>th</sup> March 2014, with a view to the new contract commencing on 1<sup>st</sup> April 2015.

The Cabinet noted that the Health and Social Care Scrutiny Board (5) had considered the report at a meeting on 2<sup>nd</sup> April 2014. A briefing note setting out recommendations from the Scrutiny Board was appended to the report and the Cabinet accepted the recommendations proposed.

**RESOLVED that the Cabinet:**

- (1) Accept the recommendations from the Health and Social Care Scrutiny Board (5) following their consideration of this matter on 2<sup>nd</sup> April 2014.**
- (2) Delegate authority to the Director of Public Health, as Coventry representative on the Arden Joint Sexual Health Project Board, to procure sexual health services jointly with Warwickshire County Council and to award the contract(s) at the end of the procurement process, following consultation with the Cabinet Member (Health and Adult Services).**

170. **Proposed Expansion and Change to the Admission Number of Edgewick Primary School: Determination of Statutory Notice**

The Cabinet considered a report of the Director of Education and Inclusion, which set out proposals for the expansion and change to the admission number of Edgewick Primary School following the publication of a statutory notice.

In March 2013, the Government announced one-off funding for a Targeted Basic Need Programme to support areas of the country that were experiencing high levels of demand for additional places in schools. In April 2013 bids were submitted on behalf of 7 Coventry school expansion projects. Six of these were for projects already included in the approved Educational Capital Programme, plus Edgewick Primary School which had been identified as an additional priority. The application was submitted to expand the school through a complete rebuild. On 18<sup>th</sup> July 2013, the Council were informed that the Edgewick scheme had been approved.

Following a period of consultation, a statutory notice was published on 17<sup>th</sup> March 2014 setting out a proposal to increase the admission numbers of the school from 30 to 60 with effect from September 2015. No objections were received in respect of the proposal and the Cabinet were advised that staff, governors and parents were fully supportive of the proposals.

**RESOLVED that the proposal to expand Edgewick Primary School from a 1 form entry school to a two form entry from September 2015 as summarised in the statutory notice of 17<sup>th</sup> March 2014, be approved, subject to the granting of planning permission.**

171. **Jobs and Growth Strategy for Coventry 2014-17**

The Cabinet considered a report of the Executive Director, Place, which set out the second 3-year Jobs and Growth Strategy.

In March 2011, the Council's first Jobs Strategy covering the period 2011-2014 was approved. It was proposed to build on the significant outcomes achieved through the development of a further 3-year Jobs and Growth Strategy. It was noted that the Jobs and Growth Strategy for 2014-17 had been written in different economic circumstances and that economic indicators were showing improvements, with unemployment falling, business confidence rising and new infrastructure being built in the City.

The Jobs and Growth Strategy would support the vision and priorities of the Council Plan and articulated how the Council would use its resources to make Coventry a city open for business and growth, providing jobs and prosperity for local people. The Strategy detailed the key priorities, outputs and finances required along with a detailed action plan for delivery.

It was noted that throughout the Strategy, there was a focus on young people, particularly those that were not in education, employment or training, supporting them with skills development and routeways into work.

**RESOLVED that Cabinet:-**

- (1) Endorse the Jobs and Growth Strategy for Coventry 2014-17, including outputs of the Strategy.**
- (2) Refer the report to the Business, Economy and Enterprise Scrutiny Board (3) for inclusion on their work programme.**

**172. Pay Policy Statement 2014/15**

The Cabinet considered a report of the Executive Director, Resources which set out the Council's annual Pay Policy Statement.

Local authorities were required by sections 38 and 39 of the Localism Act 2011 to produce an annual Pay Policy Statement, which must articulate the Council's policies towards a range of issues relation to the pay of the workforce, particularly the most senior staff (or chief officers) and the relationship of their pay to the lowest paid employees. The proposed annual Pay Policy Statement for 2014/15 was attached as an appendix to the report submitted.

**RESOLVED that the Council be recommended to approve the 2014/15 Pay Policy Statement attached at Appendix 1 of the report.**

**173. Local Government Pension Scheme - Statement of Policy**

The Cabinet considered a report of the Executive Director, Resources, which sought approval of the Council's statement of policy on the discretions contained within the Local Government Pension Scheme Regulations.

Due to changes within the Local Government Pension Scheme Regulations 2013, the Council was required to formulate and publish a Statement of Policy in respect or the Local Government Pension Scheme. It was noted that particular attention needed to be drawn to the discretionary elements available to the Council.

The Policy Statement had been revised to reflect the changes to the Regulations. The main changes to the policy were set out in the report and, in summary, related to the following clauses:

- Clause 1 (Regulation 30)
- Clause 2 (TP Regulations 1(1) of Schedule 2)
- Clause 3 (Regulation 31)
- Clause 4 (Regulations 16(2)e and 16(4)d)
- Clause 6 (Regulation 17)
- Clause 7 (Regulation 16)
- Clause 9 (Regulation 100)
- Clause 10 (Regulation 9(3))
- Clause 11 (Regulations 91-95)
- Clause 12 (Regulation 72)

The Local Government Pension Scheme Regulations Statement of Policy would be effective from 1<sup>st</sup> July 2014.



**RESOLVED that the Council be recommended to approve the Local Government Pension Scheme Regulations Statement of Policy attached at appendix 1 of the report submitted.**

**174. Attendance at Conference - CIPFA**

**RESOLVED that Cabinet approve the attendance of Councillor Gannon, a Conservative nominee, the Executive Director, Resources and one additional officer from the Resources Directorate at the CIPFA Annual Conference to be held in London on 1<sup>st</sup> to 3<sup>rd</sup> July 2014.**

**175. Outstanding Issues Report**

The Cabinet considered a report of the Executive Director, Resources that contained the list of outstanding issues and summarised the current position in respect of each item.

**RESOLVED that the Cabinet note the dates for consideration of future reports.**

**176. Any other items of public business which the Chair decides to take as a matter of urgency because of the special circumstances involved.**

There were no items of urgent public business.

(Meeting closed at 2.30 pm)

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## Public report Cabinet Report

Cabinet  
Council  
Audit and Procurement Committee

17<sup>th</sup> June 2014  
24<sup>th</sup> June 2014  
14<sup>th</sup> July 2014

**Name of Cabinet Member:**

Cabinet Member (Strategic Finance & Resources) – Councillor Gannon

**Director approving submission of the report:**

Executive Director of Resources

**Ward(s) affected:**

City Wide

**Title:**

2013/2014 Revenue and Capital Outturn

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**Is this a key decision?**

Yes

The matter relates to financial matters in excess of £1.0m in one financial year

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**Executive summary:**

This report outlines the final revenue and capital outturn position for 2013/14, reviews treasury management activity during the year and sets out the final 2013/14 Prudential Indicators reported under the Prudential Code for Capital Finance.

Cabinet is recommended to approve a balanced revenue position. This incorporates a £4m dividend from the Council's investment in Birmingham Airport plus an underlying underspend of £7.2m across all service areas. It is recommended that this £11.2m is set aside to apply to fund proposals coming out of the Council's recent Ofsted Report and a range of other proposals that will increase the long-term resilience of the Council's financial position.

With this background, there have been two broad headline areas of overspending in 2013/14:

- High numbers and costs of looked after children continues to be a major issue for the Council. It is now recognised that planned savings from the Fundamental Service Review (FSR) in this area will not deliver savings anticipated previously and this has been reflected in 2014/15 budget setting plans.
- Higher than budgeted costs within Community Services adult social care budgets have continued. The A Bolder Community Services FSR has begun to deliver savings that will

manage this position but to a revised time-scale. This too has been reflected within 2014/15 budget setting.

In addition to the proposed contributions recommended below, the outturn position also incorporates a previously budgeted contribution of £4m into reserves in relation to Business Rates. This will help protect the Council from future Business Rate volatility and enable the release of on-going revenue expenditure budgets in this area. In total, reserve balances will increase from £74m to £83m.

The final Capital Programme position reflects £10.2m of expenditure rescheduled into 2014/15 and a significantly reduced level of prudential borrowing compared to that previously forecast.

**Recommendations:**

Cabinet is requested to:

1. Approve the final revenue outturn position balanced to budget.
2. Recommend that Council approve the proposed contributions of £11.2m into reserves and to fund capital expenditure incorporated within this position outlined in Section 2.3.
3. Approve the final capital expenditure and resourcing position, incorporating expenditure of £54.5m against a final budget of £64.7m, reflecting £10.2m expenditure rescheduled into 2014/15 as set out in section 2.5 and Appendix 5.
4. Approve the outturn Prudential Indicators position in section 2.6 and Appendix 6.

Council is requested to

1. Approve the proposed contributions of £11.2m into reserves and to fund capital expenditure incorporated within this position outlined in Section 2.3.

Audit and Procurement Committee is recommended to:

1. Consider the contents of the report and determine whether there are any issues which it wants to refer to the Cabinet Member (Strategic Finance and Resources).

**List of Appendices included:**

Appendix 1	Detailed breakdown of Directorate Revenue Outturn Position
Appendix 2	Final Capital Budget 2013/14
Appendix 3	Capital Programme: Analysis of Budget/Technical Changes
Appendix 4	Capital Outturn 2013/14 – Analysis by Directorate
Appendix 5	Capital Programme: Analysis of Rescheduling
Appendix 6	Prudential Indicators

**Other useful background papers:**

None

**Has it or will it be considered by scrutiny?**

No

**Has it, or will it be considered by any other council committee, advisory panel or other body?**

Audit and Procurement Committee – 14<sup>th</sup> July 2014

**Will this report go to Council?**

Yes – 24<sup>th</sup> June

**Report title:**

2013/2014 Revenue and Capital Outturn

**1. Context (or background)**

1.1 This report sets out the Council's revenue and capital outturn position in 2013/14 and performance against its Prudential Indicators for the year. The City Council set a revenue budget for the year of £268.4m and a Capital Programme of £60.6m.

1.2 This report shows the Council's financial position in relation to management accounts used to monitor performance through the year. The Audit and Procurement Committee will consider separately the Council's Statement of Accounts in July. The Statement of Accounts shows the financial position in a statutorily prescribed format including technical accounting adjustments that do not reflect how the Council's day to day finances are managed.

**2. Options considered and recommended proposal****2.1 Revenue Outturn Position 2013/14**

Table 1 below summarises the variation and outturn position – a balanced position overall.

**Table 1 Summary Outturn Position**

<b>Directorate</b>	<b>Net Budget £m</b>	<b>Outturn £m</b>	<b>Variance £m</b>	<b>Variance %</b>
Chief Executives	2.4	1.9	(0.5)	(21%)
Place	29.8	29.2	(0.6)	(2%)
People	162.0	164.9	2.9	2%
Resources	14.2	11.6	(2.6)	(18%)
Contingency & Central Budgets	60.0	60.8	0.8	1%
Resourcing of Net Budget	(268.4)	(268.4)	0.0	0
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0</b>

**2.2 Individual Directorate Positions**

A summary of the most significant year-end variations is provided below with the detail provided in Appendix 1:

**People**

The People Directorate is reporting a net over-spend of £2.9m. The two most significant pressures across the Directorate, which have been monitored continuously over the financial year, are Community Purchasing spend within Adult Social Care and the continued increased high levels of activity within Children's Social care.

The programme of change from the CLYP FSR has not delivered the expected reduction in activity and therefore savings targets have not been delivered. The number of Looked after Children and child protection cases remain high and have not decreased as had previously been assumed through the FSR. Additional corporate funding has been used to fund

additional social worker posts, within Children's Social Care to mitigate, in part, the continued pressures within Children's Social Care.

### **Place**

The Place directorate is reporting a surplus position of £0.6m. This represents a number of one-off credits, offsetting some on-going underlying operational pressures. Bus Lane enforcement income is the most significant surplus as contraventions have been significantly higher than expected. In addition, Carbon Reduction commitment (CRC) credits are no longer required to be purchased resulting in a one-off under-spend. These together with an earlier than expected delivery of some savings towards the Strategic Property FSR, managed spend reductions on Friargate related property, application of one-off grant monies to public health related spend and other management actions have contributed to the net underspend.

On-going operational pressures are however, still being experienced in three main areas. Commercial property rents are still yielding well below historic budgeted levels. Domestic Waste has overspent against its budget due to the requirement for additional collections, replacement bin costs and fleet running costs, & waste disposal costs have exceeded budgets due to further increased disposal tonnages being experienced.

### **Resources**

The Resources Directorate is reporting an underspend of £2.6m. This position is mainly attributable to significant one-off underspends in Revenues and Benefits, Human Resources and Workforce Services and the Transformation Office. Staffing restructures in Human Resources, Workforce Services and Business Improvement Teams have delivered planned in year underspends which will form part of the Resources savings plan on-going. There have been fewer than expected allocations from the Community Support Grant, a surplus in the Housing Benefit Subsidy Account and a planned reduction in external support for the Transformation Office which has delivered an under-spend. The Directorate will continue to look for ways to reduce the on-going pressures that remain, specifically in Post and Print and ICT.

### **Contingency and Central Budgets**

The windfall Special Dividend from Birmingham Airport of £4m and the underspend of £6.5m on the Asset Management Revenue Account represent the most significant movements within central budgets. The £11.2m contributions recommended in section 2.3 below will, if approved, be reflected in this area, resulting in the overall net overspend across central budgets.

## **2.3 Overall Revenue Position**

Due to the financial climate and with the expectation of significant future cuts in resources, officers have continued to work towards achieving a balanced position or better. To enable this, consideration of voluntary redundancy/early retirement cases and continued implementation of vacancy control is now business as usual in many areas across the Council. These actions have enabled a broadly balanced budgetary position across the Council's service directorates. The £4m dividend from the Council's shares in Birmingham Airport along with the underspend generated from the Asset Management Revenue Account (AMRA) have provided the resources to fund the year-end contributions proposed below. For those areas showing the most significant variations in 2013/14 (the AMRA underspend and overspends in both Children's and Adult's social care) budget re-alignments have been incorporated to address the headline issues as part of the 2014/15 budget setting process.

A total of 40 number of Equal Pay claims costing £74,000 have been paid in 2013/14 with only 1 claim now remaining outstanding. This means that the final overall cost of settled

claims is marginally over £7m, the vast majority of which was incurred prior to 2013/14. The Council's view is that the risk of further significant claims being received is now very low and the residual level of provision to pay for future claims has been reduced as a result from over £15m to £0.5m. Due to the capitalised nature of the provision – which spreads the cost over a number of years – its part reversal now does not affect the Council's 2013/14 outturn position reported here.

Redundancy and pension strain costs of £4.7m relating to 191 individuals have been accounted for in the 2013/14 financial year under the voluntary redundancy/early retirement programme funded from on-going budgets and reserves earmarked for this purpose. The overall level of ER/VR cases over the last 4 years now stands at around 1,000.

The final revenue outturn position offers flexibility to fund several strategically significant areas of expenditure and this report recommends that the following proposals are approved. The headline balanced revenue position is shown on the basis that all of these proposals are approved:

- £4m to fund the Ofsted Implementation Plan in addition to the additional funding approved in this area as part of 2014/15 Budget Setting.
- £2m to establish a reserve to balance the risk of non-payment of external investments
- £2m to establish one-off funding for the Council's leisure facilities spending, probably to be used to replace prudential borrowing of existing expenditure in 2014/15 which will enable on-going savings of c£0.4m in future years.
- £2.7m to fund capital expenditure in place of Prudential Borrowing and releasing an on-going revenue saving of £0.6m in future years.
- £0.5m to add to the Council's Early Retirement/Voluntary Redundancy reserve to enable the Council to continue to restructure and rationalise services in line with on-going funding reductions.

## 2.4 Reserves

The total reserve balance at the end of 2013/14 is £83m, an increase of £10m on the level of reserves at the end of 2012/13. The main increases have occurred within reserves established to help manage Business Rate volatility under the new localisation of Business Rates arrangements and the amount set aside for the Council's Ofsted Improvement Plan as part of this report's recommendations. The Council's General Fund Reserve has been maintained at £9.6m. The total reserve movement in 2013/14 is summarised in Table 2 and the main changes and reasons for holding balances are outlined below:

**Table 2 Summary of Reserve Movement in 2013/14**

	Opening Balance 1 <sup>st</sup> April 2013* £m	Movement In year £m	Closing Balance 31 <sup>st</sup> March 2014 £m
Other Earmarked Reserves	(34.8)	(15.2)	(50.0)
Capital Reserves	(5.6)	3.6	(2.0)
Insurance Fund	(4.1)	0.8	(3.3)
Schools Reserves	(19.4)	0.9	(18.5)
General Fund Reserves	(9.6)	0.0	(9.6)
<b>Total Reserves</b>	<b>(73.5)</b>	<b>(9.9)</b>	<b>(83.4)</b>

\*Overall opening balances are £1.1m lower than reported at 2012/13 outturn position following an adjustment resulting from compilation of the statutory 2012/13 Statement of Accounts.

**Earmarked Reserves £50.0m (£15.2m higher)** - Reserves held to assist the management of corporate and directorate budgets, primarily in respect of specific projects or commitments. The main balances and movements are:

- **£10.3m** (£1.8m higher) held as part of the funding models relating to the Street Lighting, Caludon and New Homes For Old Private Finance Initiative projects.
- **£6.4m** (£6.4m higher) Budgeted contributions set aside as future protection against Business Rates volatility, enabling on-going revenue savings.
- **£4m** (£4m higher) set aside for the Ofsted Improvement Plan in line with the recommendation in this report
- **£3.6m** (£1.1m higher) Relating to schools related expenditure centrally retained
- **£3.2m** (£2.5m higher) to support the existing plans for leisure facilities including the £2m recommended as part of this report
- **£2.8m** (£2.5m lower) to fund Early Retirement and Voluntary Redundancy decisions.
- **£2.8m** (£0.8m higher) of Coventry and Solihull Waste Disposal Company contributions set aside to deliver budgeted savings targets in future years.
- **£2.5m** (£0.1m higher) of specific grant funding for Public Health
- **£1.8m** (£0.5m higher) for jointly funded health and social care schemes
- **£1.3m** (£0.6m higher) set aside to smooth expenditure patterns for the vehicle purchase programme between years
- **£1.1m** (£0.5m higher) troubled families initiative grant funding

**Schools Reserves £18.5m (£0.9m lower)** - Held on behalf of individual schools for their own specific purposes.

**General Fund Reserve £9.6m (no change)** - The Council's General Fund Reserve held to manage unforeseen risks to the Council's overall financial position.

**Insurance Fund £3.3m (£0.8m lower)** - This is held to cover potential claims against the Council. We hold a separate insurance provision for known claims.

**Capital Reserves £2m (£3.6m lower)** – The remaining balance is earmarked to balance the risk of non-payment of external loans reflecting the £2m contribution recommended as part of this report.

## 2.5 Capital Outturn Position 2013/14

The capital outturn position for 2013/14 is shown in summary form below and in greater detail in Appendices 2, 3, 4 and 5:

**Table 3: Capital Outturn Summary**

Final Budget £m	Final Spend £m	Net Rescheduling Now Reported £m	Total Variance
64.7	54.5	(10.2)	(10.2)



The period 8 monitoring report to Cabinet on 11th February 2014 approved a revised capital budget of £66.2m for 2013/14. Since then there has been a net programme reduction of £1.5m giving a final budget for the year of £64.7m. The changes to the budget are analysed in Appendix 3. Since February, a total of £10.2m net rescheduled spending has arisen on directorate capital programmes (a scheme by scheme analysis is included in Appendix 5).

## Capital Receipts

Capital receipts arising mainly from the disposal of our property portfolio assets provide an important source of funding of the capital programme. The period 8 report reflected an expectation that the £5.9m target level of capital receipts would be achieved in 2013/14. At the end of the financial year this level of funding has been exceeded. In addition to the £8.5m capital receipts applied to fund capital expenditure in 2013/14, a further £2.3m capital receipts have been set-aside to repay prior years' prudential borrowing consistent with the Council's Medium Term Financial Strategy.

## Funding of the Capital Programme

The funding in respect of this capital expenditure of £54.5m is summarised below:

**Table 4. Funding**

	£m
Prudential Borrowing	2.3
Grants and Other Contributions	30.8
Revenue Contributions	12.9
Capital Receipts	8.5
<b>Total Resourcing</b>	<b>54.5</b>

## 2.6 Treasury Management Activity in 2013/14

### Economic Activity and Interest Rates

Annual economic growth has increased recently and stood at 2.7% at the end of 2013. The Office for Budget Responsibility has forecast similar growth for 2014. However, the main downside risk is that the pickup in domestic growth proves to be unsustainable, either because productivity and real incomes continue to disappoint or business investment does not recover as expected. In addition, the Eurozone has struggled to show sustainable growth. In the light of this the European Central Bank reduced interest rates to 0.25%. Of other indicators, CPI inflation fell from 2.8% (March 2013) to 1.7% (Feb 2014), the lowest rate since October 2009. In addition, the unemployment rate fell to 7.2% at the start of 2014, slightly above the Bank of England's threshold for considering the potential for interest rate rises. Within this broader context, the UK sovereign credit rating was maintained at AA+.

The UK base rate has remained at 0.5% since 2009, although there are now suggestions that rates might rise in increments from 2015 or 2016. Linked to this, market investment and borrowing rates for up to 12 month periods stood at less than 1% through the year.

Longer term rates, at which local authorities borrow from the Public Works Loans Board (PWLB), were:-

**Table 5: PWLB Interest Rates**

<b>PWLB Loan Duration (standard rates)</b>	<b>Minimum in 2013/14</b>	<b>Maximum in 2013/14</b>	<b>Average in 2013/14</b>
5 year	1.70%	3.00%	2.46%
20 year	3.71%	4.63%	4.32%
50 year	4.04%	4.46%	4.46%

Given the above rates it has continued to be cheaper for local authorities to use short rather than long term funds for financing.

### **Long Term Funding**

At outturn, the Capital Financing Requirement (CFR), which indicates the authority's underlying need to borrow for capital purposes, has reduced by £19.5m:-

**Table 6: 2013/14 Capital Financing Requirement (CFR)**

	<b>£m</b>
Capital Financing Requirement at 1 <sup>st</sup> April 2013	427.2
Borrowing to finance 2013/14 Capital Programme	2.3
PFI & Finance Leases liabilities	11.0
Provision to Repay Debt (Minimum Revenue Provision)	(14.7)
Provision to Repay Debt (Capital Receipts Set Aside)	(2.3)
Repayment of Transferred Debt	(0.7)
Reduction of Provision and other restatements	(15.1)
<b>Capital Financing Requirement at 1<sup>st</sup> April 2014</b>	<b>407.7</b>

The CFR includes a reduction of £15m in respect of the Equal Pay provision which was capitalised in 2008/09, but is now no longer fully required.

No new long term borrowing was taken out during 2013/14, but £13m PWLB loans were repaid on maturity. However, some borrowing will be required in the future to support current capital expenditure plans and the need for any such borrowing will be kept under review in 2014/15. Within 2013/14, the movements in long-term borrowing and other liabilities were:-

**Table 6 : Long Term Liabilities (debt outstanding)**

Source of Borrowing	Balance at 31st March 2013 £m	Repaid in Year £m	Raised in Year £m	Balance at 31st March 2014 £m
PWLB	239.8	(13.0)	0	226.8
Money Market	59.0	0	0	59.0
Stock Issue	12.0	0	0	12.0
<b>sub total ~ long term borrowing</b>	<b>310.8</b>	<b>(13.0)</b>	<b>0</b>	<b>297.8</b>
Other Local Authority Debt	19.0	(0.8)	0	18.2
PFI & Finance Leasing Liabilities	54.5	(1.6)	11.0	63.9
Other	0.7	(0.1)	0	0.6
<b>Total</b>	<b>385.0</b>	<b>(15.5)</b>	<b>11.0</b>	<b>380.5</b>

This long term borrowing is repayable over the following periods:-

**Table 7. Long Term Borrowing Maturity Profile (excluding PFI & transferred debt)**

Period	Long Term Borrowing £m	Short Term Borrowing £m
Under 12 Months	35.5	10.0
1 – 2 years	39.9	0
2 – 5 years	13.8	0
5 – 10 years	15.9	0
Over 10 years	192.7	0
<b>Total</b>	<b>297.8</b>	<b>10.0</b>

In line with CIPFA Treasury Management Code requirements, Lenders Option, Borrowers Option Loans (LOBOs) with banks are included in the maturity profile based on the earliest date on which the lender can require repayment. The Council has £58m of such loans, £30m of which the lender can effectively require to be paid at 6 monthly or annual intervals, and £28m at 5 yearly intervals.

### Short Term In House Borrowing and Investments

The Treasury Management Team acts on a daily basis to manage the City Council's day to day cash-flow, by borrowing or investing for short periods. By holding short term investments, such as money in call accounts, authorities help ensure that they have an adequate source of liquid funds.

During the year minimal short term borrowing was taken out in order to meet day to day cashflow requirements. At 31<sup>st</sup> March £10m of temporary borrowing was outstanding with this being repaid on 27<sup>th</sup> May 2014. The average short term borrowing rate in 2013/14 was 0.4017%.

The bulk of the Council's cashflow requirements were met from its own cash and short term investment balances. During the year the council held significant short term investments, as set out in Table 8. The average short term investment rate in 2013/14 was 0.4854%.

**Table 8. In House Investments at 31st March 2014**

	<b>At 30<sup>th</sup> June 2013 £m</b>	<b>At 30<sup>th</sup> Sept 2013 £m</b>	<b>At 30<sup>th</sup> Nov 2013 £m</b>	<b>At 31<sup>st</sup> Mar 2014 £m</b>
Banks and Building Societies	53.8	54.7	41.7	17.8
Local Authorities	28.0	13.0	23.0	32.0
Money Market Funds	19.8	7.4	21.6	28.1
<b>Total</b>	<b>101.6</b>	<b>63.1</b>	<b>86.3</b>	<b>77.9</b>

In addition to the above in house investments, a mix of Collective Investment Schemes or “pooled funds” is used, where investment is in the form of sterling fund units and not specific individual investments with financial institutions or organisations. These funds are generally AAA rated, are highly liquid, as cash can be withdrawn within two to four days, and short average duration of the intrinsic investments. The intrinsic Sterling investments include Certificates of Deposits, Commercial Paper, Corporate Bonds, Floating Rate Notes and Call Account Deposits. However, they are designed to be held for longer durations allowing any short term fluctuations in return due to volatility to be smoothed out.

**Table 9: External, Pooled Investments as at 31<sup>st</sup> March 2014**

	<b>Date Invested</b>	<b>Cost £m</b>	<b>Value £m</b>	<b>Annualised Return %</b>
CCLA	Nov 2013	3.0	3.05	5.26%
Payden Sterling Reserve	Feb 2012	9.0	9.17	1.13%
Federated Prime Rate Cash Plus	Mar 2013	5.0	5.03	0.54%
<b>Total</b>		<b>17.0</b>	<b>17.25</b>	<b>1.39%</b>

In placing investments the authority manages credit risk within the parameters set out in the investment strategy, approved as part of the budget setting report. Central to this is the assessment of credit quality based on a number of factors including credit ratings, credit default swaps (insurance cost) and sovereign support mechanisms. Limits are set to manage exposure to individual institutions or groups. Whilst the fears of systemic banking failures may have receded, recent regulatory changes make it almost certain that unsecured and corporate investors would suffer losses in the event of a bank default. Credit risk remains an issue for local authorities.

### **Prudential and Treasury Indicators**

The Local Government Act 2003 and associated CIPFA Prudential and Treasury Management Codes set the framework for the local government capital finance system. Authorities are able to borrow whatever sums they see fit to support their capital programmes, subject to them being able to afford the revenue costs. The framework requires that authorities set and monitor against a number of prudential and treasury indicators relating to capital, treasury management and revenue issues. These indicators are designed to ensure that borrowing entered into for capital purposes was affordable, sustainable and prudent. The purpose of the indicators is to support decision making and financial management, rather than illustrate comparative performance.

## Revenue Related Prudential Indicators

Within Appendix 6 the Ratio of Financing costs to Net Revenue Stream (Ref 1) highlights the revenue impact of the capital programme. This shows that the revenue costs of financing our capital expenditure as a proportion of our income from government grant and Council Tax. The actual is 12.80%, as against a 13.15% as forecast in the Treasury Management Strategy. This reflects a lower level of borrowing than anticipated to fund the Capital Programme and higher levels of investment balances.

## Capital and Treasury Management Related Prudential Indicators

These indicators, set out in Appendix 6, include:

- **Authorised Limit for External Debt** (Ref 5) ~ This represents the level of gross borrowing which could be afforded in the short term, but is not sustainable. It is the forecast maximum borrowing need, with some headroom for unexpected movements and potential debt restructuring. This is a statutory limit. Borrowing plus PFI and finance lease liabilities at £390.6m was within the limit of £464.7m.
- **Operational Boundary for External Debt** (Ref 6) ~ This indicator is based on the probable level of gross borrowing during the course of the year; it is not a limit and actual borrowing could vary around this boundary for short times during the year. It should act as an indicator to ensure the authorised limit is not breached. Borrowing plus PFI and finance lease liabilities at £390.6m was within the boundary of £420.7m.
- **Gross Debt v "Year 3" Capital Financing Requirement** (Ref 2) ~ The Council needs to be certain that net external borrowing does not, except in the short term, exceed the total of the Capital Financing Requirement (CFR) in the current year plus the estimates of any additional capital financing requirement for the next two financial years. The CFR is defined as the Council's underlying need to borrow, after taking into account other resources available to fund the Capital Programme. This indicator is designed to ensure that over the medium term, net borrowing will only be for a capital purpose. Gross debt is within the "year 3" or 2015/16 CFR limit.
- **Debt Maturity Structure, Interest Rate Exposure and Investments Longer than 364 Days** (Ref 8 - 10) ~ The purpose of these prudential indicators is to contain the activity of the treasury function within certain limits, thereby reducing the risk or likelihood of an adverse movement in interest rates or borrowing decisions impacting negatively on the Councils overall financial position. Treasury Management activity was within these limits. The Debt Maturity PI (Ref 9) indicates that there is a potential 14.8% of total debt that needs to be refinanced in 2014/15, compared to the PI limit of 15% in the 2013/14 Treasury Management Strategy. The potential refinancing need includes LOBO loans for which the lender effectively has a call option, which if exercised would require the Council to repay the loan. If these loans were required to be repaid, the City Council would look to refinance these at lower borrowing costs or through the use of investment balances in the first instance.

### 3. Results of consultation undertaken

#### 3.1 None

#### **4. Timetable for implementing this decision**

4.1 There is no implementation timetable as this is a financial monitoring report.

#### **5. Comments from Executive Director of Resources**

##### **5.1 Revenue**

The final revenue outturn picture for 2013/14 is a balanced position after contributions of £11.2m outlined in section 2.3. Large overspends have occurred within individual service areas, most notably adults and children's social care. Additional budgetary provision has been approved by members in both of these areas within the 2014/15 Budget Setting process to try and ensure that they do not continue to represent budgetary over-spends. It is important to be aware however that the Council will need to make significant investments in services for children following the recent Ofsted judgement and these could exceed the initial £4m contribution recommended within this report.

The Asset Management Revenue Account has delivered a significant saving compared to previous estimates attributable in large part to efforts to minimise the level of borrowing that the Council has required. A combination of later than anticipated capital spending profiles and higher than anticipated capital receipts (over several years) has enabled this saving to be generated. The underlying and on-going flexibility in this area of the Council's budget has been approved as a £5m saving in the 2014/15 budget. The measures that have helped to generate this saving will continue to be taken to help strengthen the financial position of the Council as a whole and will continue to be a very important feature of the Council's medium term financial planning.

With the exception of the Ofsted Improvement Plan element, the contributions set aside in reserves and to fund capital expenditure are also designed to strengthen the Council's financial position so that it is in a robust position to tackle the serious financial challenges of the next few years. Aside from the £4m dividend from Birmingham Airport, the under-spends that have funded these contributions represent less than 3% of the Council's net budget or 1% of its gross budget. Whilst the overarching aim of regular budgetary monitoring is to achieve a balanced position at year-end, the Council's continued achievement of modest underspends demonstrates the strength of its budget management processes and approach.

##### **5.2 Capital**

The application of grant funding, capital receipts and revenue contributions has been maximised resulting in a significantly reduced level of prudential borrowing compared to that forecast at Period 8 (£2.3m compared to £21.8m). Prudential Borrowing approvals not utilised for the 2013/14 programme will be applied in future years as capital spending is incurred.

##### **5.3 Legal implications**

There are no specific legal implications in relation to this report.

## 6. Other implications

### 6.1 How will this contribute to achievement of the council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / LAA (or Coventry SCS)?

The Council monitors the quality and level of service provided to the citizens of Coventry and the key objectives of the Council Plan. As far as possible we will try to deliver better value for money in the services that we provide in the context of managing with fewer resources.

### 6.2 How is risk being managed?

The need to deliver a stable and balanced financial position in the short and medium term is a key corporate risk for the local authority and is reflected in the corporate risk register. Budgetary control and monitoring processes are paramount to managing this risk and this report is a key part of the process.

### 6.3 What is the impact on the organisation?

The revenue and capital outturn position reported here demonstrates that the Council continues to undertake sound overall financial management. This will continue to be very important in the light of the massive challenges being faced with regard to the level of funding available to local government over the next few years.

### 6.4 Equalities / EIA

No specific impact.

### 6.5 Implications for (or impact on) the environment

No impact.

### 6.6 Implications for partner organisations?

None.

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**Revenue Position: Detailed Directorate Breakdown of Outturn Position**

Appendix 1 details directorate Over and (Under) spends.

<b>Chief Executive's</b>	£m	
Policy and Performance	(0.2)	Salary underspends due to vacant posts being held and maternity leave plus application of grant resources to Public Health related expenditure
Variations less than £100k	(0.1)	
<b>Total Variation</b>	<b>(0.3)</b>	

<b>Resources Directorate</b>	£m	
Post and Print	0.4	Overspend incurred in Post and Print due to increased costs of Multi Functional Devices (photocopiers, £280k) and Postage and to income shortfalls.
ICT Operations	0.4	Overspends on agency staff (£312k funded partly from salary underspends), Income shortfalls due to reduced demand from schools and increased costs of Telephony offset by underspends on other spend within ICT.
Resources Mgt Team & Overheads	0.3	One off in-year including legal fees relating to Arena issues.
Business Improvement Team	(0.1)	Salary savings due to vacant posts being held in year pending restructure
ICT Mgt	(0.1)	Underspends on ICT hardware and software budgets on Management team in order to fund pressures elsewhere in ICT.
Health & Safety	(0.1)	Salary savings due to vacant posts being held in year pending restructure
HR Recruitment	(0.6)	Over-achievement of rebate income from the Council's agency contracts with Reed and Pertemps. This income is offset by agency costs incurred throughout the Council in other directorates.
Talent & Skills Team	(0.8)	Underspend on staffing and professional fees on training pending implementation of Workforce Development restructure
Transformation Programme Office	(0.8)	Planned reduction in external support (£607k) and salary savings from holding vacant posts, pending revised structure, in year (£157k).
Benefits	(0.9)	Underspend on Community Support Grant (£800k) as a result of low demand of the grant throughout the year and a surplus on the Benefit Subsidy account (£300k) offset by an overspend on Benefit Administration as a result of reduced Benefit Admin Grant.
Variations less than £100k	(0.4)	
<b>Total Variation</b>	<b>(2.6)</b>	

<b>Public Health</b>	£m	
Variations less than £100k	(0.2)	
<b>Total Variation</b>	<b>(0.2)</b>	

People Directorate	£m	
LAC Services	3.9	The overspend is due to high looked after children (LAC) activity, resulting in high numbers of placements. LAC numbers have risen in 13/14 - on average there were 586 in the 12/13 financial year, rising to 624 for 13/14. This takes account of a significant increase in the last six months of 13/14. The number of Internal Foster placements has not increased in line with expectations resulting in the need to resort to the use of more expensive External Fostering placements. The average number of external fostering placements in 13/14 was 256, compared with 214 in 12/13. The average level of internal foster placements has dropped to 157 (in 2012/13 this was 171).
Mental Health & Learning Disabilities	1.3	Overspend of £1.4m due to continued high level of activity and support to young people with a Learning Disability, and increasing activity in Mental Health services. Partially offset by salary underspends across the service operational teams
Older People & Physical Impairment	1.2	Overspend of £1.3m due to continuing pressure on the budget arising from high service demand for older people being supported to live at home partially offset by salary underspends.
Child Protection	0.9	A combination of various pressures in children's social care ranging from: a) social work staffing levels due to high levels of agency staff covering vacancies, and high volumes of work b) legal costs driven by high activity levels (131 cases in 2013/14 compared to an estimate at quarter 3 of 111) and barrister fees c) discretionary payments to prevent children from becoming looked after, largely made up of housing costs for families who are homeless or in temporary accommodation, or for families awaiting benefits or with no recourse to public funds.
Strategy & Commissioning (CLYP)	0.4	There is a significant overspend on Supported Accommodation, this is due to high levels of spot purchasing of placements as a result of the timing of the new contract, and higher levels of demand for the service than anticipated.
Head of Group - Strategy, Commissioning & Transformation	0.2	Programme management costs to enable the delivery of the ABCS programme.
Business Performance (Social Care Targeted and Early Intervention)	0.1	The overspend relates to Looked After Children transport and is due to 5 out of city placements where costs for journeys over 20 miles are met by the Local Authority and not the external fostering agency. There is an increase in out of city external fostering placements due to demand, and the majority of in city capacity having been utilised.
Catering	0.1	The service continues to recover its direct costs and contribution to corporate overheads but is not forecast to meet FSR income targets for take up of school meals. This overspend has been partly offset by use of £81k residual School Meals Grant in 2013/14 only.

<b>People Directorate (Continued)</b>	<b>£m</b>	
Adult Social Care Provider Services	(0.1)	Underspend due to vacant post savings across Provider services partially offset by overspend in Housing with Care schemes
Integrated Youth Support Service	(0.2)	The underspend of 0.2m on Youth Services is due to vacancies in this area pending the service restructure.
Learning & Achievement	(0.2)	Salary and running costs less than forecast combined with an over-achievement of income from schools.
Health Overview & Wellbeing	(0.2)	Underspend following the introduction of a local Health-watch in Coventry, as well as other savings on health related projects
Business Performance (Safeguarding, Performance and Quality)	(0.2)	The under-spend relates to salary underspends across the Business Support Service, Transport Bureau and Home to School Escorts.
Strategic Commissioning (Adults)	(0.9)	Underspend due to vacancies, savings on a number of contracts, early delivery of some aspects of ABCS savings as well as additional income and reduced costs on New Homes for Old
Strategic Management (Social Care Targeted and Early Intervention)	(0.9)	This is the financial strategy deployed to balance the directorate's bottom line including contributions from reserves, and utilisation of non-ring-fenced grant funding for existing expenditure. The variance against this relates to additional contributions from reserves, and additional savings identified throughout the year.
Early Years, Parenting & Childcare	(1.0)	DFE have confirmed that grant funding, for which provision was made, will not be clawed back, resulting in a one-off underspend of £0.4m. A further £0.6m of underspend across Early Years Nurseries and Children's Centres due to on-going vacancies and additional income received is also included.
Public Safety	(1.3)	Underspends due to staff vacancies held during Neighbourhood Working review, vacancies and additional income within public safety as well as reprioritisation and reduced spend on Community Safety initiatives
Variations less than £100k	(0.2)	
<b>Total Variation</b>	<b>2.9</b>	

Place Directorate	£m	
Waste & Fleet Services	1.0	This largely relates to higher waste disposal costs due to a significant increase in tonnages of waste disposed. Additionally, refuse collection is also overspent as a result of higher than budgeted sickness, fleet cost pressures and the additional cost of Christmas collections
Commercial Property	0.5	Rents achieved have again not been sufficient to achieve the targets which were set prior to the economic downturn
Maintenance	0.2	Under achievement of income against targets due to reducing business from schools, together with a one off write off of other income. Service has now restructured to be more competitive and early indications for 14/15 are that this trend is reversing.
Technical Services	0.2	High value projects managed by the project delivery team have been delayed until 14/15, resulting in reduced fees in year
Highways	0.2	Primarily relating to the delayed achievement of expected operational savings and a one-off refund of works costs
Building Sustainable Communities	(0.2)	Coventry is exempt from the Carbon Reduction Commitment scheme with effect from 13/14. Budgets have been adjusted from 14/15
City Centre and Development Resources & New Projects	(0.2)	Underspend generated from securing greater levels of grant, and reducing the burden upon Council resources.
Development Management & Planning Policy	(0.2)	Improvement in income due to work on big development schemes (e.g. Friargate).
PAM Management & Support	(0.3)	Early savings achieved from the Strategic Property review FSR.
Corporate Property	(0.3)	Largely the reduced cost of planned and reactive corporate property repairs as VfM challenge is escalated on Friargate related property, together with a one-off windfall from business rates appeals rebates
Cultural & Sport	(0.3)	Application of grant resources to Public Health related sports expenditure
Place Directorate & Support	(1.0)	Increase in Bus Lane Enforcement income and management actions within Place Directorate to offset pressures and achieve corporate savings targets.
Variations less than £100k	(0.0)	
<b>Total Variation</b>	<b>(0.6)</b>	

<b>Contingency and Central Budgets</b>	<b>£m</b>	
Recommended Outturn Contributions	11.2	Proposed contributions into reserves and to fund capital expenditure per this report's recommendations.
abc Savings	1.6	The final overspend is £0.5m higher than at period 8 due primarily to a one-off shortfall of £0.5m in the Commissioning and Purchasing Review to add to previously reported shortfalls in savings in the areas of Demand Management (£0.5m) and Headcount Reduction (£0.4m). The reviews for headcount reduction and commissioning and purchasing are now on track to meet their targets in 2014/15.
Inflation and Central Contingencies	(1.5)	The final underspend reflects additional one-off resources totalling £0.9m returned by Government in relation to amounts withheld previously for Academy funding and the capitalisation top-slice. This is in addition to under-spends on contingency budgets albeit at lower levels than anticipated at period 8.
Asset Management Revenue Account	(10.5)	The includes a final underlying under-spend of £6.5m plus the £4m special dividend from Birmingham Airport. The underlying under-spend reflects the continuation of lower interest and debt repayment profiles and delays in incurring prudential borrowing within the Capital Programme. The ongoing element of this position has been built into 2014/15 Budget Setting.
Variations less than £100k	0.0	
<b>Total Variation</b>	<b>0.8</b>	

**Final Capital Budget 2013/14**

The table below presents the final approved capital budget for 2013/14.

<b>DIRECTORATE</b>	<b>APPROVED BUDGET PERIOD 8 £m</b>	<b>APPROVED / TECHNICAL CHANGES £m</b>	<b>FINAL BUDGET 13-14 £m</b>
People	15.2	(0.1)	15.1
Place	41.9	(1.5)	40.4
Resources	9.1	0.1	9.2
<b>TOTAL</b>	<b>66.2</b>	<b>(1.5)</b>	<b>64.7</b>

The table above shows a net reduction to the programme of £1.5m since Period 8. Changes in excess of £0.1m are explained in Appendix 3 below.

**Capital Programme: Analysis of Budget/Technical Changes**

<b>SCHEME</b>	<b>EXPLANATION</b>	<b>£m</b>
<b>PEOPLE</b>		
Leased Equipment	Realignment of budget consistent with final spending and reflecting that leasing of smaller items of equipment is no longer cost effective.	(0.1)
<b>SUB-TOTAL – People</b>		<b>(0.1)</b>
<b>PLACE</b>		
Highways Enabling Works	Realignment of budget to reflect the costs of enabling works being accommodated within other capital programme schemes.	(0.9)
Property Repairs	Reclassified as revenue spend within existing budget approval.	(0.5)
Highways Investment	Reclassified as revenue spend within existing budget approval.	(0.1)
<b>SUB-TOTAL – Place</b>		<b>(1.5)</b>
<b>RESOURCES</b>		
Miscellaneous	Net addition to the programme	0.1
<b>SUB-TOTAL – Resources</b>		<b>0.1</b>
<b>TOTAL BUDGET / TECHNICAL CHANGES</b>		<b>(1.5)</b>

**CAPITAL OUTTURN 2013/14 – ANALYSIS BY DIRECTORATE**

The final capital outturn for 2013/14 is £54.5m compared to the final budget at outturn of £64.7m.

DIRECTORATE	FINAL BUDGET 2013/14 £m	OUTTURN 2013/14 £m	RESCHEDULED EXPENDITURE NOW REPORTED £m	TOTAL VARIATION £m
People	15.1	12.9	(2.2)	(2.2)
Place	40.4	32.9	(7.5)	(7.5)
Resources	9.2	8.7	(0.5)	(0.5)
<b>TOTAL</b>	<b>64.7</b>	<b>54.5</b>	<b>(10.2)</b>	<b>(10.2)</b>



**Capital Programme: Analysis Of Rescheduling**

SCHEME	EXPLANATION	£m
<b>PEOPLE</b>		
Basic Need	Projects at a number of schools were revised due to negotiations over target costs taking longer than anticipated and the need to conduct value engineering processes.	(1.1)
Emergency Condition Fund	Anticipated demand for Emergency Condition Projects over the winter months did not materialise.	(0.2)
Early Years	Provision of additional 2 Year old places continues as a priority and it is anticipated that rescheduled spend into 2014-15 will be allocated to further schemes. Changes in management of the programme will support this.	(0.3)
Tackling Fuel Poverty	Due to changes in the Energy Companies Obligation funding regimes.	(0.3)
Siskin Drive	Delays due to legal proceedings and the need to obtain planning consent and undertake an environment survey prior to the tendering process.	(0.1)
Living Well With Dementia	Delays in getting work started on site have meant that the scheme has slipped to 2014-15. Changes in the way the ECO funding regimes works is also part of the delay, the works for this is already with Kier Services and will be completed in 2014	(0.1)
Miscellaneous	Net Rescheduling	(0.1)
<b>SUB-TOTAL – People</b>		<b>(2.2)</b>
<b>PLACE</b>		
Friargate Bridgedeck	The original cashflow was based on a January 2014 start on site. Works commenced in March 2014, following agreement of target cost, and therefore construction costs factored into 13/14 have been rescheduled to 2014/15, including the steel beam order which was estimated at c£1m. The forecast included for utilities diversion costs of £1m has been reduced to under £400,000, with the bulk of the costs still to be paid as we go through the statutory process	(1.5)
M40 Junction 12	Consistent with the RGF financial cycle, the value of this rescheduling will form part of a payment made to Warwickshire in July 2014.	(0.8)
Vehicle Replacement	Delays are due to revised vehicle specifications and build times together with a reassessment of in year vehicle replacement requirements.	(0.8)
Property Repairs	Several schemes, including Civic Centre 2 roof repairs and Central Library lift refurbishment have been rescheduled due to technical specifications, tendering delays and contractor lead times.	(0.6)
Heatline	Finalising of the last element of phase 1 will now be complete in 2014/15.	(0.5)

AT7 Centre	Some non-critical works have been rescheduled and the breakthrough works from the new to the existing building have been delayed to minimise the impact on users. Overall the scheme remains on track.	(0.4)
Highways Investment	Mainly due to the delay in delivery of the micro asphalt programme and three large resurfacing schemes.	(0.4)
Growing Places Fund	Some projects have progressed slower than anticipated. Officers are working closely with businesses to encourage the submission of applications/claims which are now coming in on a more regular basis.	(0.4)
Cycle Coventry	Surfacing works at Charter Avenue were delayed due to poor drainage. The Hearsall Common scheme was rearranged to accommodate other works being undertaken by Western Power and is scheduled to complete in May 2014.	(0.4)
South-West Coventry Junction Improvement	Works commenced on site earlier than originally anticipated.	0.3
Integrated Transport Programme	Rescheduling has arisen on one of the Safety Schemes which commenced later than anticipated in Mid-March.	(0.3)
Nuckle	Delays relating to legal negotiations around the signing of the Asset Protection Agreement together with less than expected project management costs being incurred in 13/14.	(0.3)
Hinckley Road Cycle Scheme	Start on site was delayed until March due to the need to rearrange work to accommodate Western Power laying a new HV cable over a period lasting several weeks.	(0.2)
Friargate Office Building	Due to a re-programming of the design & procurement approach for the Council's new office building. The appointment of a contractor was delayed until such time as the designs were more advanced – which has resulted in a reduced level of expenditure incurred in 13/14.	(0.2)
Parking Meters	Following objections to the initial proposals the scheme had to be amended and re-advertised before procurement.	(0.1)
Far Gosford Street	Delays negotiating compulsory purchase orders.	(0.1)
Coventry & Warks Enterprise and Business Growth	The demand from businesses for grant funding was higher than anticipated and with DCLG approval European Regional Development Fund grant funding was made available to facilitate those grants.	0.1
Miscellaneous	Net Rescheduling	(0.7)
<b>SUB-TOTAL – Place</b>		<b>(7.5)</b>

## RESOURCES

Strategic ICT	Ongoing and late finishing of projects make up the majority of re-scheduling together with delays relating to the network modernisation.	(0.5)
<b>SUB-TOTAL – Resources</b>		<b>(0.5)</b>

## TOTAL RESCHEDULING

**(10.2)**

**Summary Prudential Indicators**

	Per Treasury Management Strategy	
	13/14	Actual 13/14
	£000's	£000's
<b>1 Ratio of financing costs to net revenue stream:</b>		
(a) General Fund financing costs	35,302	34,353
(b) General Fund net revenue stream	268,414	268,414
General Fund Percentage	13.15%	12.80%
<b>2 Gross Debt &amp; Forecast Capital Financing Requirement</b>		
Gross debt including PFI liabilities	403,923	390,609
Capital Financing Requirement (forecast end of 15/16)	458,928	495,117
<b>Gross Debt to Net Debt:</b>		
Gross debt including PFI liabilities	403,923	390,609
less investments	-36,117	-95,381
less transferred debt reimbursed by others	-18,264	-18,264
Net Debt	349,542	276,964
<b>3 Capital Expenditure (Note this excludes leasing)</b>		
General Fund	60,241	54,484
<b>4 Capital Financing Requirement (CFR)</b>		
Capital Financing Requirement	458,928	407,736
Capital Financing Requirement excluding transferred debt	440,664	389,472
<b>5 Authorised limit for external debt</b>		
Authorised limit for borrowing	403,847	403,847
+ authorised limit for other long term liabilities	60,812	60,812
= authorised limit for debt	464,659	464,659
<b>6 Operational boundary for external debt</b>		
Operational boundary for borrowing	359,847	359,847
+ Operational boundary for other long term liabilities	60,812	60,812
= Operational boundary for external debt	420,659	420,659
<b>7 Actual external debt</b>		
actual borrowing at 31 March 2014		308,417
+ PFI & Finance Leasing liabilities at 31 March 2014		63,928
+ transferred debt liabilities at 31 March 2014		18,264
= actual gross external debt at 31 March 2014		390,609
<b>8 Interest rate exposures</b>		
Upper Limit for Fixed Rate Exposures	403,847	271,789
Upper Limit for Variable Rate Exposures	80,769	-58,753
<b>9 Maturity structure of borrowing - limits</b>	<b>upper limit</b>	<b>actual</b>
under 12 months	15%	14.8%
12 months to within 24 months	20%	12.9%
24 months to within 5 years	30%	4.5%
5 years to within 10 years	30%	5.2%
10 years & above	100%	62.6%
<b>10 Investments longer than 364 days: upper limit</b>	15,000	0

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Cabinet

17 June 2014

**Name of Cabinet Member:**

Cabinet Member (Health and Adult Services) – Councillor Gingell

**Director Approving Submission of the report:**

Executive Director - People

**Ward(s) affected:**

All

**Title:**

Increased Community Support Through Telecare.

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**Is this a key decision?**

Yes

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**Executive Summary:**

A key priority for the City Council and its health partners is reducing long term demand through supporting people to remain independent and minimise the need for more intensive health and social care services wherever possible. This principle of demand reduction is central to the integration agenda with health and the delivery of the requirements of the Better Care Fund, through which closer integration between Health and Social Care is being driven.

One of the objectives of this work is to reduce the usage of residential and nursing home placements in Coventry. Placing people directly into residential or nursing care, even for a period of reablement can quickly create an expectation that ongoing residential or nursing care is required and can therefore lead to a level of usage above what would be the case if more people were able to experience a period of reablement in their home environment.

In 2013 the City Council undertook a consultation on a series of proposals under the A Bolder Community Services (ABCS) programme, one element of this consultation was the ongoing funding of the Aylesford, a City Council provided short-term residential home. As an outcome to this consultation the Coventry and Rugby Clinical Commissioning Group (CRCCG) agreed to fund the Aylesford for a period of six months, to 30 September 2014 to enable the development of a Reablement Strategy.

A high level reablement strategy has been agreed between the City Council and CRCCG. The principle of this strategy is to develop a more robust way to support people requiring a short term service in their own home and reduce the number of residential and nursing beds required for this purpose. To deliver this strategy further funding has been agreed with the Coventry and Rugby Clinical Commissioning Group (CRCCG) for the Aylesford until 31 March 2015.

This report deals specifically with the delivery of this strategy through developing a much extended and enhanced Telecare service to improve the effectiveness of services available to support people in their own homes. It is considered that the delivery of this increased robustness will make the need for the service provided by the Aylesford redundant by the revised funding date of 31 March 2015; it is proposed that a further focused consultation exercise will be undertaken in respect of this closure proposal and that the outcome and impact assessment will be presented at a later date to cabinet for consideration and decision around cessation of the service.

The City Council wants to set an ambitious target for this work to give drive and ambition to how we make best use of technology to support people requiring social care and support.

**Recommendations:**

Cabinet is requested to approve the following recommendations:

- 1) Endorse the high level strategy for Short Term Services to Maximise Independence that will see a move away from bedded facilities and the development of more robust services to support people in their own homes.
- 2) The expansion of the use of Telecare in the City as a way to deliver a more robust community response.
- 3) To undertake a focused consultation process to revisit the previous consultation findings with regard to the Aylesford and its proposed cessation; and to understand any changes to the impacts identified and the impact of a cessation of this service.
- 4) That the delivery of the high level strategy agreed with health partners, be reviewed by Health and Social Care Scrutiny Board (5) with recommendations to be made to Cabinet Member (Health and Adult Services) on how the delivery of the strategy is progressed.

**List of Appendices included:**

Appendix One – Short Term Services to Maximise Independence – High Level Strategy.  
Appendix Two – Equality and Consultation Analysis Part 1 (pre-consultation)

**Other useful background papers:**

Coventry Better Care Fund Submission – April 2014

**Has it been or will it be considered by Scrutiny?**

Yes

Health and Social Care Scrutiny Board (5) July 2014

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

## 1. Context

- 1.1 A key priority for the City Council and its health partners is both managing and reducing long term demand for services due to ageing populations and increasing complexity of need against a context of reducing resources. Supporting people to remain independent and minimise the need for more intensive health and social care services wherever possible is key to meeting these challenges. This principle of demand reduction is central to the integration agenda with health and the delivery of the requirements of the Better Care Programme, through which closer integration between Health and Social Care is being driven.
- 1.2 One of the objectives of this work is to reduce the usage of residential and nursing home placements in Coventry. Placing people directly into residential or nursing care, even for a period of reablement can create an expectation that ongoing residential or nursing care is required and can therefore lead to a level of usage above what would be the case if more people were able to experience a period of reablement in their home environment.
- 1.3 The City Council has significant financial challenges. In order to respond to these challenges in 2013 the City Council consulted on a series of proposals through the A Bolder Community Services (ABCS) programme, one element of this consultation was the on-going funding of the Aylesford, a City Council provided short-term residential home. As an outcome to this consultation the Coventry and Rugby Clinical Commissioning Group (CRCCG) agreed to fund the Aylesford for a period of six months, to 30 September 2014 to enable the development of a Reablement Strategy.
- 1.4 A strategy for Reablement, which is now termed 'Short Term Services to Maximise Independence', has been agreed between the City Council and CRCCG. The principle of this strategy is to develop a more robust way to support people requiring a short term service in their own home and reduce the number of residential and nursing beds required for short term use.
- 1.5 This report deals specifically with the delivery of this strategy through developing a much extended and enhanced Telecare service to improve the robustness of services available to support people in their own homes. The City Council wants to set an ambitious target for this work to give drive and ambition to how we make best use of technology to support people requiring social care and support.
- 1.6 Using new technology is one way in which the challenges of financial pressures and increasing demands can be responded to. Technology can be used to support people to remain independent within their own homes for longer. Nationally telecare has had significant success in improving outcomes for individuals whilst reducing the long term need on place based social care services.
- 1.7 The introduction of a robust community responder service including an enhanced telecare offer would help meet the objective of ensuring people remain independent within their own homes and live fulfilled lives. This along with an integrated health and social care referral pathway, Housing with Care services, and an outcome focussed home support service to maximise independence would enable the Council, and health partners, to better meet the needs of people within community settings.

- 1.8 To enable the development of this more robust community response the CRCCG has agreed with the City Council to fund the Aylesford until 31 March 2015. As the Aylesford provides services to short term residents there is no expectation of ongoing provision for any individual receiving services at the Aylesford. The ongoing needs of individuals exiting the Aylesford is determined through assessments involving families, carers and other professionals as appropriate.
- 1.9 Despite significant budget challenges the City Council is committed to supporting vulnerable people and finding ways to use available resources in the most cost effective way to provide this support. A more effective community response, of which Telecare plays a key role, will help to ensure the City Council can continue to support those in most need.
- 1.10 High Level Strategy for Short Term Services to Maximise Independence**
- 1.11 Delivering integration through the Better Care Programme requires a multi-agency approach across the City Council, Coventry and Rugby Clinical Commissioning Group, Coventry and Warwickshire Partnership Trust (CWPT) and University Hospital Coventry and Warwickshire (UHCW). In April 2014 all four organisations agreed a high level strategy which set a direction of travel to reduce the reliance on bedded facilities for the provision of short term services and develop a more robust community offer so that people can benefit from a period of short term support in their own home.
- 1.12 Short term support is based on the principle that everyone has the ability to improve or maintain their independence with the right support. As the detail on this strategy is developed and implemented it is expected that service provision would increasingly be one that values prevention, early intervention and community based approaches. Where necessary the right level of support would be provided within the home ensuring people are able to remain in their own communities for as long as possible. The strategy outlines the high level activities that will be jointly undertaken to improve short term services in the city.
- 1.13 This report deals specifically with how the use of Telecare will be enhanced to improve how people are supported in their own homes. There are however other elements to the strategy which are as follows:
- 1.14 Housing with Care Short Term Support
- 1.15 The Short Term Support offer within Housing with Care provides an opportunity for people to re-familiarise with the life skills they require to return to live independently within their own homes. The Housing with Care short term service is a key part of the short term support strategy for those who, even with an improved community offer, are not able to have a period of Short Term Services to Maximise Independence in their own homes. The Housing with Care service operates in a self-contained housing facility. Therefore service users are able to recover from an episode in hospital within an environment similar to their own home.
- 1.16 Short term tenancies provide a means of support for people either being discharged from hospital, or to avoid admission, for a period of up to six weeks. In order to ensure that people supported through a short term tenancy have the maximum opportunity to return home the use of telecare, support from occupational therapists, phased home visits to re-acustom service users with their own home environment and on-going monitoring of progress by a dedicated social worker would all be features of the individual support plan provided.



- 1.17 Housing with Care staff would have flexibility to make adjustments to support as the individual progresses in order to ensure maximum benefits are realised. This would include flexible use of equipment to support people becoming re-familiar with skills such as cooking and self-care.
- 1.18 Short Term Home Support
- 1.19 A new home based Short Term Service to Maximise Independence has been commissioned and commenced delivery in May 2014. This service focuses on providing intensive short term support to maximise the independence of individuals in their own home upon being discharged from hospital and to prevent hospital admission.
- 1.20 The service will deliver up to 1,350 hours of support per week linked to General Practitioner (GP) clusters, the majority of whom would be returning home from a stay in hospital. The service focusses on developing the life skills of individuals that may have been reduced. The use of telecare and other equipment will be integral to this approach, as will the input of other professionals including Occupational Therapists and Social Workers.
- 1.21 Improving Telecare in Coventry**
- 1.22 The enhanced telecare offer would build confidence for individuals and carers when returning home. It would provide a personalised and responsive 24 hour reassurance that the risks of returning home are being managed. Telecare services can be tailored according to the needs and risks presented by the individual. Risks would be identified during support planning and review processes and appropriate options discussed with service users and carers.
- 1.23 There are currently approximately 350 people supported with Telecare packages in Coventry but bold ambition is needed to drive change and improvement. It is therefore proposed to create a telecare service that has capacity to support approximately 3000 people over the next three years. As part of the on-going integration with Health referrals will be made through different routes and by different professionals. This would include community referrals and self-funders.
- 1.24 A responder service is key to the success of any telecare service. A limited response service is currently provided by a voluntary sector organisation for people who don't have family to support them. The numbers are low and with an increased telecare service a more comprehensive model is required. It is therefore also proposed that a responder service is established that would be scaled up as necessary as delivery increases.
- 1.25 It is expected that wherever feasible family or friends would be the first point of response should an alarm be raised. A responder service would be provided where clients do not have family and friends able to respond or where the named responder is unavailable. During the first quarter of this year in the region of a 150 ambulance call outs were made by the alarm monitoring service on behalf of service users. A significant number of these were because family/friend responders were unavailable at the time and no other option for a response to an incident was available. This places unnecessary and avoidable pressure on health resources.
- 1.26 Also key to success is the ability to supply and install equipment in a timely manner to facilitate hospital discharge and prevent un-necessary admission. An integrated supply and installation service is the most reliable way of ensuring this as it reduces the length of time it takes from a request for telecare being issued by practitioners to the installation

being undertaken within someone's home. The Council would seek to procure the equipment and installation service from existing framework contracts.

- 1.27 Once a period of short term support has finished people would be able to maintain the telecare package, whether as part of their on-going assessed package of care or as a self-funder. At this point the service would become chargeable. National research has shown that up to 90% of people choose to continue to pay for a package of telecare even though they are assessed as no longer requiring social care support.
- 1.28 Recognising that Telecare and other new technologies to support social care is a growing market the City Council would organise the service in a way that the benefits of new developments including stand-alone equipment and apps could also be maximised.
- 1.29 The telecare offer is being developed initially around packages of support for Older People. However it would also be developed for other client groups including Learning Disabilities, Physical and Sensory Impairment and Mental Health.

## **2. Options considered and recommended proposal**

### **Option 1 - Recommended**

- 2.1 In order to support the delivery of the high level strategy for Short Term Services to Maximise Independence through improving community resilience it is recommended that the required steps are taken to establish a telecare service through procurement of an integrated supply and installation service.
- 2.2 As the Aylesford has funding in place until 31 March 2015 it is further recommended that the Council undertakes a focussed consultation to understand any changes since the consultation in 2013. The consultation outcome and impact assessment will be presented to Cabinet for a decision around the future of the Aylesford service.
- 2.3 This option is recommended as it offers the local authority the best opportunity to improve short term services in the city whilst meeting the financial challenges that continue to be faced.

### **Option 2 – Not Recommended**

- 2.4 It is possible to consider the closure of the Aylesford whilst not investing in the enhanced telecare offer to increase community resilience. This option is not recommended because it will increase risks around supporting more people in their own homes as a result of reducing bed capacity. This also has the effect of not meeting the Health and Social Care integration objectives outlined in the Better Care Programme plan.

### **Option 3 – Not Recommended**

- 2.5 Keep the status quo and do not invest in telecare short term support services whilst maintaining the Aylesford. This option is not recommended as the withdrawal of revenue funding for the Aylesford was part of the savings programme under the 'A Bolder Community Services' programme.

## **3. Results of consultation undertaken**

- 3.1 A focused consultation process with a view to refreshing our understanding of the impacts of the closure of the Aylesford, as identified during the ABCS consultation process will be

undertaken. This will be carried out using small meetings/briefings with key stakeholders. The outcome of this consultation will be presented to Cabinet to consider the future of the Aylesford going forward.

- 3.2 For those service users already in receipt of telecare, or where a telecare offer is identified as being beneficial, these opportunities would be discussed as part of the support planning review process.
- 3.3 Staff and trade unions will be consulted in relation to the proposed closure of the Aylesford. This will ensure they have opportunity to inform the proposals.

**4. Timetable for implementing this decision**

- 4.1 The new telecare offer would be launched in summer 2014 following the procurement of services and modelling of the required new referral pathways. This is in line with the new short term home support service service that would be fully operational in July.
- 4.2 The responder service would be piloted, using the Housing with Care responder service with existing telecare users, during July 2014, with a full rollout in line with the launch of the new telecare offer.
- 4.3 A report will be submitted to Cabinet outlining the outcome of the Aylesford consultation and the final recommendations later in the year. Depending upon the outcome of the consultation implementation plans will be produced.

**5. Comments from Executive Director, Resources**

- 5.1 Financial implications

Telecare

As the expansion of telecare is key to the outcomes required by the Better Care Fund (BCF), funding of £595k from the “Preparing for the BCF” allocation will be used to pump prime the expansion, with the savings from supporting people at home rather than in residential care providing the resources to further scale up the model.

It is estimated that the following net savings will be deliverable, driven by reductions in Residential Care costs, which will contribute to the existing savings targets for the People Directorate.

<b>Year</b>	<b>1 £000</b>	<b>2 £000</b>	<b>3 £000</b>	<b>4 £000</b>
Savings Achievable	550	750	1,000	1,500

The proposed model is based on 4 levels of service which reflect the level of equipment required and whether a responder service is necessary.

As described in paragraph 1.27 above once the period of short term support has been completed the service would become chargeable as part of an assessed package of care as shown in the table below.

Level	Description	Family/Friend role	Charge per week
1	Monitoring station and 2 sensors	Family and friends identified as responders.	£3
2	Monitoring station and 2 sensors with response	No family or friends identified as responders. Council to provide responder service.	£5
3	Monitoring station and multiple sensors	Family and friends identified as responders.	£7
4	Monitoring station and multiple sensors with response	No family or friends identified as responders. Council to provide responder service.	£10

### Aylesford

As described in the main body of the report, funding for the Aylesford was previously temporarily extended to enable the agreement of a reablement strategy. Any extension beyond the 31 March 2015 revised funding date would impact on the on-going delivery of the ABCS review savings identified to Cabinet in January 2014.

#### 5.2 Legal implications

A follow up consultation with key stakeholders, to understand any changes since the original consultation in 2013, is proposed. This will enable impacts to be understood in light of the new strategy and for the Equalities and Consultation Analysis to be updated in line with the strategy.

### 6. Other implications

#### 6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

The Council Plan sets out the city's vision and priorities for Coventry. The priorities include objectives to:

Improve the health and wellbeing of local residents by:

- helping people to maintain their independence and supporting them when they need help

The proposals outlined will enable people to maintain their independence using resources in the most effective way.

#### 6.2 How is risk being managed?

Risk management plans are in place for the project. Risks will be managed in line with corporate risk management procedures.

#### 6.3 What is the impact on the organisation?

Should recommendations be approved discussions would take place with Trades Unions about the potential for the Aylesford closure. This would include strategies to minimise the adverse impact on employees as far as possible through further ER/VR applications, vacancy management and redeployment, and by reviewing existing temporary contracts, and agency usage. Individual meetings would take place with all affected employees and implementation would be managed in accordance with the City Councils change management agreement, The Security of Employment Agreement.

In total 40 staff would be directly affected by any closure, 34 permanent staff and 6 temporary staff. In the event of a decision to close the Aylesford staff would be supported to find alternative employment within the local authority where possible.

**6.4 Equalities / EIA**

An initial ECA has been produced for the purposes of these proposals which will be updated as plans progress.

Due to the scale of changes required, it is unlikely that all negative impacts can be removed or mitigated. As a range of groups will be impacted by the proposals the consultation will be tailored to make it relevant and applicable to the groups affected through media including easy-read versions.

**6.5 Implications for (or impact on) the environment**

None

**6.6 Implications for partner organisations?**

Implications for health partners including the Clinical Commissioning Group, Coventry and Warwickshire Partnership Trust and University Hospital Coventry and Warwickshire. All organisations are members of the Better Care Programme Board and are supportive of the strategic approach described in this report.

**Report author(s):**

**Name and job title:**

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 Marc Greenwood – Programme Delivery Manager, People

**Directorate:**

People

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Legal: Name	Julie Newman	Resources	23/05/14	03/06/14
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Members: Name	Councillor Alison Gingell		28/05/14	

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## Appendices



Cabinet  
Council

17<sup>th</sup> June 2014  
24<sup>th</sup> June 2014

**Name of Cabinet Member:**

Cabinet Member (Business Employment & Enterprise) – Councillor Maton

**Director Approving Submission of the report:**

Executive Director Place

**Ward(s) affected:**

Land situated outside administrative boundary – in Warwickshire

**Title:**

**Coventry & Warwickshire Gateway – Section 106 Planning Agreement**

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**Is this a key decision?**

Yes

*The agreement imposes potential financial liabilities on the Council in excess of £2M*

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**Executive Summary:**

In October 2012, Council approved the disposal of land around Coventry Airport to form part of a commercial development scheme known as The Coventry & Warwickshire Gateway.

A condition of the disposal required the developer to secure an acceptable planning consent for the proposed commercial development. An outline planning application for the proposed development was submitted by Coventry & Warwickshire Development Partnership LLP to Warwick District Council ref: W/12/1143 and Coventry City Council ref: OUT/2012/1791. The scheme covers both administrative areas, with the majority of the land falling within Warwick District and having some highway related matters within Coventry. At their respective planning committees both authorities resolved their intention to grant consent.

The Secretary of State for the Department for Communities and Local Government called in the application and a planning inspector was appointed to hold a public planning enquiry which commenced on the 21<sup>st</sup> April 2014 and was scheduled to last for 15 days. The evidence heard at the public inquiry is currently being considered by the inspector. As a number of significant impacts of the proposed development are mitigated by a section 106 planning agreement, a completed agreement will have a strong bearing on the Inspector's recommendation to the Secretary of State and on the Secretary of State's decision on the outline planning applications.

Planning requirements proposed by the local planning authority, seek to impose obligations on the landowners, of which Coventry City Council is one. These obligations require certain relevant works to be carried out and financial payments to be made during the development and prior to occupation of the development. These obligations are to be secured and documented by way of a legally enforceable section 106 planning agreement.

The purpose of this report is to outline the financial liability potentially being imposed on Coventry City Council and how the liability is intended to be indemnified by the Coventry & Warwickshire Development Partnership as developer for the scheme, underwritten by a bank guarantee and to be documented as part of the land agreement.

**Recommendations:**

**The Cabinet is requested to recommend that the Council:**

1. Approve that the Council, acting as landowner, enter into the Coventry & Warwickshire Gateway Section 106 Planning Agreement with Warwickshire County Council and Warwick District Council, provided that that all the financial liabilities imposed on the Council in that agreement are indemnified by the Developer in the land agreement and backed by a bank guarantee.
2. Delegate authority to the Executive Director, Resources and the Executive Director of Place, in consultation with Cabinet Member (**Business Employment & Enterprise**), to negotiate the final terms of the Section 106 Planning Agreement, the indemnity from the Developer and the Bank Guarantee and to conclude all necessary legal documents in relation to the Section 106 Planning Agreement.

**The Council is recommended to:**

1. Approve that the Council, acting as landowner, enter into the Coventry & Warwickshire Gateway Section 106 Planning Agreement with Warwickshire County Council and Warwick District Council, provided that that all the financial liabilities imposed on the Council in that agreement are indemnified by the Developer in the land agreement and backed by a bank guarantee.
2. Delegate authority to the Executive Director, Resources and the Executive Director of Place, in consultation with Cabinet Member (**Business Employment & Enterprise**), to negotiate the final terms of the Section 106 Planning Agreement, the indemnity from the Developer and the Bank Guarantee and to conclude all necessary legal documents in relation to the Section 106 Planning Agreement.

**List of Appendices included:**

Appendix 1 - Draft s106 agreement

**Background papers:**

None

**Other useful documents:**

None

**Has it been or will it be considered by Scrutiny?**

No



**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

Yes on the 24<sup>th</sup> June 2014

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## Report title: **Coventry & Warwickshire Gateway – Section 106 Planning Agreement**

### **1. Context (or background)**

- 1.1 To enable the planning inspector to report favourably on the current outline planning application an agreement on the planning contributions deliverable by the development is required. The obligations to carry out works and to make payments are to be recorded in a legally binding section 106 planning agreement (s106). To ensure the obligations are delivered the agreement is required to be between the local planning authority within which the land sits and the freehold owners of the land involved. Coventry City Council previously approved the retention of the freehold of the land and the grant a 999 year leasehold interest to the developer of the Coventry & Warwickshire Gateway scheme so that it could exercise some control over the form of development. For this reason, Coventry City Council as landowner, is required to sign the section 106 agreement with Warwick District Council as planning authority and Warwickshire County Council. As the Council will be retaining a legal interest, agreement to the obligations would potentially expose Coventry City Council to the financial and works obligations of around £12.5M contained in the agreement. This liability is in excess of the anticipated receipt from the land to be disposed on the 999 year lease.
- 1.2 The planning agreement outlines the obligations and liabilities imposed along with the timing of when the works and payments are due to be incurred. The proposed planning agreement is attached to the report, see appendix 1.

### **2. Options considered and recommended proposal**

#### **2.1 Not Sign the s106**

- 2.1.1 Should the Council decide that it isn't prepared to sign the s106 planning agreement now; this position would be reported back to the planning inspector and may affect his recommendation as to whether a planning consent for the Coventry & Warwickshire Gateway development should be granted.
- 2.1.2 Based on planning precedent, without a commitment from the landowner to take on the responsibility to fund and deliver the planning contributions being sought by the local planning authority, then it is believed that the planning inspector is unlikely to recommend approval to grant a planning consent.
- 2.1.3 As the Coventry & Warwickshire Gateway Scheme has the potential to deliver significant benefits to the Coventry and Warwickshire area creating a major financial investment providing business development and expansion opportunities for local and new companies along with the associated job creation, a refusal of the outline planning consent would be a substantial blow to the development jeopardising its delivery and at best producing significant delays to its commencement and at worst losing the benefits of the scheme altogether. The signing of the section 106 agreement does not guarantee that the planning inspector will recommend in favour of the scheme but improves the chances of a favourable outcome.

#### **2.2 Dispose of the Council's Freehold Interest**

- 2.2.1 As the planning agreement is required to be signed by the landowner, if the Council was prepared to sell the freehold of the land to the development partnership, rather

than granting them a 999 year lease as currently agreed, the substantial financial liabilities would then pass from the Council.

- 2.2.2 Selling the freehold interest would resolve the planning contribution issue however the reason why the Council was advised that it should retain the freehold of the land within the development area was to enable an element of control over the completed scheme to be retained.
- 2.2.3 The current development agreement between the Coventry City Council and Coventry & Warwickshire Gateway Partnership LLP seeks to control the type of office development proposed. It restricts the offices to be built to be used by companies wishing to use them for research and development purposes rather than available to all office users.
- 2.2.4 The reason behind the restriction is that the Council's focus for the development of general use office space over the next few years is Friargate and didn't want to promote other developments which could dilute its success, seeing Friargate as a key catalyst of growth for the city centre.
- 2.2.5 If the Council were to dispose of its freehold interest its ability to impose such restrictions on the development are significantly reduced and the enforceability of any covenant substantially weakened. Apart from the control over competing uses at Friargate, an outright freehold disposal would also mean relying on planning controls only, for any other form of development that the developer may seek to promote after transfer (e.g. housing, retail)

### 2.3 **Sign the s106 planning agreement with indemnities**

- 2.3.1 The planning agreement as proposed provides that the operative covenants, triggering the commencement of any payments, will not come into effect until there has been a commencement of development on the City Council's land. This is an important control for the Council as it effectively ensures that no payments or works are required to be made or undertaken until the Council has transferred the land to the development partnership enabling them to commence the development. The planning agreement also provides that the Council will not be liable whilst its only interest is in the freehold reversion following the grant of a long lease or leases in respect of the development site. The Council will, therefore, only incur liability in the event that the proposed long lease to the developer is disclaimed following the insolvency of the lessee or the lease otherwise determines leaving the Council in possession of part of the development site.
- 2.3.2 To protect the Council's financial liability generated by signing the proposed planning agreement the development partnership has offered to indemnify the Council against the payments and works required. The indemnity agreement is recommended to be incorporated within the development agreement which has been created to document the previously approved leasehold disposal to Coventry & Warwickshire Gateway Partnership LLP.
- 2.3.3 The indemnity proposed would be backed by a Bank guarantee. This ensures that the Council is not exposed to the risk of paying for any of the £12.5M s106 liabilities imposed in the circumstances that the development partnership goes into administration and the lease is disclaimed. As the developer's indemnity will be

backed by a bank guarantee, the bank would be required to step in and make any payments required at that time as part of the s106 planning agreement obligations.

2.3.4 It is intended that the bank guarantees would be provided in stages prior to each trigger date for the individual obligations. In that way the level of the guarantee will be commensurate with the risk to the Council and will fall away in stages as individual obligations in relation to the works or payments are discharged and confirmed by Warwick District or Warwickshire County Council.

2.3.5 In addition the planning agreement also provides that development cannot commence until a Deed of Adherence is signed binding the balance of the site. This means that development within the remainder of the site will also have to comply with the s106 planning agreement.

## 2.4 Recommendation

2.4.1 To facilitate the determination of the current outline planning applications the recommendation is to enter into the planning agreement as outlined in paragraph 2.3.

2.4.2 To agree either of the other options would either jeopardise the economic business investment in the area or reduce the control the Council wants to impose on the type of office development delivered, avoiding conflict with the city centre's strategically important scheme around the railway station, known as Friargate.

## 3. Results of consultation undertaken

3.1 No specific consultation has taken place around the issue of the s106 planning agreement. Clearly the appropriateness of the development has been publicly consulted upon both in terms of the original planning application and subsequently through the recent public inquiry. The principle of the development has also been discussed and approved by Cabinet and Council under public scrutiny.

## 4. Timetable for implementing this decision

4.1 The indemnity and bank guarantee agreed with the development partnership will form part of the development agreement, previously approved by Cabinet & Council, to document the transfer of the leasehold interest in the land. It is the intention of the parties that this agreement be signed ahead of the signing of the s106 planning agreement.

4.2 The rationale being that the indemnities and bank guarantee are in place protecting the Council's position prior to the signing of the s106 planning agreement.

4.3 A signed s106 agreement will be required to be presented to the planning inspector to inform his recommendation as to whether a planning consent should be granted for the scheme. The inspector is looking to report on the application as soon as possible. The decision on the applications will then be made by the Secretary of State.

## **5. Comments from Executive Director, Resources**

### **5.1 Financial implications**

As the £12.5M financial planning liability imposed on the Council, as part landowner of the development site, is to be indemnified by the developer backed by a bank guarantee, the liability is therefore payable by third parties and does not expose the Council to new financial risk. Without indemnity and guarantee, the obligations imposed by the agreement would exceed the expected capital receipt for the land that the Council is disposing on a 999 year leasehold basis. Other landowners will be obligated to the indemnity and guarantee through a deed of adherence.

### **5.2 Legal implications**

The Council will enter into the section 106 Planning Agreement as landowner under the power contained in section 1 of the Localism Act 2011.

A copy of the proposed Planning Agreement is annexed to this report as appendix1. External advice has been taken in relation to the draft form of the agreement.

The Development Agreement will contain the indemnity provisions from the Developer to the Council and the obligation to provide a bank guarantee to underwrite the indemnity. Work will not commence on Council land, and trigger the obligations, without the guarantee and indemnity being in place through the Development Agreement.

## **6. Other implications**

### **6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?**

Although the majority of the subject site is located just outside Coventry City Council's administrative boundary, the economic effects of the investment in the business premises proposed providing business growth and job opportunities will help to create a prosperous Coventry encouraging a creative and vibrant city.

### **6.2 How is risk being managed?**

The risk is being offset by the appropriate wording in the planning agreement which provides the Council with the control over the commencement of the development and therefore the commencement of any financial liabilities.

In addition the indemnity secured from the development partnership, underwritten by a bank guarantee, will ensure that the Council is not exposed to the liabilities outlined in the planning agreement.

### 6.3 What is the impact on the organisation?

Due to the structure of the agreement and its link to the disposal of the interest in land outside of the Councils administrative boundary this report will only impact on the organisation in the way of helping to deliver a future capital receipt.

### 6.4 Equalities / EIA

As this report is specifically around the obligations to be entered into as part of a planning agreement leading to the potential disposal of a land interest it does not impact on the provision of services or Council policies, no Equalities / EIA is required to be undertaken.

### 6.5 Implications for (or impact on) the environment

Any impact relating to the future possible development resultant from the approval from the Council to enter into the s106 planning agreement has been considered as part of the outline planning application considered and will further be considered as part of any future detailed planning applications for the development.

### 6.6 Implications for partner organisations?

None

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#### Name and job title:

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Other members				

<b>Names of approvers for submission:</b> (officers and Members)				
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Nigel Clews on behalf of Martin Yardley	Executive Director	Place	29/05/14	29/05/14
Councillor L. Kelly	Cabinet Member (Business Enterprise and Employment)		29/05/14	29/05/14

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[www.coventry.gov.uk/councilmeetings](http://www.coventry.gov.uk/councilmeetings)



**Appendices**

**Appendix 1- Proposed s106 planning agreement**

**DATED**

**2014**

**(1) COVENTRY CITY COUNCIL**

**(2) WARWICK DISTRICT COUNCIL**

**(3) WARWICKSHIRE COUNTY COUNCIL**

**(4) COVENTRY & WARWICKSHIRE DEVELOPMENT PARTNERSHIP LLP**

**DEED**

made pursuant to section 106 of the Town and  
Country Planning Act 1990 relating to the Coventry  
& Warwickshire Gateway

Planning Applications reference OUT/2012/1791  
and W/12/1143

**Marrons Shakespeares  
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**File Ref: MET/903269.1**

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**BETWEEN:**

- (1) **COVENTRY CITY COUNCIL** of The Council House Earl Street Coventry CV1 5RR ("**Owner**");
- (2) **WARWICK DISTRICT COUNCIL** of Riverside House, Milverton Hill, Leamington Spa CV32 5HZ ("**District Council**");
- (3) **WARWICKSHIRE COUNTY COUNCIL** of Shire Hall Warwick CV34 4RR ("**County Council**");
- (4) **COVENTRY AND WARWICKSHIRE DEVELOPMENT PARTNERSHIP LLP** (registered number OC364656) whose registered office is at James House, Warwick Road, Birmingham, West Midlands B11 2LE ("**the Developer**")

**BACKGROUND:**

Pursuant to the Application the Developer has applied for the Planning Permission to be issued for the Development to be carried out on the Application Site and intends to carry out the Development.

The Application Site is principally situated in the administrative areas of the District Council and the County Council with a small part of the Application Site being situated in the administrative area of the City Council.

The City Council and the District Council have resolved to grant Planning Permission subject to conditions and to the completion of this Deed which secures planning obligations considered by the Councils as being necessary to make the Development acceptable.

The Secretary of State has called in the Application for his own determination pursuant to s.78 of the 1990 Act and the planning obligations contained herein are being entered into to apply them to the Development in the event that the Secretary of State grants the Planning Permission pursuant to such determination.

The Owner is the freehold owner of the Blue Land and enters into this Deed as owner of that land which will be bound by the planning obligations.

The Additional Land will be bound by the obligations in due course by virtue of the provisions in relation to the Deed of Adherence contained herein.

The planning obligations will be enforceable against the Blue Land by the Councils and following the entering into of a Deed of Adherence against the land the subject of that Deed by the Councils and the City Council as provided for in clause 4.2.

**IT IS AGREED:**

**1. DEFINITIONS AND INTERPRETATION**

1.1. In this Deed where the context so admits the following expressions shall have the following meanings:

"**1990 Act**" means the Town and Country Planning Act 1990;

"**Additional Land**" means the land shown coloured green on Plan 1;

**"Application"** means the planning application for the Development submitted to the City Council and given reference number OUT/2012/1791 and to the District Council given reference number W/12/1143 as amended prior to their determination;

**"Application Site"** means land shown edged red on Plan 1;

**"Appointed Individual/Body"** means an individual or body who shall be responsible for working with companies and the local labour force/population within 12 miles of the Application Site to help fill jobs and training vacancies within the Development with local people;

**"BCIS"** means the All-in Tender Price Index as published by the Building Costs Information Service on behalf of the Royal Institution of Chartered Surveyors to include any applicable local or regional weighting;

**"Biodiversity Offsetting Scheme"** means the scheme to be approved pursuant to paragraph 4.1 of Schedule 1;

**"Blue Land"** means the land coloured blue on Plan 1;

**"Bubbenhall Road/Rowley Road/Coventry Road/Stoneleigh Road Access Restriction Strategy"** means a strategy setting out detailed measures to provide for

- (i) the restriction of access for employees at the Development and heavy goods vehicles visiting the Development along Bubbenhall Road, Rowley Road, Coventry Road and Stoneleigh Road to the Development whilst allowing continued access for local residents and businesses
- (ii) the funding of costs in respect of the notification of revised access arrangements to customers of business premises within the area
- (iii) funding of any necessary infrastructure
- (iv) the prevention of employees of the Development parking vehicles in Baginton Village and other public roads near the Application Site whilst working at the Development;

**"Bus Infrastructure Works"** means the works to the public highway to allow for a high quality bus route between Coventry Railway Station, Pool Meadow Bus Station, Whitley Business Park and the Development;

**"City Council"** means Coventry City Council;

**"CIL"** means a tax or tariff or charge introduced by any of the Councils pursuant to the Community Infrastructure Levy Regulations 2010 or any subsequent legislation to fund the delivery of infrastructure known as the community infrastructure levy or known by any other name;

**"Commercial Unit"** means those buildings within the Development used or to be used as car showrooms or for any purposes within classes B1,B8,C1,A1,A3,A4,A5 or B2 of the Town and Country Planning (Use Classes) Order 1987;

**"Construction Ecological Protection and Mitigation Strategy"** means the strategy to be approved pursuant to paragraph 3.1 of Schedule 1;

**"Construction Works"** means infrastructure, construction and remediation works funded and tendered by the Developer/Owner on the Application Site;

**“Councils”** means the County Council and the District Council and following the cessation of any legal interests in the Application Site by the City Council shall also mean the City Council;

**“Countryside Park”** means all the areas shown coloured green on Plan 4;

**“Cycling/Walking Works Fund”** means the sum of £2,500,000.00 (Two million five hundred thousand pounds) (Index Linked);

**“Dedicated Commuter Service”** means a bus service provided for and tailored to the specific needs and working times of the employees employed in the Development;

**“Deed of Adherence”** means the form of deed contained in Schedule 3 to be entered into by all parties with a legal interest in the Additional Land so as to bind the interests in the Additional Land by the obligations contained herein;

**“Development”** means the development of the Application Site pursuant to the Planning Permission;

**“Employment and Training Strategy”** means a scheme required to be submitted pursuant to paragraph 1.1 of Schedule 1 and containing the details required by paragraph 1.3 of Schedule 1;

**“Exceedence Day”** means any day during a Monitoring Period on which the employees travelling to and from the Development by single car occupancy exceed the Modal Shift Target;

**“Expert”** means such expert as may from time to time be appointed for the purposes of resolving a relevant dispute in accordance with clause 11.2 of this Deed being an expert in the matter under dispute with not less than twenty years experience in the relevant field;

**“Framework Travel Plan”** means the travel plan for the whole Development which shall embrace the principles set out in the draft Framework Travel Plan contained in Schedule 5 and shall include detailed proposals for the provision of the Dedicated Commuter Services and subsidised bus travel passes and monitoring of modal split of employees between different modes of transport to and from the Development;

**“Implementation”** means implementation on the Blue Land of the Development by the carrying out of any material operation within the meaning of sections 56(2) and (4) of the 1990 Act provided that for the purposes of this Deed and this definition the carrying out of demolition of existing buildings and structures, termination or diversion of existing services or temporary diversion of highways, temporary construction, site preparation, investigation works, archaeological investigations, environmental site investigations, re-profiling of land, decontamination works or works and operations to enable any of the foregoing to take place shall not constitute a material operation and consequently shall not individually or together constitute implementation for the purposes of this definition or this Deed and **“Implement”** and **“Implemented”** shall be interpreted in accordance with this definition;

**“Index-Linked”** means the adjustment of the financial sums referred to in this Deed to be adjusted by Indexing from the date of this Deed to the date of payment;

**"Indexing"** means the recalculation of any amount specified in this Deed by applying the following formula:

$A \times B/C = D$  where:

A = the sum specified in this Deed in pounds sterling

B = the figures shown in the Relevant Index for the period immediately prior to the date up to which the sum concerned is to be indexed under the provisions of this Deed

C = the figure shown in the Relevant Index for the period immediately prior to the date of this Deed

D = the recalculated sum in pounds sterling applying under this Deed

B/C is equal to or greater than 1

provided that if the Relevant Index becomes no longer maintained the said formula shall be applied mutatis mutandis (so far as concerns periods after it ceases to be so maintained) by reference to such other publication or index as may be agreed from time to time with the Councils;

**"LA Co-ordinator"** means a person nominated by the Councils who will represent the Councils in respect of all matters relating to the implementation of the Framework Travel Plan and the Workplace Travel Plans;

**"Leaf Lane Works Contribution"** means the sum of £150,000.00 (One hundred and fifty thousand pounds) (Index Linked);

**"Logistics Park"** means the area referred to as Zone A on Plan 4;

**"Lunt Roman Fort Mitigation Payment"** means the sum of £100,000.00 (One hundred thousand pounds) (Index Linked);

**"Modal Shift Target"** means the target of no more than 65% of employees attending the Development doing so by means of single car occupancy;

**"Monitoring Period"** means the period of six months commencing with the date of the first monitoring of employees modes of travel pursuant to the provisions of the Framework Travel Plan and each consecutive six month period thereafter;

**"Occupation"** means any use of the buildings and land on the Application Site pursuant to the Planning Permission save for temporary occupation for the purposes of site preparation, infrastructure provision, construction or fitting out buildings or marketing and the words **"Occupy"** and **"Occupied"** and cognate expressions shall be construed accordingly;

**"Occupation Date"** means that date on which the Development is first Occupied;

**"Off Site Highway Contribution"** means the sum of £2,500,000.00 (Two million five hundred thousand pounds) (Index Linked);

**"Phase 2 Highway Works"** means those highway works shown in red on Plan 2;

**"Phase 3 Highway Works"** means those highway works shown in green on Plan 2;

"**Plan 1**" means the plan marked as such attached to this Deed at Schedule 4;

"**Plan 2**" means the plan marked as such attached to this Deed at Schedule 4;

"**Plan 3**" means the plan marked as such attached to this Deed at Schedule 4;

"**Plan 4**" means the plan marked as such attached to this Deed at Schedule 4;

"**Planning Permission**" means the planning permission for the Development to be granted pursuant to the Applications;

"**Public Transport Infrastructure Strategy**" means the strategy to be approved pursuant to paragraph 10.1 of Schedule 1;

"**Qualifying Building**" means a building within the Development occupied by one employer with more than twenty (full time equivalent) employees working in that building;

"**RCI**" means the Road Construction Tender Price Index as published by the Department of Business Enterprise and Regulatory Reform (or any successor thereof) to include any applicable local or regional weighting;

"**Relevant Index**" means the index ascribed to each contribution in Schedule 2 and in all cases in the event of an index ceasing to exist an alternative index agreed between the relevant parties;

"**Remedial Payment**" shall be a payment in accordance with the following formula in respect of each Exceedence Day during the period to which the Remedial Payment relates:

$(B/100) \times A \times C = \text{remedial payment}$

where: A is the number equivalent to the difference between 65% and the percentage by which the single car occupancy exceeds 65% (for example if the single car occupancy was 85% the number would be 20)

B is the number of employees present within the Development on that day

C is £0.10 (ten pence);

"**RM Approval**" means the approval of all matters reserved for approval by and pursuant to the Planning Permission in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010;

"**RPI**" means the All Items Retail Prices Index as published by the Office of National Statistics (or any successor thereof) to include any applicable local or regional weighting;

"**Secretary of State**" means the Secretary of State for Communities and Local Government who will determine the Application;

"**SUDS**" means a sustainable urban drainage system to be provided within the Development;

"**Technology Park**" means the area referred to as Zone B on Plan 4;

"**TP Approval Contribution**" means the sum of £5,000.00 (Five thousand pounds) (Index Linked);

**“TP Co-ordinator”** means an individual or organisation whose responsibilities shall include the preparation, implementation, promotion, monitoring and review of the Framework Travel Plan and the Workplace Travel Plans relating to the Application Site;

**“TRO East Contribution”** means the sum of £20,000.00 (Twenty thousand pounds) (Index Linked);

**“TRO West Contribution”** means the sum of £17,500.00 (Seventeen thousand five hundred pounds) (Index Linked);

**“Whitley Common Open Space Payment”** means the sum of £40,000.00 (Forty thousand pounds) (Index Linked);

**“Working Day”** means a day (other than a Saturday Sunday or public holiday in England) when banks in London are open for business

**“Workplace Travel Plan”** means the plan in respect of each Qualifying Building containing details of targets, measures and monitoring to be implemented in order to encourage employees, contractors and visitors to that Qualifying Building to travel to and from the Development by means other than by private car and to minimise car usage (particularly single occupancy journeys) and to increase the use of public transport, walking and cycling to and from the Development substantially in accordance with the Framework Travel Plan;

- 1.2 The headings appearing in this Deed are for ease of reference only and shall not affect the construction of this Deed.
- 1.3 Unless the context requires otherwise the use in this Deed of any definition in the singular shall include the plural and vice versa and any reference to a gender shall include any other gender.
- 1.4 Unless the context requires otherwise references in this Deed to clauses, sub clauses, paragraphs, recitals, sub-paragraphs, annexures, appendices and schedules are references to those contained in this Deed and references to plans and drawings are references to plans and drawings annexed to this Deed.
- 1.5 The word "including" shall mean "including without limitation or prejudice to the generality of any description defining term or phrase preceding that word" and the word "include" and its derivatives shall be construed accordingly.
- 1.6 References in this Deed to statutes, bye-laws, regulations, orders and delegated legislation shall include any statute, bye-law, regulation, order or delegated legislation amending, re-enacting or made pursuant to the same.
- 1.7 In this Deed the expression "Owner" shall include its successors in title and following the entering into of any Deeds of Adherence shall include any owners of the land the subject of those Deeds and the expressions "City Council" "County Council" and District Council" shall include their respective statutory successors in function.
- 1.8 Any obligations of the parties to this Deed contained in this Deed which are or may be deemed to be obligations of one or more persons shall be joint and several obligations on the part of those persons unless the context otherwise requires.
- 1.9 Any covenant in this Deed not to do an act or thing shall be deemed to include an obligation not to permit or suffer such act or thing to be done by another person where knowledge of the actions of the other person is reasonably to be inferred and any



covenant to do an act or thing may be deemed to include an obligation to procure that the act or thing is done.

- 1.10 If any provision in this Deed shall be held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions will not in any way be deemed thereby to be affected, impaired or called into question.
- 1.11 In the event of any conflict between the provisions of this Deed and any document annexed hereto as referred to herein, the terms, conditions and provisions of this Deed will prevail.
- 1.12 The Interpretation Act 1978 shall apply to this Deed.
- 1.13 Where any approval, consent, agreement or the like is required to be given or is requested pursuant to the terms of this Deed it shall be given or requested in writing and no party shall unreasonably withhold or delay any such approval, consent, agreement or the like and shall act expeditiously provided that nothing herein shall fetter the statutory rights, powers or duties of the Councils.
- 1.14 Unless the context otherwise requires, where this Deed refers to:
  - 1.14.1 any government body or other entity that publishes guidance, indices or any other document referred to in this Deed the publication or revision which is not within the control of the Councils; and
  - 1.14.2 any such guidance, indices or other document published by such an entity or body (in this clause "document"),if the relevant body or entity ceases to exist or the document is revoked or replaced the reference shall be deemed to be to the successor to the relevant body or entity and to the replacement document save where no such body, entity or document exists, in which case the reference shall be to such body, entity or document as the Councils acting reasonably shall determine or as may be determined pursuant to the dispute resolution provisions of this Deed.

## **2. STATUTORY POWERS**

- 2.1 This Deed is made pursuant to section 106 of the 1990 Act and the obligations herein constitute planning obligations for the purposes of the 1990 Act enforceable as provided for in clause 4.2.
- 2.2 To the extent that any of the obligations contained in this Deed are not planning obligations within the meaning of the 1990 Act, they are entered into by the County Council and the District Council pursuant to the powers contained in section 111 of the Local Government Act 1972, section 2 of the Local Government Act 2000, Section 1 of the Localism Act 2011 and all other enabling powers.
- 2.3 The Owner enters into this Deed with the effect of binding its interest in the Blue Land.

## **3. PROVISIONS FOR RELEASE AND ASSIGNMENT**

- 3.1 It is hereby agreed by the parties hereto that this Deed shall determine if the Planning Permission is quashed, cancelled, revoked, modified (without the consent of the Owner), or expires prior to Implementation except insofar as any obligation hereunder has been performed in whole or in part.

3.2 The Councils hereby covenant with the Owner that each shall upon reasonable request from the Owner certify compliance or partial compliance (as and if appropriate) with the provisions of this deed and if so requested by the Owner shall (as and if appropriate) execute a Deed of release or partial release from the relevant provision(s) of this Deed and (in the case of the District Council) shall place a note thereof on the Register of Local Land Charges.

#### **4. COVENANTS BY THE OWNER**

4.1 The Owner and the Developer hereby covenant with the County Council and District Council to carry out and comply with the obligations contained in Schedule 1.

4.2 The covenants contained in paragraphs 3,6,7,8,9,10,11. and paragraph 14.1.1 all of Schedule 1 shall be enforceable by the County Council and the covenants in paragraphs 1,2,3,4,5,6,9,11.4, 11.5, 12, 13 and 14.1.2 all of Schedule 1 shall be enforceable by the District Council (in respect of land within its administrative area) and following the grant of a leasehold interest in or a transfer to a third party of its land within the Application Site paragraphs 2,3,5,6,7,9,10,11.1, 11.3, 11.4,11.5, and 14.1.3 all of Schedule 1 shall be enforceable by the City Council (in respect of land within its administrative area)

#### **5. PROVISIONS RELATING TO THE ADDITIONAL LAND**

5.1 The Owner and the Developer covenant not to Implement the Development unless and until a Deed of Adherence has been completed in respect of all the Additional Land to the effect that all of the Additional Land is bound by the obligations in this Deed.

#### **6. COVENANTS BY THE COUNTY COUNCIL AND DISTRICT COUNCIL**

6.1 The Councils hereby covenant with the Owner (including for the avoidance of doubt successors in title) and any subsequent Owners of the Additional Land to observe and comply with the obligations on their respective parts contained in Schedule 2.

#### **7. SUCCESSORS IN TITLE**

7.1 The parties hereto agree that this Deed shall be binding upon the Blue Land (and in due course the Additional Land) and shall be enforceable against the Owner and its respective successors in title and those deriving title under them in respect of the Blue Land (and in due course the owners of the Additional Land) and that neither the Owner nor the owners of the Additional Land nor their successors in title nor those deriving title under them shall have any further liability under this Deed (but without prejudice to any rights in respect of any antecedent breach) in respect of any period during which the Owner or as the case may be any of their successors in title or those deriving title under them no longer have an interest in the Blue Land or the Additional Land (as the case may be) and neither the reservation of any rights in or the inclusion of any covenants or restrictions over the Blue Land or the Additional Land in any transfer of the Site or part thereof will constitute an interest for the purposes of this clause 7 and the City Council shall have no liability under this Deed in respect of any period when its interest in the Blue Land or the Additional Land is limited to an interest in the freehold reversion following the grant of a lease of such land for a term of not less than 50 years.

#### **8. COMMENCEMENT**

8.1 This Deed will take effect from the date hereof save for the obligations contained in the schedules to this Deed which will come into effect upon Implementation other than those contained in paragraphs 1, 3, 4 and 6 of Schedule 1 which will come into effect upon the date hereof.

## **9. EXCLUSIONS**

- 9.1 The obligations and restrictions in this Deed shall not be enforceable against either:
- 9.1.1 those persons who purchase any Commercial Unit for occupation by themselves or any chargee of such a person or any successor in title to any such person save that a tenant or occupier of an individual Commercial Unit shall be liable in respect of the obligations contained in paragraph 9 of Schedule 1 in respect of the Workplace Travel Plan relating to that Commercial Unit and paragraph 1 of Schedule 1 in respect of the Employment and Training Strategy in respect of that Commercial Unit; and
  - 9.1.2 any statutory undertaker who acquires any part of the Application Site or interest therein for the purposes of the supply of electricity, gas, water, drainage, telecommunication services or public transport services.
- 9.2 Obligations to perform or carry out works or activities on any part of the Application Site shall so far as the relevant obligation is a positive obligation to perform or carry out works or activities only be enforceable against the owners for the time being of that part of the Application Site.
- 9.3 The Developer enters into this Deed for the purposes of binding any interest it may have but will not incur any liability for any breach of the obligations contained in this Deed unless and until it enters into possession of any of the Blue Land or becomes a successor in title to the Blue Land and/or acquires any part of the Additional Land and executes a Deed of Adherence in respect of the same in the manner herein provided.

## **10. THIRD PARTY RIGHTS**

- 10.1 A person who is not a party to this Deed has no rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this Deed but this does not affect any right or remedy of a third party which exists or is available apart from that Act.

## **11. DISPUTE RESOLUTION**

- 11.1 The parties hereby agree that in the event that any dispute disagreement or other substantive matter of contention shall arise between them as to the terms of this Deed and/or the performance of the powers duties and other functions of any of the parties under it:
- 11.1.1 the parties shall (save in case of emergency) first refer the said dispute to senior representatives of the parties in dispute who shall (within 10 Working Days of a notice from any party to the others) meet to attempt in good faith to resolve the dispute amicably on a full and final basis;
  - 11.1.2 in the absence of such resolution the parties shall then use such alternative dispute resolution mechanisms as may be appropriate in the circumstances of the case and having due regard to all relevant judicial protocols and other relevant guidance and advice and shall not unreasonably withhold or delay their agreement to such a procedure;
  - 11.1.3 the parties shall act reasonably in consequence of a decision made under an alternative dispute resolution process.

- 11.2 Any difference or dispute which shall arise between the parties in respect of any aspect of the Deed or the performance under it may be referred to an Expert in accordance with the provisions of clauses 11.3 to 11.8.
- 11.3 Any difference or dispute which shall arise between the parties in respect of the matters referred to in clause 11.2 shall first be dealt with in the manner provided in clause 11.1.1 and failing agreement between the senior representatives of the parties in dispute within ten Working Days of such a referral then any party to the dispute shall be entitled by a further notice ("**Dispute Notice**") to refer the difference or dispute to an Expert to be determined in the manner provided in the following sub-clauses of this clause 11.
- 11.4 The Expert shall be appointed by agreement between the parties to the dispute and failing such agreement being reached within ten Working Days of the service of the Dispute Notice then on the application of any party to the dispute by such one of the following as the parties to the dispute shall (subject to clause 11.5 below) agree to be appropriate having regard to the nature of the difference or dispute in question:
- 11.4.1 the President for the time being of the Royal Institution of Chartered Surveyors:
- 11.4.2 the President for the time being of the Institute of Civil Engineers; and
- 11.4.3 the President of the time being of the Law Society.
- 11.5 If within 20 Working Days after the service of the Dispute Notice the parties to the dispute have failed to agree which of the persons referred to in clause 11.4 is appropriate to appoint as the Expert then he shall be appointed on the application of any party to the dispute by or on behalf of the President for the time being of the Royal Institution of Chartered Surveyors.
- 11.6 The parties to the dispute shall be given an opportunity to make representations to the Expert in the manner and in accordance with directions given by him.
- 11.7 The decision of the Expert shall (save in case of manifest error) be final and binding on the parties to the dispute.
- 11.8 Except as otherwise provided in this sub-clause each party to the dispute shall bear their own costs of the referral to the Expert and the fees and expenses (if any) of the Expert shall be borne by the parties to the dispute in equal shares SAVE that the Expert may make an award of costs in such other proportions as the Expert may determine (including as to the fees and expenses of the Expert) and any such award shall be final and binding on all parties.

## **12. FURTHER PLANNING PERMISSIONS**

- 12.1 Nothing in this Deed shall prohibit or limit the right to develop any part of the Application Site in accordance with a planning permission, other than the Planning Permission, granted (whether or not on appeal) after the date of this Deed.

## **13. SERVICE OF NOTICES**

- 13.1 All notices, requests, demands or other written communications to or upon the respective parties hereto pursuant to this Deed shall be deemed to have been properly given or made if despatched by first class letter to the party to which such notice, request, demand or other written communication is to be given or made under this Deed and addressed as follows:

- 13.1.1 if to the Owner to the address set out above marked for the attention of the Chief Planning Officer;
- 13.1.2 if to the County Council to the address set out above and marked for the attention of the Strategic Director for Communities;
- 13.1.3 if to the District Council to the address set out above and marked for the attention of the Head of Development Services;
- 13.1.4 if to the Developer to the address set out above and marked for the attention of the Chairman

#### **14. INTEREST**

- 14.1 Where any payment or part payment which is due to be paid pursuant to this Deed is not paid on the date upon which the obligation to make such a payment falls due to be performed, then interest at two per cent above the base rate of HSBC Bank Plc from time to time calculated on a daily basis shall be paid by the Owners to the party to whom the money was due on and in addition to the outstanding balance of the payment from the date on which the payment or part payment became due to the actual receipt of the payment by the party to whom the money was due.

#### **15. COMMUNITY INFRASTRUCTURE LEVY**

- 15.1 If after the date of this Deed a CIL is introduced which is applicable to the Development then the Parties hereto will use reasonable endeavours to agree variations to this Deed with the intent that:
  - 15.1.1 the planning objectives secured by the planning obligations in this Deed continue to be delivered; and
  - 15.1.2 that the Development shall not become unviable because of the application of the CIL in respect of the obligations in Schedule 1 hereto

#### **16. THIRD PARTY LAND**

- 16.1 Nothing in this Deed creates or has any intention of creating any obligation to do anything on or secure consents or rights over any land outside the Application Site and which is out of their control or ownership save for publicly adopted highway as expressly required by this Deed.

#### **17. LEGAL COSTS**

- 17.1 The Developer shall upon completion of this Deed pay the Owner's, the District Council's and the County Council's reasonable legal costs in connection with the preparation and completion of this Deed.

**IN WITNESS** whereof this Deed has been executed by the parties hereto and is intended to be and is hereby delivered on the date first above written

## **SCHEDULE 1: COVENANTS OF THE OWNER**

### **Employment and Training Strategy**

- 1.1 Not to Implement the Development unless and until an Employment and Training Strategy has been submitted to and approved by the District Council and the Appointed Individual/Body has been employed.
- 1.2 To include within the Employment and Training Strategy details (in respect of both the construction and operational phases of the Development) regarding measures to target employment and training opportunities at local people, delivery mechanisms and timescales regarding the provision of such measures, targets in respect of the placement of local people in employment and training and review mechanisms.
- 1.3 The Employment and Training Strategy shall provide for the following:
  - 1.3.1 in respect of Construction Works, a requirement that the main contractor and their sub-contractors will submit to the Appointed Individual/Body details of how they will provide jobs, training and development opportunities for the local labour force living within 12 miles of the Application Site during the construction period of the Development;
  - 1.3.2 a target during the first 10 years of the construction phase to create for a member of the local labour force as a minimum one new full time permanent job for a period of at least 12 months or one new entrant training opportunity for a minimum of 52 person weeks for each £5 million of development cost with a mechanism for annual updates during the construction phase to be provided to the Appointed Individual/Body and the District Council (if they are not the Appointed Individual/Body) regarding achievement of this target;
  - 1.3.3 in respect of Construction Works, a requirement that the main contractor and their sub-contractors will submit to the Appointed Individual/Body details of how they will promote and encourage the availability of contracts and employment opportunities to the local supply chain and the local labour force;
  - 1.3.4 a requirement that the main contractor and their sub-contractors will submit annually during the construction phase to the Appointed Individual/Body and to the District Council (if they are not the Appointed Individual/Body) a list of local appointed sub-contractors, their addresses and the value of contracts awarded and a list of suppliers from the local area that have been engaged and the value of goods and services procured;
  - 1.3.5 a mechanism for the strategy to be reviewed during the construction phase in light of the above annual submissions with provision for the District Council input into such review if they are not the Appointed Individual/Body; and
  - 1.3.6 in respect of the operational phase a requirement that all occupiers as a condition of their leasehold or freehold purchase from the Developer/Owner notify the Appointed Individual/Body of new job or training opportunities arising from their company's operations on the Application Site, and that all occupiers employing more than 50 FTE persons on the Application Site be required to develop a local employment and training strategy for the local labour force living within 12 miles of the Application Site with the Appointed Individual/Body such strategy to be approved by the District Council.
- 1.4 To implement and comply with the approved Employment & Training Strategy at all times

### **Whitley Common Open Space Payment**

- 2.1 To pay the Whitley Common Open Space Payment to the City Council prior to the commencement of any construction works to the Whitley Junction, as shown on application drawing no. 11-0540-206C GA, carried out through Implementation of planning permission reference OUT/2012/1791 unless planning permission reference FUL/2013/2599 granted by the City Council on the 7 February 2014 in respect of the remodelling of this junction is implemented prior to the Implementation of permission reference OUT/2012/1791 in respect of this junction.

### **Construction Ecological Protection and Mitigation Strategy**

- 3.1 Not to Implement the Development until the Construction Ecological Protection and Mitigation Strategy has been submitted to and approved by the Councils.
- 3.2 The Strategy to be approved pursuant to paragraph 3.1 above will:
  - 3.2.1 relate to all of the Application Site including all common landscaped areas (including SUDS features) and common estate roads/footpaths and cycleways;
  - 3.2.2 contain detailed arrangements in respect of the protection during construction of protected and important species; and
  - 3.2.3 accord with the principles in relation to the construction period set down in the Ecological Reports (various dates) and Biodiversity Offsetting Report (dated November 2012) submitted in conjunction with the Application.
- 3.3 To implement the strategy as approved pursuant to paragraph 3.1 and to obtain prior approval to any changes to the strategy from the Councils.

### **Biodiversity Offsetting Scheme**

- 4.1 Not to Implement the Development until the Biodiversity Offsetting Scheme for the off site compensation as identified in the Biodiversity Offsetting Report dated November 2012 has been submitted to and approved by the District Council.
- 4.2 The scheme to be approved pursuant to paragraph 4.1 above will:
  - 4.2.1 identify receptor site or sites;
  - 4.2.2 include a management plan for the provision and maintenance of such offsetting measures for not less than 30 years from the date of Implementation; and
  - 4.2.3 include the provision of contractual terms to secure the delivery of the offsetting measures.
- 4.3 To implement the scheme as approved pursuant to paragraph 4.1 and to obtain prior written approval to any changes to the strategy from the District Council.

### **Lunt Roman Fort Mitigation Payment**

- 5.1 To pay the Lunt Roman Fort Mitigation Payment to the City Council prior to the commencement of the construction of any Commercial Unit on the Technology Park.

## **On Site Open Space and Common Infrastructure Management**

- 6.1 Not to Implement the Development prior to production of a site wide infrastructure design, management and maintenance strategy and to obtain approval thereof from the Councils prior to Implementation.
- 6.2 The strategy to be approved pursuant to paragraph 6.1 above will:
  - 6.2.1 relate to the Countryside Park and other common landscaped areas including SUDS features and common estate roads/footpaths/cycleways;
  - 6.2.2 contain detailed arrangements in respect of the design principles to inform the applications for RM Approval including who will be responsible for the implementation and maintenance of the various areas, details of the maintenance regime, and public access arrangements in respect of the Countryside Park which shall provide for public access in perpetuity; and
  - 6.2.3 accord with the principles set down in the Green Infrastructure Strategy, the Ecological Reports (various dates) and the Biodiversity Offsetting Report dated November 2012 submitted as part of the Application.
- 6.3 Not to carry out the Development without full adherence with the strategy approved pursuant to paragraph 6.1 and to obtain prior written approval to any changes to the strategy from the Councils.

## **Off Site Highway Contribution**

- 7.1 To pay the Off Site Highway Contribution as follows;
  - 7.1.1 £1,500,000 (One million five hundred thousand pounds) to be paid to the City Council prior to the completion of the Phase 2 Highway Works; and
  - 7.1.2 £1,000,000 (One million pounds) to be paid to the City Council prior to the completion of the Phase 3 Highway Works.

## **Cycling/Walking Works Fund**

- 8.1 To pay the sum of £2,500,000.00 (Two million five hundred thousand pounds) to the County Council in respect of the Cycling/Walking Works Fund prior to the Occupation Date.

## **Travel Plan & Travel Plan Co-ordinator**

- 9.1 To submit the Framework Travel Plan to the LA Co-ordinator and to obtain approval thereof prior to the Occupation Date.
- 9.2 To appoint the TP Co-ordinator prior to the preparation of the Framework Travel Plan and any of the Workplace Travel Plans and to maintain employment of a TP Co-ordinator until the expiry of a period of five years from the Occupation of the last building to be first Occupied unless otherwise agreed with the LA Co-ordinator.
- 9.3 To notify the LA Co-ordinator of the TP Co-ordinator's contact details (i.e. name, address, telephone number, email address) within seven days of their appointment and to notify the LA Co-ordinator of any subsequent changes to these details within 14 days of such changes occurring.



- 9.4 To notify the LA Co-ordinator of the date on which the final building within the Development is Occupied within 28 days of such Occupation taking place.
- 9.5 To submit a Workplace Travel Plan to the LA Co-ordinator in respect of each Qualifying Building and not to Occupy or permit Occupation of that building until the Workplace Travel Plan has been approved by the LA Co-ordinator.
- 9.6 To implement and comply with the Framework Travel Plan and the Workplace Travel Plans (including provisions relating to the monitoring thereof).
- 9.7 Within 28 days from the end of each Monitoring Period the TP Co-ordinator shall:
  - 9.7.1 provide a report to the LA Co-ordinator identifying any Exceedence Days during that Monitoring Period; and
  - 9.7.2 in the event of there being any Exceedence Days within that Monitoring Period identify details of any remedial measures to be actioned by the TP Co-ordinator to address the causes of the Exceedence Days.
- 9.8 To implement those remedial measures in full in accordance with a programme approved by the LA Co-ordinator following written confirmation by the LA Co-ordinator of the remedial measures referred to in paragraph 9.7.2 above (who shall secure approval for any remedial measures from the Councils before agreeing those with the TP Co-ordinator).
- 9.9 If monitoring undertaken at the end of four consecutive Monitoring Periods reveals that there have been in excess of 12 Exceedence Days in each of the four (4) consecutive Monitoring Periods representing a continued failure to meet the Modal Shift Target then subject to paragraph 9.10 below the Remedial Payments in respect of all Exceedence Days shall be paid to the County Council in respect of those Monitoring Periods.
- 9.10 Only one Remedial Payment shall be payable in respect of each Exceedence Day pursuant to the application of the above provisions.
- 9.11 To pay the TP Approval Contribution to the County Council in respect of each Workplace Travel Plan prior to the submission of that plan for approval.

## **Public Transport**

- 10.1 Prior to the completion of the Phase 2 Highway Works and prior to Occupation of not more than 9,300 square metres (100,000 square feet) of floorspace within the Technology Park to submit a Public Transport Infrastructure Strategy in respect of the Bus Infrastructure Works to the City Council and the County Council which shall:
  - 10.1.1 set out the detail of the Bus Infrastructure Works and a programme for their implementation;
  - 10.1.2 relate to the route shown on Figure 6 of the Transport Assessment dated August 2012 submitted with the Application or such alternative route including Pool Meadow Bus Station, Coventry Railway Station, Whitley Business Park and the Development as is agreed between the parties; and
  - 10.1.3 cost a maximum of £5,000,000.00 (Five Million Pounds) Index Linked (exclusive of VAT).

- 10.2 To carry out the Bus Infrastructure Works in accordance with the programme set out in the approved Public Transport Infrastructure Strategy and in any event complete those works prior to the completion of the Phase 2 Highway Works and the Occupation of more than 100,000 square feet of floorspace within the Development.
- 10.3 To provide the City Centre Bus Service as detailed in Schedule 6 for a period of 10 years from the completion of the Phase 2 Highway Works subject to the caveat in paragraph 10.5 below.
- 10.4 To provide the Wood End Bus Service as detailed in Schedule 6 for a period of 10 years from the date on which at least 200,000 square feet of floorspace in the Development is Occupied subject to the caveat in paragraph 10.5 below.
- 10.5 The liability of the Owner in respect of the provision of bus services referred to in paragraphs 10.3 and 10.4 of this Schedule and the Dedicated Commuter Service shall not exceed £12,500,000.00 (Twelve Million Five Hundred Thousand Pounds)(Index-Linked) over the 10 year period referred to above being a gross figure with no account being taken of any offsetting income provided that the liability shall not cease until the Owner has provided written notice to the City Council and the County Council that it has expended £12,500,000 in respect of the provision of the said bus services and a written breakdown showing how the expenditure has been incurred.

## **11. Traffic Management**

- 11.1 To pay the TRO East Contribution to the City Council prior to the Occupation Date.
- 11.2 To pay the TRO West Contribution to the County Council prior to the Occupation Date.
- 11.3 To pay the Leaf Lane Works Contribution to the City Council as follows;
  - 11.3.1 £15,000 (Fifteen thousand pounds) to be paid prior to Implementation; and
  - 11.3.2 £135,000 (One hundred and thirty five thousand pounds) to be paid prior to the Occupation Date.
- 11.4 To submit the Bubbenhall Road/Rowley Road/Coventry Road/Stoneleigh Road Access Restriction Strategy to the Councils and obtain approval thereof prior to the Occupation Date or the completion of the link road between the Technology Park and the Logistics Park whichever is the sooner.
- 11.5 To implement the Bubbenhall Road/Rowley Road/Coventry Road/Stoneleigh Road Access Restriction Strategy as approved in accordance with the programme contained therein at all times following its approval.

## **12. Relocation of Existing Businesses**

- 12.1 To use reasonable endeavours to assist the occupiers of businesses currently located within the Application Site to relocate provided that this obligation shall not require the Owner to provide the occupiers with any financial assistance or subsidy.

## **13. Model Car Club and Electric Railway Museum**

- 13.1 To use reasonable endeavours to agree an agreement for lease or a lease of new premises within the Development with the Coventry Model Car Club and the Electric Railway Museum prior to Implementation.

**14. Monitoring Fee**

14.1 To pay a monitoring fee to the County Council and District Council prior to Implementation as follows:

14.1.1 £20,000 (TWENTY THOUSAND POUNDS) to the County Council

14.1.2 £20,000 (TWENTY THOUSAND POUNDS) to the District Council

14.1.3 £20,000 (TWENTY THOUSAND POUNDS) to the City Council

**SCHEDULE 2: COUNCILS' COVENANTS**

The County Council the District Council separately covenant with the Owner and the Developer as follows:

**1. Application of Contributions**

1.1 Unless otherwise agreed by the Owner to apply the contributions set out in column 1 below received by any of the Councils solely for the purposes identified in respect of that contribution in column 2 below and in the event of all or any of the contribution not being reasonably and properly expended for that purpose within the period as set out in column 3 below the Council in receipt of the payment shall repay the unexpended contribution to the payer of the contribution along with interest incurred thereon after the expiry of the period in column 3 within 28 days of receipt of a written request from the payer so to do.

**Council Covenants**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4 Relevant Index</b>
Whitley Common Open Space Payment	For the purposes of providing improved open space within the wards of Cheylesmore and Whitley to compensate for the open space lost as a result of the works to be carried out at Whitley Junction	Five years from receipt of payment of the contribution	BCIS
Lunt Roman Fort Mitigation Payment	The funding of restoration works to Lunt Fort and enhancement of on-site interpretation boards and highway directional signage in relation to Lunt Fort	Five years from receipt of payment of the contribution	BCIS

Column 1	Column 2	Column 3	Column 4 Relevant Index
	and landscaping and other works to open up views to the countryside to the north of the Fort		
Off Site Highways Contribution	<p>(i) £1,500,000 to be applied to works to the junction of the A45 and St Martins Road/Leamington Road</p> <p>(ii) £500,000 to be applied to works to the junction of the A45 and Kenilworth Road</p> <p>(iii) £500,000 to be applied to works to the junction of London Road/Humber Road/Allard Way</p>	Five years from receipt of each instalment of the contribution	BCIS
Cycling/Walking Fund Works	The provision of new cycling/walking routes shown in blue on Plan 3	Five years from receipt of payment	BCIS
Remedial Payment	Measures to assist in achieving the Modal Shift Target	12 months from receipt of each payment	BCIS
Travel Plan Approval Contribution	The involvement of the County Council in approving the Workplace Travel Plan to which the payment relates	No repayment	RPI
TRO East Contribution	Funding of a Traffic Regulation Order(s) for works to Rowley Road to the east of the Technology Park	Five years from the installation of the works sanctioned by the Traffic Regulation	BCIS

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4 Relevant Index</b>
	to restrict on street car parking and for the enforcement of such order(s)	Orders and referred to in column 2 of this table	
TRO West Contribution	Funding of a Traffic Regulation Order for works to Rowley Road and Baginton Village to the west of the Technology Park to restrict on street car parking and for the enforcement of such order	Five years from the installation of the works referred to in column 2	BCIS
Leaf Lane Works Contribution	The funding of traffic calming/improvement works in Leaf Lane and/or its locality if necessary to address traffic impact arising from the Development	Five years of receipt of each instalment of the contribution	BCIS
Monitoring Contribution	The monitoring of compliance with this Deed	N/A	N/A
Bus Infrastructure Works	N/A	N/A	BCIS
Bus services referred to in paragraphs 10.3 and 10.4 of Schedule 1	N/A	N/A	BCIS

2. To advise the Owner and the Developer of the contact details of the LA Co-ordinator within 28 days of the date hereof.

### SCHEDULE 3: DEED OF ADHERENCE

**THIS DEED OF CONFIRMATION** is made on            day            20

**BY**

[(1)

(2)            of [            ];

(3) [            ] of [            ] ("**Covenantor**")

#### **RECITALS**

- A        [            ] entered into an Agreement under section 106 of the Town and Country Planning Act 1990 on [            ] 2014 ("**Planning Agreement**") with, inter alia, the Owners of the site which is the subject of planning permissions ref [            ] and [            ] ("the Application Site") which contains obligations in respect of the Application Site.
- B        Land within the Application Site owned by [            ] ("the Additional Land") was not bound by the obligations contained in the Planning Agreement and in the agreement [            ] covenanted as landowner to ensure that the Additional Land is bound by the obligations in the Planning Agreement prior to implementation on the Blue Land of the planning permission to which the Planning Agreement relates
- C        The Covenantor has agreed to enter into this Deed of Adherence to confirm that its or their interest in the Additional Land is bound by the provisions of the Planning Agreement.

#### **NOW THIS DEED WITNESSETH**

##### **Planning Obligations and Operative Provisions**

1.        The words and expressions used in this Deed of Adherence shall (save where the context requires or where new definitions are referred to in this Deed of Adherence) have the meanings assigned to them in the Planning Agreement.

This Deed of Adherence is entered into pursuant to section 106 of the Act and creates planning obligations to bind the Covenantor's interest in the Additional Land and is enforceable against the Covenantor and its successors in title and those deriving title from it in respect of the Additional Land by the Councils being the local planning authority for the purposes of section 106 of the Act for the area within which the Additional Land is situated.

The Covenantor with the intent to bind its interests in the Additional Land undertakes to the Councils to observe and perform the obligations contained in the Planning Agreement as if they were set out in full in this Deed of Adherence subject to the provisions of the Planning Agreement which shall remain in full force and effect.

Save in respect of liability for any prior breach of this Deed of Adherence the Covenantor shall upon parting with all legal interest in the Application Site and/or the Additional Land be released from all obligations rights and duties under this Deed of Adherence and the Planning Agreement as provided for in the Planning Agreement.

**DELIVERED** as a **DEED** on the date of this document

## **SCHEDULE 4: PLANS**

Plan 1

Plan 2

Plan 3

Plan 4

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## Public report Cabinet Report

Cabinet  
Council

17 June 2014  
24 June 2014

**Name of Cabinet Member:**

Cabinet Member (Business, Enterprise and Employment) – Councillor Maton  
Cabinet Member (Public Services) – Councillor Lancaster

**Director Approving Submission of the report:**

Executive Director Resources

**Ward(s) affected:**

All

**Title:**

*European Regional Development Fund (ERDF) Open Call for Projects*

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**Is this a key decision?**

Yes as it has the potential to affect all wards within the City and expenditure is in excess of £1m

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**Executive Summary:**

Coventry and Warwickshire have been very successful in the current round of European Regional Development Fund (ERDF) in attracting external funding to the area. Under the ERDF Sustainable Urban Development Programme Coventry & Warwickshire (C&W) had a notional allocation of £12.5m and over the course of the programme, through demonstrating a clear understanding of ERDF priorities and an ability to deliver on time, to budget and profile, we have doubled that allocation and now have circa £25million of ERDF committed to the area. There is now an opportunity to bid for further funds, primarily aimed at existing projects.

The Coventry and Warwickshire Local Enterprise Partnership (CWLEP) partners have looked at the opportunity to bid for further funds and as a result the Council has submitted a number of proposals seeking ERDF.

The bidding round will be highly competitive and the Council is entering the process knowing that it is unlikely that it will be successful with all its proposals. However, building on its previous success and our extensive knowledge of ERDF gained over many years, we have positioned C&W with the Department for Communities and Local Government (DCLG) as a place that can deliver.

Decisions by DCLG on which projects and programmes across the West Midlands area have been successful in securing further funds will be made by 20<sup>th</sup> June 2014. Spend and delivery will need to have been made by 31<sup>st</sup> December 2015.

This report to Cabinet and Council is in advance of knowing the outcome of bids from DCLG, to seek approval from members, that if the Council is successful in securing ERDF, it can quickly move to become the accountable body for the additional ERDF, contract and mobilise the workforce accordingly to ensure delivery by 31 December 2015. Any delay in the decision making process will jeopardise the Council's ability to deliver the schemes within the timeframes set.

## **Recommendations**

### **Cabinet is requested to:**

1. Recognise the opportunity to bid for further ERDF as a significant part of the Regeneration of the City, and retrospectively confirm, its support to bid for further of ERDF for the projects listed in the report;
2. Recognise the potential financial contributions from the Coventry and Warwickshire Local Enterprise Partnership, Coventry University, Deeley, Barberry, and Centro in providing significant match funding towards bidding for further ERDF.
3. Delegate authority to the Executive Director Place, in conjunction with Cabinet Members (Public Services and Business, Enterprise and Employment) to agree the detailed works for schemes in Coventry city centre Public Realm Phase 2 and their implementation subject to the availability of funding; and
4. Agree to receive a further report at a subsequent meeting of Cabinet confirming what projects have been successful in securing additional ERDF.

### **Subject to being notified that it has been successful in securing additional ERDF, the Cabinet is asked to:**

5. Authorise the City Council to act as guarantor and delegate authority to the Executive Director Place in conjunction with the Executive Director Resources to enter into grant aid agreements with DCLG on ERDF terms and conditions for the following individual projects if they are successful in securing ERDF: Broadgate/Hertford Street, Belgrade Plaza and the International Transport Museum ;
6. Delegate authority to the Executive Directors for Resources & Place to agree the terms of contracts of the public realm works under recommendation 5.

### **Subject to being notified that it has been successful in securing additional ERDF, the Cabinet is asked to recommend Council:**

7. Authorise the City Council to act as guarantor and delegate authority to the Executive Director Place in conjunction with the Executive Director Resources to enter into grant aid agreements with DCLG on ERDF terms and conditions for the following individual projects if they are successful in securing ERDF: Gosford Street/University and Canal Basin/Bishop Street ;

8. Delegate authority to the Executive Directors for Resources & Place to agree the terms of contracts of the public realm works under recommendation 7; and
9. Approve the addition of relevant schemes to the Capital Programmes for 14/15 and 15/16.

**Subject to being notified that it has been successful in securing additional ERDF, Council is requested to:**

1. Authorise the City Council to act as guarantor and delegate authority to the Executive Director Place in conjunction with the Executive Director Resources to enter into grant aid agreements with DCLG on ERDF terms and conditions for the following individual projects if they are successful in securing ERDF: Gosford Street/University and Canal Basin/Bishop Street ;
2. Delegate authority to the Executive Directors for Resources & Place to agree the terms of contracts of the public realm works under recommendation 1; and
3. Approve the addition of relevant schemes to the Capital Programmes for 14/15 and 15/16.

**List of Appendices included:**

None

**Background Papers:**

None

**Other Useful Documents:**

1. International Transport Museum – Council Report of 14<sup>th</sup> January 2014  
([Click Here to Access Council Report](#))
2. Coventry City Centre Public Realm Phase 2 Update – Council Report of 23<sup>rd</sup> July 2013  
([Click Here to Access Council Report](#))
3. European Development Fund Accountable Body Report – Cabinet Report of 16<sup>th</sup> April 2013  
([Click Here to Access Council Report](#))
4. Coventry City Centre Public Realm Phase 2 – Council Report of 23<sup>rd</sup> October 2012  
([Click Here to Access Council Report](#))

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

Yes, 24 June 2014

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**Report title:** European Regional Development Fund (ERDF) Open Call for Projects

**1 Context (or background)**

- 1.1 Coventry City Council in conjunction with the CWLEP has been extremely successful in securing external funding for economic regeneration.
- 1.2 All external funding requires there to be an accountable body, and in more cases than not the expertise and experience within the City Council has meant it has taken on the role of accountable body to act as guarantor to the funder for the grant in the unlikely event that it has to be repaid.

**European Regional Development Fund (ERDF)**

- 1.3 The 2007 – 2013 ERDF programme for the West Midlands is allocated regionally across three priorities. Priority 1 is largely aimed at universities and research institutions while Priority 2 is aimed at offering support to businesses and generating business start-ups and Priority 3 has geographical targeting on Sustainable Urban Development. Under priority 3 CWLEP had a notional allocation of £12.5m and over the course of the programme through demonstrating a clear understanding of ERDF priorities and an ability to deliver on time to budget and profile the Council has doubled that allocation and now have circa £25million of ERDF committed to the C&W area.
- 1.4 The 2007 – 2013 ERDF programme covers expenditure up until December 2015 and is currently underspending across the West Midlands. As a result DCLG issued an invitation for current projects that were “performing well” to bid for additional funding. Projects needed to demonstrate additional impact and be completed by 31 December 2015. The closing date for bids was noon Friday 9 May 2014 and decisions on these extension projects will be made by Friday 20 June.
- 1.5 Projects summarised below requiring cabinet and council approval were submitted as part of the open call:
- 1.6 **Gosford St/University** - Coventry University have committed match funding to a scheme to transform the area between the Ring Road and the William Morris Building and underneath the flyover to create a campus fit for a modern successful University. This will complete the innovative and successful work started by the City Council three years ago to transform the streetscape and create a high quality pedestrian link between Broadgate and Far Gosford Street. High quality landscaping, paving and lighting will be delivered to improve the setting of the iconic new University buildings and to open up access to Whitefriars Monastery. The scheme also includes for some additional works for the previously approved Gosford Gate scheme to fully complete this key arterial route into the city centre.
- 1.7 **Canal Basin / Bishop Street** – The Bishopgate developer Barberry have committed to providing funds towards a set of physical improvements between the city centre and Canal Basin. The existing footbridge will be demolished, and replaced by a new at grade pedestrian crossing integrated with a reconfigured junction 1 (Foleshill Road) which will improve traffic flow. This scheme will complete a high quality pedestrian linking Broadgate to the canal basin and will also provide a key link in the Cycle Coventry network
- 1.8 **Broadgate /Hertford Street** - This project entails a package of public realm works, which will significantly improve pedestrian access between Hertford Street and Broadgate.

- 1.9 **Belgrade Plaza** – the public highway around Belgrade Plaza will be reconfigured to complement the existing landscaped area to create an attractive public space. The scheme will follow the successful design principles used elsewhere in the city centre, including the removal of the traffic lights. With the part demolition of the former Allied Carpets retail unit the pedestrian link between West Orchards and Lower Precinct shopping centre and the Belgrade Plaza will become more accessible. Deeleys are making a financial contribution and Centro have also pledged funds towards a new city centre wayfinding scheme. This will include new totems erected around the city centre to provide information to visitors regarding popular and lesser known tourist attractions, and make it easier to travel around the city through improved information on transport options, including walking and cycle routes and public transport.
- 1.10 **Coventry International Transport Museum** - The proposed extension to this project will deliver additional exhibition fit-out works (demonstrating excellence in transport production and sporting achievements), improvements to the conferencing areas, and enhancements to the wi-fi infrastructure. The extension will enhance the visitor experience, and help to increase the number of visitors the museum receives (including business tourists) and thereby stimulate wider impacts through increased visitor spending levels. Waste Recycling Environmental Limited (WREN) are providing £60,000 grant towards the extension of this project.
- 1.11 Additional smaller projects below £0.5m have also been put forward to extend business support schemes, improve Lidice Place public realm, and support the revenue costs of a number of other current ERDF projects. These do not require cabinet or council approval under the constitution.

## 2 Options considered and recommended proposal

- 2.1 **Option 1 - The City Council retrospectively approves the submission of bids and acts as accountable body for any secured ERDF** - The City Council has acted as lead applicant or accountable body for many European-funded projects since 1984 when the area first became eligible for such funding. In essence it means being responsible for monitoring the spend, submitting grant claims to DCLG for eligible expenditure and demonstrating that the grant has been spent in achieving the outputs of the project.
- 2.1.1 **Option 2 - Proceed without ERDF** - Without ERDF support the projects will either proceed or will be delayed. This call is the last opportunity to attract ERDF grant in this current programme, and in particular in respect of Public Realm projects as the current national thinking is that these types of projects will not be eligible for ERDF grant in the new programme 2014-2020.
- 2.1.2 If the Public Realm work were to be funded entirely by City Council funding and no ERDF, the overall impact of works undertaken would be diminished and it would only be feasible for the statutory duties to be funded such as maintenance of footpaths and highways. With increasing pressure on the Council's capital programme an opportunity would be missed to improve the public realm environment of the city centre.
- 2.1.3 The International Transport Museum and business support programme extensions would not proceed.
- 2.1.4 **Option 3 - Decline to take on the accountable body role** – The Council is already managing the accountable role in respect of projects in Appendix A. If the Council declines to take on the role of accountable body for any additional funds granted this

would not be favourably looked on by DCLG and in our view and would most likely result in DCLG withdrawing the applications for funding. DCLG need to be sure that the accountable body has a track record of successful delivery and are satisfied that the City Council will fulfil this role. In addition, the fewer accountable bodies that DCLG contract with, the lower the cost of managing the whole programme and the greater cohesion across the programme.

## **2.2 Recommended Proposal**

2.2.1 It is recommended that the Council moves forward with Option 1.

## **3 Results of consultation undertaken**

3.1 The New Jobs Strategy 2014 - 2017 is the Council's proposal for taking forward the economy of the city in the light of the changed circumstances experienced over recent years. ERDF matched against core funds for these projects is aligned to delivering the Jobs Strategy and the priorities of the CWLEP set out in their 4-year strategy based on the Local Economic Assessment and feedback from local businesses which include:

- Creating New Jobs
- Creating business growth
- Removing barriers to growth

3.2 The development of the ERDF projects has been completed with LEP partners and reflects the CWLEP's priorities most in need of public investment.

3.3 The CWLEP has undertaken a consultation exercise with local business to determine the priorities it should focus on. The proposals and projects here fully align to the proposed CWLEP Strategic Economic Plan and the new European Structural Investment Fund Strategy.

## **4 Timetable for implementing this decision**

4.1 The requests for additional funding were submitted Friday 9<sup>th</sup> May following an invitation to bid dated 31<sup>st</sup> March. Decisions will be made by Friday 20<sup>th</sup> June.

4.2 All projects are currently delivering what they have already been contracted to deliver with DCLG will continue to do so until decision on grant extensions are received and until Cabinet approval is given to engage in the additional activity.

4.3 All spend must take place by 31 December 2015.

## **5 Comments from Executive Director Resources**

### **5.1 Financial implications**

5.1.1 The Council are proposing to be the accountable body for all of the ERDF projects listed above. Whilst this is not unusual, the financial implications to the Council should be clearly understood.

5.1.2 The Council's financial contribution is from existing approved resources of £1.9m, £1.8m of which relates to the use of Coventry Investment Fund (CIF) monies, approved by

cabinet in July 2013. The remainder relates to the use of revenue budgeted salary as further match funding.

- 5.1.3 In the event that any of the above ERDF project bids or non-City Council match funding requirements are not successfully secured, the proposed works will need to be scaled down to match available resources.

## **5.2 Legal implications**

- 5.2.1 The Council will act as the accountable body for the ERDF projects on the terms of the EU and DCLG requirements. The Council will be issued with a grant offer containing terms and conditions. It is anticipated that based on other grant funding agreements entered into by the Council there will be provisions relating to repayment/clawback of the grant to DCLG in certain circumstances, the risk of such will be managed in accordance with 6.3.
- 5.2.2 For one of these projects, the terms and conditions will be devolved across to the Transport Museum Trust in a grant agreement. These will ensure appropriate conditions and obligations which are imposed upon the Council are passed to the grant recipients who receive the funding for delivering projects. The Council has power to act as guarantor under Section 1 of the Localism Act 2011 and in respect of the leisure function at the transport museum under section 19 of the Local Government (Miscellaneous Provisions) Act 1976.
- 5.2.3 A Joint Working Agreement will be established between Coventry City Council and Coventry University for the Gosford Street scheme. This agreement will secure the financial contribution from the University and set out the obligations in respect of the delivery of the Public Realm works to be undertaken by the Council obligations of the University in working with the Council VAT and other financial obligations.
- 5.2.4 Planning consent will be required for Broadgate, Belgrade and Gosford Street Schemes. The City Council will be the applicant under the Town and Country Planning Act 1990.
- 5.2.5 The remaining public realm schemes listed in Appendix A will be delivered under the Council's general highway improvement/traffic management powers under the Highways Act 1980 except in relation to any new or amended formal pedestrian crossings/traffic regulation orders/traffic-calming measures which will be implemented following a separate statutory notice/objection process under the Road Traffic Regulation Act 1984.

## **6 Other implications**

### **6.2 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?**

- 6.2.1 The City Council's New **Jobs Strategy 2014-17** highlights the importance of creating jobs which the city needs. All project extensions will support job creation within Coventry and be aligned with the following two objectives of the strategy:
- Secure job opportunities through investment – businesses and investors continue to recognise Coventry as the right place for them to invest and grow
  - Help people get jobs – pursuing prosperity so that in Coventry everyone who wants a job will have the opportunity to secure one that matches their skills.



- 6.2.2 All these schemes will indirectly or directly provide jobs across the city and sub-region. The Jobs Strategy specifically acknowledges the importance of public realm improvements in creating new jobs in the city centre. Coventry's Sustainable Community Strategy sets out the ambitions for "a prosperous Coventry with a good choice of jobs and business opportunities for all the city's residents". One of its long-term outcomes is accelerating economic growth for the city and creating a more diverse range of businesses and employment.
- 6.2.3 The proposed extensions to the current Public Realm programme are closely aligned with one of the **CWLEPs core objectives**, which is to develop Strategic Infrastructure. It is also aligned with the CWLEP's Inward Investment objective, particularly as improved public realm will help to open up new employment sites (most notably the Friargate and City Centre South sites), and provide compelling reasons for companies to locate into the region.
- 6.2.4 The CWLEP recognises the importance of a successful Coventry city centre to the sub-region as a whole in its strategy. The proposed extension of the Public Realm Phase 2 is closely aligned with the "Unlocking Growth Potential" theme of the Coventry and Warwickshire Strategic Economic Plan (SEP), specifically by unlocking the potential for development on key new city centre employment sites.

### **6.3 How is risk being managed?**

- 6.3.1 Arrangements are in place within the Place Directorate to deliver the accountable body role ensuring that procedures are in place to manage risk for these five projects.
- 6.3.2 The financial risk associated with the ERDF sits with the Council. However the risk of claw back by DCLG and/or the EU is minimal so long as the expenditure is defrayed against eligible activity and in the permitted timeframe. This risk will be mitigated by the implementation of strict procedures for the project management of ERDF-funded work and ensuring that the risks for the two outside projects are devolved appropriately to the partner organisations. We will maintain close liaison with our monitoring officer in DCLG, and ensure that funding contracts awarded by the Council for the completion of infrastructure works place risk on the organisations which complete the works.
- 6.3.3 The Council has a good track record for maintaining and achieving significant financial controls and well established procedures for handling public funds and these will be applied to the ERDF projects in order to ensure that the best possible value is achieved for the EU's investment in the schemes. Therefore the view of officers is that risk of clawback for each scheme is minimal.
- 6.3.4 The Council has already put in place an External Funding Board, chaired by the Assistant Director Financial Management, with officers from both Place and Resources, whose role is to ensure that the Council satisfactorily carries out its legal responsibilities and manages the risks to the Council in holding these types of funds. The group sits alongside partnership decision making and strategy groups such as the CWLEP Board where investment policy is determined and spend proposals are approved.
- 6.3.5 The City Council's Resources & New Projects (RNP) Team is highly experience in dealing with external funding and will lead the programme management for all the various projects ensuring that suitable monitoring and governance arrangements are in place.
- 6.3.6 The individual projects will each have project officers/managers in place responsible for managing compliance with the funding requirements such as publicity, procurement and

for monitoring progress including making grant claims to DCLG. The highly experienced Planning, Transport & Highways division who have already successfully delivered Public Realm Phase 1 and parts of Phase 2 will continue to implement any successful public realm schemes.

- 6.3.7 The RNP Team will have regular meetings with all the projects to review overall progress and to liaise between them and the Governments Local Growth teams within DCLG and Department for Business Innovation and Skills (DBIS).

## **6.4 What is the impact on the organisation?**

### **6.4.1 HR Implications**

- 6.4.2 To ensure successful delivery of these large projects and the Council's ability to provide an adequate accountable body function, additional staff resources may be required and will be recruited through the council's authorised recruitment protocols. Staff are already in place for the existing ERDF-funded projects and they may be able to continue to carry out this function and take on the new projects.

## **6.5 Equalities / EIA**

- 6.5.1 Each of the infrastructure projects will undertake an Equality Impact Assessment as part of project development and impact.

## **6.6 Implications for (or impact on) the environment**

- 6.6.1 The large scale infrastructure projects will have an impact on the environment in the city centre. All businesses are now very conscious of energy costs. At the point of making investments in plant and machinery or indeed property the opportunity to reduce energy consumption per unit of output is invariably taken. The Far Gosford Street projects and the CTM are all aimed at improving the visual environment of the city centre.

## **6.7 Implications for partner organisations?**

- 6.2.1 The CTM project extension will help to increase the number of individuals visiting the museum and the improved conference facilities will provide an important income stream for the museum, and support increased levels of business tourism within Coventry.
- 6.2.2 Private sector developers and Coventry University stand to benefit from the proposed extension to the Public Realm Phase 2 programme. The proposed Gosford Street public realm improvements would significantly improve pedestrian access to Coventry University (hence the university committing funds of its own resources to the project). In addition, the public realm activities at the Canal Basin, Belgrade Plaza and Broadgate/Hertford Street would increase the attractiveness of these sites to private sector developers, and is likely to bring new employment land forward for development (again, this is reflected by the fact private sector developers have committed to provide some of their own resources to develop the first two sites in question).

**Report author:****Name and job title:**

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**Directorate:**

Place Directorate

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(All queries should be directed to the above person)

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Director: Martin Yardley	Executive Director	Place	21/5/14	22/5/14
Members: Councillor Kevin Maton	Cabinet Member (Business, Enterprise & Employment)	-	3/6/14	
Members: Councillor Rachel Lancaster	Cabinet Member (Public Services)	-	23/5/14	

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A separate report is submitted in the private part of the agenda in respect of this item, as it contains details of financial information required to be kept private in accordance with Schedule 12A of the Local Government Act 1972. The grounds for privacy are that it contains information relating to the financial and business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information

Cabinet

17 June 2014

**Name of Cabinet Member:**

Cabinet Member (Business, Enterprise and Employment) – Councillor Maton

**Director Approving Submission of the report:**

Executive Director, Place

**Ward(s) affected:**

**Westwood**

**Title:**

Canley Regeneration Programme – Freehold disposal of development land

---

**Is this a key decision?**

Yes – the proposals within the report will result in income in excess of the key decision threshold.

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**Executive Summary:**

In March 2007, Cabinet approved in principle a programme of physical, social and economic regeneration in Canley, a procurement strategy for delivering capital receipts based on a developer partner model and other measures that would ultimately deliver the regeneration scheme.

A master plan for the holistic regeneration of Canley was agreed in consultation with the community, which was subsequently developed into an outline planning application. Outline planning permission was granted, in March 2010.

Market conditions have favoured an incremental approach to land disposals. In this context, Site L (Howcotte Green, shown edged red on the attached Plan) has recently been marketed via informal tender and authority is sought to the proposed freehold sale of this site for housing development. In addition, as the housing market has significantly strengthened, approval is sought to the sale of the remaining development sites in Canley by tender or auction, in accordance with demand.

**Recommendations:**

Cabinet is requested to:

1. Accept the highest valid tender for Site L (Howcotte Green).
2. Delegate authority to the Executive Director, Place and the Executive Director, Resources to conclude the freehold disposal of Site L to the highest valid tenderer, on the terms referred to at 2.3 and 6.1.
3. Approve the disposal of the freehold interest in the remaining development sites in Canley, including Canley Sports and Social Club (referred to at 1.2 and 1.3), by tender or auction.
4. Delegate authority to the Executive Director, Place and the Executive Director, Resources to conclude the freehold disposal of the remaining development sites in Canley, including the Canley Sports and Social Club, as detailed in 3 above.

**List of Appendices included:**

A Site Plan referred to in the report.

**Background papers:**

None

**Other useful documents**

Canley Regeneration – Masterplanning - Cabinet Member (Urban Regeneration and Regional Planning) - 3 March 2005

Canley Regeneration Scheme – Update on Financial Implications - Cabinet Member (Urban Regeneration and Regional Planning) - 3 March 2005

Canley Regeneration Programme – Scheme Proposals – Cabinet - 20 March 2007

Outline Planning Permission dated 31 March 2010

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

**Report title:**

Canley Regeneration Programme – Freehold disposal of development land

**1. Context (or background)**

- 1.1 The Canley Regeneration Programme area, which is shown in the attached Canley Regeneration Masterplan, contains roughly 3,000 existing dwellings (approximately 50% owner occupied); shops; community, educational and health facilities, together with urban green space, covering an area of 115 ha (284 acres) or thereabouts. An outline planning permission granted in 2010, comprised development of about 730 new residential units, new community facilities, new park and play facilities, public realm improvements and other associated works. The proposed new residential units are to be built on approximately 16 ha (40 acres) of Council owned land.
- 1.2 Current market conditions favour a phased approach, releasing development land in accordance with demand and competitively tendering sites. This approach has been recently used successfully in respect of Site D, where the freehold interest was sold to Taylor Wimpey for housing development. This disposal model has been utilised on Site L (Howcotte Green) and it is proposed that the Council continue with it, for the disposal of all remaining land in Canley.
- 1.3 Canley Sports and Social Club, Marler Road (shown hatched on the attached Plan), was not included in the Canley Regeneration Programme. The Club, which is held under a lease from the Council with 34 years unexpired, has recently been badly fire damaged and the lessee has gone into Administration. One option is that buildings will be cleared from the site and the lease surrendered to the Council and should this be the case, it is proposed that the Council disposes of the freehold, possibly for residential development by tender or auction, to fit in with the other disposals referred to in Canley.

**2. Options considered and recommended proposal****2.1 Accept the Offer for Site L (Howcotte Green)**

2.2 Site L, which comprises 0.74 ha (1.83 acres) or thereabouts, is located in an established residential area and has been marketed for residential development. Tenders have recently been received.

2.3 The highest valid tender, which is conditional only on ground conditions, satisfies the Council's requirement to obtain the best price reasonably obtainable under S.123 of The Local Government Act 1972.

**2.4 Decline the Offer for Site L (Howcotte Green)**

The offer received could be declined and the site re-marketed. This would result in further delays to the Canley Regeneration Project, the loss of a capital receipt and expose the Council to the risk, that the current level of consideration may not be achieved.

2.5 Accordingly, it is recommended that the highest valid offer for Site L (Howcotte Green), is accepted.

**3.0 Community Benefits**

3.1 The Canley Programme has already committed to investment of approximately £3.1m in the development of the Xcel Sports Centre, Charter Primary School and a new Prior Deram Park, together with new play facilities and public realm improvements.

#### **4.0 Results of consultation undertaken**

4.1 During the spring and summer of 2006, the master planners in conjunction with the City Council and other stakeholders (Warwick University and Whitefriars Housing Association), undertook a series of consultation events with local residents, to develop the masterplan for Canley. Further public consultation and information sharing has continued subsequently.

#### **5. Timetable for implementing this decision**

5.1 Expected timetable of events

Exchange contracts	– July 2014
Complete disposal and payment made	– September 2014
Construction commences	– March 2015
Construction completes	– September 2016

#### **6.0 Comments from Executive Director, Resources**

##### **6.1 Financial implications**

6.1.1 Tenders were received for uses comprising C2 (residential institutions) and C3 (dwellinghouses), both on conditional and unconditional bases.

6.1.2 It is recommended to accept the highest valid tender.

##### **6.2 Legal implications**

6.2.1 Site L (Howcotte Green) has been disposed of under open competition and officers are satisfied that this meets the Council's requirement to obtain the best price reasonably obtainable, in accordance with the provisions of S.123 of the Local Government Act 1972.

6.2.2 Although Site L (Howcotte Green) is not held as public open space, it is an open green area. Pursuant to the requirements under S.123 (1) of the Local Government Act 1972, a notice has been placed in the Coventry Telegraph, for two consecutive weeks, advising that the Council is seeking to dispose of Site L (Howcotte Green). No objections have been received.

6.2.3 Officers within the Resources Directorate (Legal Services) will complete the necessary legal documentation effecting the freehold disposal and will collect payment of the agreed consideration.

##### **7.0 Other implications**

##### **7.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?**

7.1.1 The capital receipt will contribute towards corporate resources and the delivery of objectives laid out in the Canley Masterplan document formulated in 2007, specifically including the new Prior Deram Park, which is due to commence in August 2014.

7.1.2 During construction, the development will provide jobs and business opportunities for the city's residents.



## **7.2 How is risk being managed?**

- 7.2.1 Risk will be managed by a dedicated Project Manager throughout the process.
- 7.2.2 The risks to this project are referred to in each approach considered and the recommended option gives the Council the greatest certainty over the capital receipt. Outline planning permission has already been granted and establishes the principles of residential development.

## **7.3 What is the impact on the organisation?**

- 7.3.1 The positive impact on the organisation is considerable, as it will allow commitments made at the master planning stage, to be delivered.
- 7.3.2 Work will be required by both the Property Development Team in negotiating the detail of the disposal with the purchaser and Resources Directorate, in preparing and completing documentation and collecting payment of the agreed consideration.

## **7.4 Equalities / EIA**

- 7.4.1 No Equality Impact Assessment has been undertaken as the recommendations do not constitute a change in service policy.

## **7.5 Implications for (or impact on) the environment**

- 7.5.1 The principle of development has been established through the outline planning consent. The Design and Access Statement outlined the principles of the scheme design, along with an Environmental Assessment, for all development sites in the Canley Programme area.

## **7.6 Implications for partner organisations?**

- 7.6.1 This proposal is an opportunity for a registered provider to develop affordable housing. These units would be constructed to the HCA Design and Quality Standards.

**Report author(s):**

**Name and job title: David Cass – Development Surveyor**

**Directorate: Place**

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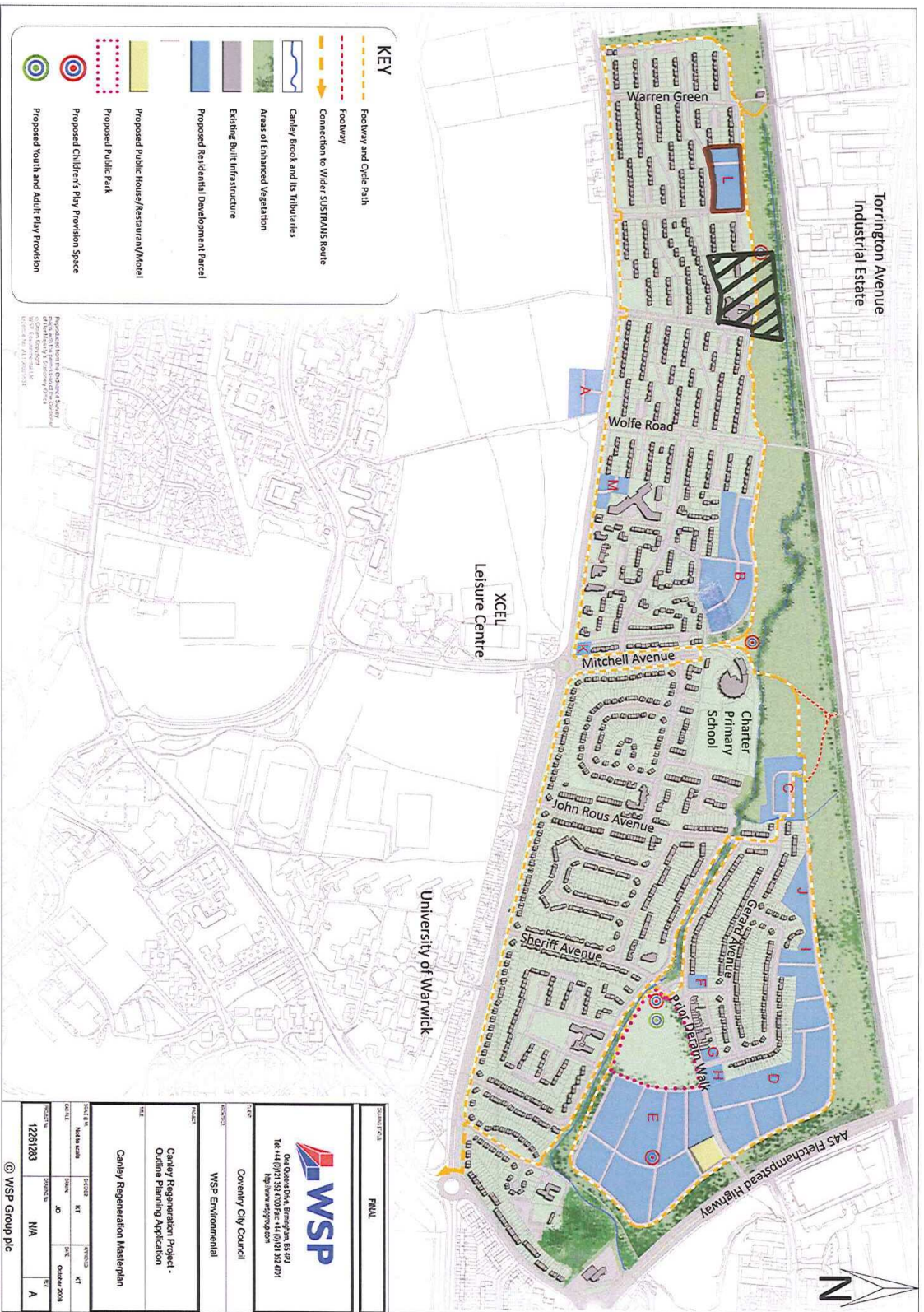
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Director: Martin Yardley	Executive Director	Place	19:05:14	21:05:14
Members: Councillor Kelly	Cabinet Member (Business, Enterprise and Employment)		21:05:14	27:05:14

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DRAWN BY: FNL	
DATE: 02/04/2018	
PROJECT: WSP Environmental	
CLIENT: Coventry City Council	
PROJECT: Carley Regeneration Project - Outline Planning Application	
FILE: Carley Regeneration Masterplan	
DESIGNED BY: NLS	DATE: 02/04/2018
CHECKED BY: JG	DATE: 02/04/2018
PROJECT NO: 1281283	REV: A

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A separate report is submitted in the private part of the agenda in respect of this item, as it contains details of financial information required to be kept private in accordance with Schedule 12A of the Local Government Act 1972. The grounds for privacy are that it refers to the identity, financial and business affairs of an organisation and the amount of expenditure proposed to be incurred by the Council under a particular contract for the supply of goods or services.

**Cabinet**

17<sup>th</sup> June 2014

**Name of Cabinet Members:**

Cabinet Member (Community Safety & Equalities) – Councillor Townshend  
Cabinet Member (Policy and Leadership) – Councillor Mrs Lucas  
Cabinet Member (Children and Young People) – Councillor Ruane  
Cabinet Member (Health and Adult Services) - Councillor Gingell

**Director Approving Submission of the report:**

Executive Director, People

**Ward(s) affected:**

All

**Title: Award of Contracts for Domestic Violence and Abuse Services**

---

**Is this a key decision?**

Yes – The contract value exceeds £1 million per annum.

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**Executive Summary:**

Domestic Violence and Abuse (DVA) is a significant issue in the City and therefore a key priority for the City Council particularly due to the profound effect it has on child welfare and safety in addition to the harm to victims and impact on communities.

Coventry has one of the highest levels of domestic violence and abuse in the West Midlands and a range of multi-agency work is undertaken by Coventry City Council and other statutory agencies to protect victims and children whilst preventing and minimising the risk of harm caused by perpetrators.

The Council currently commissions a range of domestic violence and abuse services across five providers which provide support and interventions to victims and children. These contracts are due to expire on 28th September 2014.

In order to ensure that commissioned services were appropriate to support victims and children a strategic needs assessment was completed, followed by an extensive consultation process with stakeholders and service users.

On 19<sup>th</sup> November 2013 Cabinet approved the tender process for Domestic Violence and Abuse Services, taking into account the Equality Consultation Analysis and the outcome of the consultation. The services to be tendered comprised a total of four services to support victims in the community, provide safety and refuge to victims and children, challenge and change perpetrator behaviour and provide one to one and group work support for children.

The tender process commenced on 16<sup>th</sup> January 2014 and closed on 27<sup>th</sup> February 2014. During the course of the tender 45 organisations registered their interest and requested details. A total of 8 Providers submitted a tender to provide the services. Some Providers submitted a tender for more than one service.

Following conclusion of this tender process this report seeks approval to award the contracts for Domestic Violence and Abuse Services to the successful Providers. Details of the Providers are given in the private cabinet report.

Subject to approval of the recommendations contained within this report, a lead in period post award of contract will enable the new services to be effective from 29<sup>th</sup> September 2014.

These new contracts will improve how the City Council supports vulnerable people. The provision of commissioned services is an important part of the City's response to DVA. However commissioned services cannot provide an appropriate response to the issues in isolation, therefore continued work across statutory agencies will be required to tackle DVA in the City.

#### **Recommendations:**

Cabinet is requested to give approval to:

- (1) Award of the contracts to the successful tenderers and delegate authority to the Executive Director, People, in consultation with Cabinet Member (Policy and Leadership) to make any decisions necessary to enable completion of the contract with each of the successful tenderers.
- (2) Commit the financial resource from the City of £4,774,860 for a four year period (approximately £1,193,715 per year) with effect from 29<sup>th</sup> September 2014. This will be met from existing Council resources including the additional £250,000 approved in the budget report.
- (3) Note that recommendations 1 and 2 have taken account of the updated Equality Impact Assessment at Appendix 1.

#### **List of Appendices included:**

Appendix One – Equality and Consultation Analysis

#### **Background papers:**

None

#### **Other useful documents:**

None

#### **Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

## Report title: Award of Contracts for Domestic Violence and Abuse Services

### 1. Context (or background)

#### 1.1 Background

- 1.1.1 Domestic violence and abuse (DVA) is defined by the Home Office and applied by the City Council as: any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse: psychological; physical; sexual; financial; emotional.
- 1.1.2 Coventry has one of the highest levels of domestic violence and abuse in the West Midlands and a range of multi-agency work is undertaken by Coventry City Council and other statutory agencies to protect victims and children whilst preventing and minimising the risk of harm caused by perpetrators.
- 1.1.3 DVA is an important factor in child protection. The recent Daniel Pelka Serious Case Review identified a number of improvements required to the way agencies work together to safeguard children that are in families where domestic violence and abuse takes place. As part of the City Councils response to this a Multi-Agency Safeguarding Hub (MASH) is being developed with other statutory agencies to ensure that safeguarding issues are appropriately identified and responded to.
- 1.1.4 The provision of commissioned services is an important part of the City's response to DVA but is only a part of the overall work done to deliver improvement in this area. This work includes improvements to the assessment of risk to victims and children affected by DVA, challenging and taking action against serial perpetrators and safeguarding through child protection and multi-agency management and interventions.
- 1.1.5 The Council currently commissions a range of domestic violence and abuse services which provide support and interventions to victims and children. These contracts are due to expire on 28th September 2014.
- 1.1.6 The new suite of services to be awarded (subject to approval) have been co developed as part of an integrated multi-agency model, working alongside statutory agencies such as Social Care and the police, to provide a clear first point of contact, prevent duplication and strengthen information sharing between providers and statutory agencies. The recent Ofsted inspection of City Council Children's Services in February 2014 identified the commissioning of DVA services as positive practice.

The new services will deliver a number of improvements on current provision including:

#### 1.1.7 Lot 1: Helpline, interactive website and victim community based services

Through this lot capacity to support victims of DVA has increased from 323 in 2013/14 under current arrangements to 520 under new arrangements through a Floating Support Service.

Improvements will include:

- A new 24 hour Coventry helpline/website will be established for anyone who wants to discuss DVA, including victims, children and young people, perpetrators, professionals and members of the public. This will ensure that there is a single, clear point of contact for all information and access to services within the City, and all enquires receive an immediate response.



- A single needs assessment so victims only have to tell their story once even if they move to a different support service.
- A new structured support programme to raise victims' awareness of DVA, increase their understanding of the effects of DVA on children and aim to prevent victims from returning to DVA relationships.
- A new aftercare service for 200 victims a year to provide low level support and befriending once victims have ended active case management and reduce isolation.
- Robust systems to ensure that information on all children living with DVA victims is actively shared with universal services e.g. health visitors, children's centres, schools CAF and Social Care (where appropriate)

#### 1.1.8 Lot 2: Supported accommodation for victims and children

Under this contract the number of accommodation units will increase from 40 to 54 which will increase the number of victims who can access accommodation.

Improvements will include:

- An increase in the number of self-contained accommodation units which can house victims with older male children and victims with substance misuse and mental health issues who are often unable to access current services.
- A new accommodation service for male victims who currently cannot access services.
- A number of wheelchair accessible units that are adapted for people with physical and sensory impairments who are currently unable to access services.
- A new structured support programme and interventions to raise victims' awareness of DVA, increase their understanding of the effects of DVA on children and aim to prevent victims from returning to DVA relationships.
- Robust assessment of risk and information sharing on children, including assessing the level of risk to the child from the victim; ensuring all children have a CAF in place and/or that their information is shared with a universal service who can safeguard them; regular visual checks on all children living in accommodation and working jointly with Social Care to report on victim's progress and provide reports to court.

#### 1.1.9 Lot 3: Perpetrator service

Improvements will include:

- A new flexible perpetrator programme for between 100 – 150 perpetrators a year will be established using a solution focused approach to challenge perpetrators use of DVA and enable change.
- The programme will be suitable for a wide range of perpetrators including male perpetrators, female perpetrators, young perpetrators and perpetrators who require interpreters, and can be completed on either a one to one or group basis.
- The provision of training, support and advice to other agencies so they can deliver the programme to perpetrators internally e.g. Social Care, Youth Offending Service, thus ensuring good practice and increasing the number of perpetrators receiving interventions.

- A robust information sharing system to ensure that all information on children living with/in contact with perpetrators is shared with the relevant agencies and children are fully safeguarded.
- A system of joined up delivery with victim and children's services to ensure that victims whose partners are attending the programme are updated on the perpetrator's attendance and risk issues are shared.
- The ability to provide ongoing updates to Social Care on perpetrator progress, and write detailed reports for court in child protection and/or child in need cases.

#### 1.1.10 Lot 4: Children and Young People service

Under this contract an expanded service will be delivered to support more children and young people, increasing capacity from 53 to 85 per year.

Improvements will include:

- Support to those who have high levels of need who are not able to access the current service (children at risk of significant harm or removal from home). The service will continue to work with children whose life chances and outcomes will be impaired without the support of services.
- More one to one and group work support to children/young people up to the age of 18 who have been affected by DVA in the family, including children who are most at risk of harm.
- A more streamlined risk assessment process which ensures that the provider builds on assessments already carried out by Children's Social Care.
- A new referral process whereby referrals will be received via a panel of professionals who will prioritise them and work with partner agencies to identify support, so that no child or young person is left waiting without access to support.

The service will continue to:

- Increase the safety of children and young people, to help them feel more secure by providing emotional support, increasing their understanding of DVA issues in order to break the cycle of abuse.
- Provide a specialist advocacy service for children and young people and support their parents and carers to increase their understanding of the effects of DVA on their children, where this is identified as a need.
- Contribute to inter-agency training, provide guidance and act as a consultant to other professionals in relation to DVA.
- Deliver pro-active inter-agency working and sharing of information with an active case management approach.

1.1.11 Overall the new suite of services will increase the capacity of provision in the City for DVA victims, perpetrators and children; ensure everyone in Coventry has a clear place to contact with DVA issues; improve access to services for a range of service users who are currently excluded from some services e.g. service users with a disability and male

service users and create a joined up approach and robust information sharing between statutory and third sector providers.

## 1.2 Procurement Process

- 1.2.1 The tender process commenced on 16<sup>th</sup> January 2014 and closed on 27<sup>th</sup> February 2014.
- 1.2.2 45 organisations registered their interest and requested the details of the tender. 8 organisations submitted a tender. Some providers submitted a tender for more than one service.
- 1.2.3 The new contract will be robustly contract monitored and providers will be required to submit quarterly reports on activity and service user outcomes and attend quarterly monitoring meetings. In the first six months of the contract monthly review meetings will be held to ensure any issues identified are promptly resolved.

## 2. **Options considered and recommended proposal**

### 2.1 **Option 1 Recommended Option:**

Following the extensive work of the tender process it is recommended that the contracts are awarded to the following successful providers:

- Lot 1 – contained in private report
- Lot 2 – contained in private report
- Lot 3 – contained in private report
- Lot 4 – contained in private report

This will enable the improvements identified in section 1.1.7 – 1.1.10 to be realised.

### 2.2 **Option 2 – Not recommended:**

The council could choose not to award the contract. This is not recommended as it would mean extending the current contracts and would not deliver the increased capacity, and other service improvements including the helpline, clear point of contact and improved access to services of the new contracts.

## 3. **Results of consultation undertaken**

- 3.1 In order to ensure that services were able to meet the requirements of people who experience domestic violence and abuse an extensive consultation process was undertaken with stakeholders between 2011 and 2013. The outcome of this consultation informed the services that were put out to tender.
- 3.2 Ongoing consultation with stakeholders and service users will be undertaken during the operation of the new contracts. Feedback may lead to adjustments to the services required to ensure that the new provision continues to meet need.

## 4. **Timetable for implementing this decision**

- 4.1 Subject to approval to award the contracts, a 10 day standstill (cooling off period) will commence on the 18th June 2014 before the contracts are awarded to the successful organisations on or after 1<sup>st</sup> July 2014.
- 4.2 Implementation meetings will be held with the successful organisations during the lead in period. Joint provider meetings will also take place. The new contracts will be effective from 29th September 2014.

- 4.3 The service and monitoring requirements and outcome measures will be explicit within the contracts. Outcomes required include victims reporting feeling safer and developing an increased ability to manage risks: victims having an increased understanding and awareness of DVA and the effects on children; a reduction of the level of risk posed by perpetrators and improved safety for children.
- 4.4 If the provider fails to meet the standards set in the specification and detailed in their tender response, timely action will be taken to remedy the situation. Service improvement meetings will be held during which providers will be required to present a detailed action plan with clear timescales for improvement which will be monitored. If the plan is not adhered to and there are no improvements the provider could be deemed to be in default of contract as detailed in the contract terms and conditions and formal contract compliance action will be taken as appropriate.

## **5. Comments from Executive Director, Resources**

### **5.1 Financial Implications**

- 5.1.1 The estimated contract value for 4 years is £4,774,860 for the period 29th September 2014 to 28<sup>th</sup> September 2018.
- 5.1.2 The resources required to deliver the service will be met from existing Council resources including the additional £250,000 approved in the budget report.
- 5.1.3 The approved budget for this tender was £4,847,364 for the 4 year contract period. The difference between the approved budget and estimated contract value provides a procurement saving of £72,504 over the life of the contract, which will be used to support other domestic violence services.

### **5.2 Legal implications**

- 5.2.1 The procurement process was an open competitive process as required under the Council's Rules for Contract and the Public Contract Regulations 2006.
- 5.2.2 Each of the successful bidders will enter into a contract in the format which was included as part of the tender documentation.
- 5.2.3 Local Authorities have a duty to safeguard and offer a range of services to Children in Need up to the age of 18 to help them keep safe and well under the Children Act 1989 and Children Act 2004.
- 5.2.4 The Council has the power under section 1 of the Localism Act 2011 to enter into the service contract with the provider.

## **6. Other implications**

### **6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Plan)?**

- 6.1.1 This service supports the delivery of the vision and values set out within the Council Plan 2014: to make communities safer and protect and support the most vulnerable people.
- 6.1.2 Challenging domestic violence and abuse, supporting victims and the prevention of re-offending are key priorities for the Coventry Police and Crime Board.

6.1.3 The new services will support the delivery of the DFE improvement plan for children in Coventry.

## **6.2 How is risk being managed?**

6.2.1 The consultation and commissioning process has been overseen by Commissioning, Procurement, Legal, Finance and Heads of Service.

6.2.2 A Risk Analysis document has been completed and is being used as a working tool to mitigate identified risks in line with normal City Council procedures.

## **6.3 What is the impact on the organisation?**

6.3.1 The new service model will enable the Council to provide services that are value for money and better support domestic violence and abuse victims, perpetrators and children. An increased focus on early intervention and a robust pathway through services should reduce the number of repeat incidents of domestic violence and abuse and the social and welfare costs associated with these.

## **6.4 Equalities / EIA**

6.4.1 The discharge of the duty under section 149 of the Equality Act 2010 has been addressed as part of the commissioning process for the service. An Equality Consultation Analysis was approved by Cabinet on 19<sup>th</sup> November 2013 and included as part of the tender documentation. This Equality and Consultation Analysis has been updated following the tender process and is included at Appendix One.

## **6.5 Implications for (or impact on) the environment**

None

## **6.6 Implications for partner organisations?**

6.6.1 Some organisations that currently deliver DVA services on behalf of the City Council will no longer do so as a result of this tender. These are voluntary sector organisations.

6.6.2 Improving support to victims and perpetrators of DVA will support the City Council and other statutory agencies to respond appropriately to the issue of DVA in the City.

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## Equality and Consultation Analysis Template

### Guidance for completion

- Equality analysis is a way of considering the effect on different groups protected from discrimination by the Equality Act 2010, during the Council's decision making processes.
- These 'protected groups' are those defined by race, age, gender, disability, sexual orientation, gender reassignment, religion or belief, pregnancy, maternity or breastfeeding.
- Please remember to consider children and young people as a specific group that you may need to consider the impact on, and engage with during this analysis.
- Equality analysis will help you consider whether the decision you want to take:
  - will have unintended consequences for some groups; and
  - if the service or policy will be fully effective for all target groups.
- The Council also has a statutory duty to consult.
- This equality and consultation analysis template will require you to demonstrate how equality information and the findings from consultation with protected groups and others, has been used to understand the actual or potential effect of your service or policy on the protected groups and to inform decisions taken.
- The template should summarise key issues arising from information that has been collected, analysed and included in other key documents e.g. Needs Analysis, Baseline Reports etc.
- This form should be completed on an ongoing basis at each stage of any formal decision making process. Failure to comply with this will put the Council (and specifically the elected member or officer making the decision) at risk of judicial review.
- For further help and support please contact Helen Shankster on 7683 4371 (consultation advice), Sheila Bates on 7683 1432 (CLYP consultation advice) or Jaspal Mann on 7683 3112 (equalities advice).

### Context

<b>Name of analysis</b>	Domestic Violence and Abuse Multi Agency Model
<b>Officer completing analysis</b>	Penny Kay, Milan Jagatia

<b>Date</b>	Version 1: 25 <sup>th</sup> October 2013 Version 2: Updated on 12 <sup>th</sup> December 2013 for Children's Service. Version 3: Updated 19 <sup>th</sup> May 2014
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## **1. Briefly describe the area of work this analysis relates to:**

In September 2010 the Coventry Domestic Violence & Abuse Partnership (strategic sub group of the Coventry Community Safety Partnership) were requested to undertake a review of existing approaches and services in relation to Domestic Violence and Abuse (DVA) and develop a city wide multi agency model in order to improve the management of the existing levels of DVA in the City and begin to reduce predicted rises in number of cases and future demands on services.

The need for an integrated multi agency model was identified by the Coventry Domestic Violence and Abuse Partnership and the Community Safety Partnership via the findings of the 2009/10 Strategic Assessment. This demonstrated that during 2009/10 Coventry had the highest rate of DVA per member of the population in the West Midlands, and showed that victims were unclear on where to look for help and members of the public and professionals needed guidance on the full range of options available to them, including services for victims, children and perpetrators.

The vision for Coventry seeks to ensure that residents of the City have the right to respectful, safe and healthy relationships, where domestic violence and abuse is not tolerated. The new model will develop an integrated DVA service and pathway for children, victims and perpetrators, and ensure a clear first point of contact, prevent duplication and strengthen information sharing.

The model has been developed in two stages:

1. The development of specialist DVA services required for commissioning.
2. A review of statutory functions across statutory agencies to develop proposals for how this might be better integrated through a co located unit of agencies (which will then link into the commissioned services element of the model).

This analysis relates to the development of the specialist DVA services that have been commissioned.

The document has been updated on a regular basis throughout the commissioning process

## **Scoping the analysis**

### **2. Who are the key stakeholders, both existing and potential, that could be impacted by this work?**

- Coventry Local Police & Crime Board (formerly Coventry Community Safety Partnership)
- Children, victims and perpetrators of domestic violence and abuse
- Specialist providers of domestic violence and abuse services including:
  - Coventry Haven
  - Valley House
  - Panahghar

- Refuge
  - Relate
  - Barnardo's
  - Safe Partnership
- West Midlands Police
  - West Midlands and Staffordshire Probation
  - Coventry Public Health and Coventry and Rugby CCG
  - Coventry City Council Adult Social Care
  - Coventry City Council Children's Social Care
  - Other Coventry Domestic Violence and Abuse Partnership Forum members and third sector providers

**3. From the list above, which of these constitute protected groups?**

Children, victims and perpetrators of domestic violence and abuse including:

- Female and male victims and perpetrators.
- Service users from Black, Asian, Minority Ethnic and Refugee (BAMER) communities.
- Service users from different religions and faiths
- Service users with physical and sensory impairments.
- Service users who are lesbian, gay, bisexual and transgender.
- Children and young people.
- Older people.

**4. Which of the key stakeholders (including representatives of protected groups) will need to be kept informed, consulted or actively involved in this area of work?**

Key Stakeholder	Type of Involvement*	Method(s) used
Coventry Local Police & Crime Board	Information	Regular briefing updates at meetings
Specialist providers of domestic violence and abuse services	Involvement and consultation	Stakeholder and provider consultation surveys  Membership of DVA multi agency model working group and attendance at engagement sessions
West Midlands Police	Involvement and consultation	Stakeholder and provider consultation surveys  Membership of DVA multi agency model working group and attendance at engagement sessions
West Midlands and Staffordshire Probation	Involvement and consultation	Stakeholder and provider consultation surveys Membership of DVA multi agency model working group and attendance at

		engagement sessions
Coventry Public Health and Coventry and Rugby CCG	Involvement and consultation	Stakeholder and provider consultation surveys  Membership of DVA multi agency model working group and attendance at engagement sessions
Coventry City Council Adult Social Care	Involvement and consultation	Stakeholder and provider consultation surveys  Membership of DVA multi agency model working group and attendance at engagement sessions
Coventry City Council Children's Services - Social Care, Children and Family First Service, Children's Safeguarding Board	Involvement and consultation	Stakeholder and provider consultation surveys  Membership of DVA multi agency model working group and attendance at engagement sessions
Other Coventry Domestic Violence and Abuse Partnership Forum members and third sector providers	Information	Regular briefing updates at CDVAP Forum meetings
Children, victims and perpetrators of domestic violence and abuse	Consultation	Service user focus group consultation events

\* *Information, Consultation or Involvement*

5. **Which, if any, parts of the general equality duty is the service relevant to? Please mark with an 'X'.**



**Eliminate discrimination, harassment and victimisation.**



Advance equality of opportunity between people who share relevant protected characteristics and those who do not.



Foster good relations between people who share relevant protected characteristics and those who do not.

6. **What information is available to be used as part of this analysis?**

Information and data is available on:

- National research on gender and domestic violence and abuse
- National research on BAMER victims and domestic violence and abuse
- National research on disability and domestic violence and abuse
- National research on the effects of domestic violence and abuse on children and DVA in teenage relationships.
- Local police data on the level of domestic violence and abuse in Coventry including demographic data.
- Local data on service users supported by specialist DVA agencies including demographic data.

Section 8 shows an analysis of what the data is telling us about protected groups.

## **7. What are the information gaps?**

There is limited national information on lesbian, gay, bisexual and transgender people experiencing domestic violence and abuse.

There is limited national information on the impact of religion and faith on domestic violence and abuse.

There is limited local and national information about the actual number of children and young people affected by DVA, although estimates are available.

## **Data analysis**

### **8. Please summarise below the key issues that your data is telling you.**

#### Levels of Domestic Violence and Abuse in Coventry

Data for 2011 showed that Coventry was the third most affected area of DVA per 1000 population in the West Midlands, 10.6% ahead of the average. This was an improvement on the 2009/10 data. During 2011 West Midlands police data showed that DVA was 29.3% of recorded violence with a total of 1,666 crimes and a further 3,051 incidents that were not recorded as a crime. However this figure is likely to be an underestimation of the extent of this particular issue; as it is known that DVA is under-reported and many victims do not access support.

#### Age

Domestic Violence and Abuse affects all age ranges. However during 2011 80% of victims from Coventry who reported to the police were aged 17-43 and those in this age bracket were 6 times more likely to be a victim than ages either side of this bracket.

#### Gender

Domestic violence and abuse (DVA) is a form of family/relationship based violence that is mainly experienced by women. National data shows that 1 in 4 women and 1 in 6 men experience DVA. However while men do suffer from DVA, in over 90% of cases, DVA is perpetrated by men against women and women experience the most serious violence and the most frequent assaults, including almost all sexual assaults (*Walby and Allen, 2004; British Crime Surveys: 2000.*)

In Coventry West Midlands police data for January 2011 – December 2011 shows that there were 3182 individual victims of DVA. (*Coventry Community Safety Partnership Strategic Assessment 2012/13*) Of these 88% were female and 12% were male (although national research demonstrates that 33% of male victims of domestic violence and abuse are actually the perpetrator and in a further 33% of cases it is unclear which partner is the perpetrator.) The Coventry data in respect of perpetrators demonstrates that 88% of perpetrators of violence were male, 100% of perpetrators of sexual abuse were male and 95% of perpetrators of harassment were male.

West Midlands Police indicate that only 1 or 2 Coventry male victims of DVA a year are likely to require supported accommodation. However an increased number of male victims require other types of support such as support through court processes, and sanctuary schemes.

### Race

Evidence shows that women from Black, Asian, Minority Ethnic and Refugee (BAMER) groups who experience DVA are more vulnerable to repeat victimisation and are least likely to engage with organisations or be aware of what help is available to them. (*Gill and Rehman 2004, Parmar et al 2005, Thiara 2005.*) BAMER service users might be isolated by forced marriage, threatened by ostracism from their family and community, and pressured to use their own community-based strategies and may face additional issues of language barriers and immigration.

The Office of National Statistics data 2010 shows that the percentage of BAMER residents in Coventry is 8.7% higher than the national average. In 2008 a Coventry Safeguarding Children Serious Case Review highlighted the limited support for victims from small BAMER communities, and the West Midlands police data for 2011 shows that the number of victims from African Caribbean communities is considerably higher than the population data. The number of victims from white and Asian communities are in line with the City's population although a high percentage of Multi Agency Risk Assessment Conference (MARAC) victims were Asian, which may be a reflection on how issues have the potential to escalate for Asian victims

### Religion and Faith

Domestic violence and abuse can take place in any religion or faith irrespective of the teachings of the religion, and faith leaders are in a key position to influence societal attitudes about the unacceptability of domestic violence and abuse.

Specialist DVA agencies in Coventry work with service users from a range of religions and faiths, including Panahghar who provide a specialist service for BAMER victims. Outreach and links have been made with community leaders and temples to raise awareness of domestic violence and abuse and promote the role of faiths in reducing/addressing domestic violence. Feedback from specialist agencies and service users demonstrates that it is important that DVA services respect and meet the needs of service users from different religions, including practical needs such as the issues relating to food preparation in supported accommodation, and respect for religious festivals, prayer times and fasting.

### Disability

Disabled service users, including services users with learning disabilities, may be at higher risk of experiencing DVA and find it difficult to access services. Recent research

has shown that disabled women experience proportionally higher rates of sexual abuse as compared with non disabled women (*Hague et al 2008*) and that 9 out of 10 people with learning disabilities experienced harassment or violence within a year (*Mencap 2000, Alberti Review 2010*). A woman's impairments may be taken advantage of in order to abuse her, and disabled women have an increased vulnerability to financial abuse and are often exposed to abuse by several people. Data from current services shows that the proportion of disabled service users currently accessing DVA services in Coventry is under-represented.

### Older people

Older people face additional barriers to accessing DVA services, including access issues, discrimination and a lack of recognition of DVA. Older people may be subject to family DVA and the perpetrator is less likely to be male. During 2009/10 The City Council's Safeguarding Adults team received 147 DVA referrals (31% of overall referrals) where 68% of perpetrators were family members and 29% of victims were male.

### Sexuality

There is limited national data on domestic violence and abuse in lesbian, gay, bisexual and transgender (LGBT) relationships. A small survey of gay men and lesbians in 2003 (*Henderson*) found that one in four individuals in same sex relationships probably experience DVA, and a research project in 2006 (*Donovan, Hester, Holmes and McCarry*) found that 38% of LGBT people questioned had experienced DVA.

Research shows that LGBT victims are less likely to contact the police about a violent incident and often do not recognise the behaviour as DVA or believe that they are to blame. LGBT victims may also encounter homophobia when seeking support and therefore more often seek help from friends than access services. This is demonstrated in Coventry where the number of LGBT service users accessing services is very low.

### Summary of overall representativeness of DVA service users using current adult services

Analysis of data from current services shows that those accessing services are partly representative of those experiencing DVA. During April – September 2012 99% of service users were female and 44% were from BAMER backgrounds (considerably higher than the Coventry population rate) Age ranges varied from 16 years to 60 plus years with 47% of service users being aged between 21 – 30 years. Only 2% of service users defined themselves as disabled and under 1% defined themselves as LGBT.

Key areas for improvement for the new service are:

- Increasing the number of male service users
- Increasing the number of older service users and adults at risk experiencing DVA
- Increasing the number of disabled service users
- Increasing the number of LGBT service users.

### Children and young people

Key information from national data:

- there is a legal requirement for Local Authorities to safeguard children and young people affected by DVA and this includes the impairment suffered from seeing to hearing the ill treatment of another – particularly in the home, even though they themselves have not been directly assaulted or abused.



- domestic violence and abuse has a significant and long term impact on children and young people affecting their relationships in child-and adult hood. A recent national report (*Beyond Violence: Breaking cycles of domestic abuse - Centre for Social Justice 2012*) highlights the scarring psychological impact for children and young people living with domestic violence and abuse. Children often develop anxiety, depression, aggression, antisocial behaviour, academic difficulties and even post-traumatic stress disorder as a consequence of living with DVA, and approximately two thirds of child witnesses show more emotional or behavioural problems than the average child.
- the potential demand for services for children and young people is high at a national level, with reports by government and a national DVA charity in 2009 and 2012 respectively stating figures that range from 75,000 children that witness DVA every year to an estimated 130,000 children and young people living with high risk of domestic abuse today.
- teenagers experience high levels of abuse within their own relationships; In 2012 the definition of domestic violence and abuse was extended by the Home Office to include 16 and 17 years olds. Evidence from an NSPCC and University of Bristol study in 2009 shows that some teenagers have worryingly high levels of acceptance of abuse within relationships and often justify the abuse. A 2011 NSPCC report suggests that "Policy and practice developments need to recognise that teenage partner violence appears to represent an even more profound child welfare issue for disadvantaged young people and especially young women than for young people in the general population.

Local Data presented below in Table 1, about demand for services for children and young people affected by DVA is limited in scope and depth. It does not provide an exact number of children and young people affected by DVA, but clearly shows that there the current level of service provision does not meet estimated current or future demand in the city. The current service supports an average of 50 children per year and the rising demand for the service is reflected by a recent increase in referrals and waiting list. If underreporting to the police is factored in then the range is likely to be 3,800 – 6,500 children young people affected by DVA.

Key areas of improvement for the new children's service (based on how representative service users accessing the current DVA service are in comparison to local census data):

- Increasing the overall number of children and young people supported by the service
- Increasing the numbers of Asian, Black children supported and where required, work with their parents and carers
- Increasing the numbers of disabled children supported by the service

**Table 1**

<b>Data to inform demand for a service for children and young people</b>
<p>1. The Draft Coventry Community Safety Partnership Strategic Assessment 13/14 - approximately 3,000 children under 16 were directly affected by domestic violence and abuse. In 2012 a total of 2,496 children (U16) were identified by police as being minors within a relationship where domestic abuse is ongoing; a further 287 children were involved with 3rd party cases. This represents 4% of all under 16's</p>

in Coventry. If underreporting is factored in then the range is likely closer to 3,800 – 6,500 children.

2. Screening and joint assessment of children (West Midlands Police, CLYP Social Care, Coventry and Warwickshire Partnership Trust) in 2011/12 has shown that the total number of children screened was 6048 involved in 3244 incidents (some children are repeated in the data). This number is similar to historical data. Nearly half of the children were aged 0-5 and 25% were aged 6-10. Based on these figures, and factoring repeat incidents, the estimated number of children aged 4-18 that might have need for a service is 2,990.

Data from the screening and joint assessment service of 2535 children (attending 112 Coventry schools) from September 2011 to July 2013 has shown that of the 2435 children screened:

- White British children are over represented at 66% compared to 61.3% of Coventry school census 2011 data.
- Children from Mixed backgrounds are over represented at 11% compared to 5.5% of Coventry school census 2011 data.
- Asian children are under-represented at 11% compared to 18.6%.
- Black children are under-represented at 5% compared to 7.8%.

3. The current commissioned DVA service, Barnados Defuze, has supported an average of 50 children and young people with direct work annually (53 in 2012/13). This totals 154 from 2010/11 to 2012/13 (there may be some overlap with on ongoing cases continuing between each year). Of the total figure:
- The largest age group is between 5-11 years old (54%) and is underrepresented compared to 66% of Coventry school census 2011 data. This is followed by those aged 12-15 (26%), which equals the Coventry school census 2011 data. White children are over-represented at 76% compared to 61.3%, and Asian children are under-represented at 5% compared to 8.6%.
  - The number of disabled children and young people supported during 2010-2013 ranged from 2% to 7%. Overall a low number of disabled children and young people and parents with disabilities received support, they are under-represented. In May 2011 2,140 children and young people were claiming Disability Living Allowance. 1,262 pupils aged 5-16 had a statement of special need in 2011 (primary, secondary and special schools).
  - An average of 14 parents and carers has received support (11 for two years and 20 for 2011/12) totalling 42 parents.
    - White parents and carers are over-represented at 81% compared to 66.6% and Black parents and carers are under-represented at 2% compared to 6.3%.
  - 94 referrals were received for the service from April 2012 to March 2013, 7 for parents and 87 for children and young people.
    - Of the 9 referrals not accepted, 7 were children and young people with high needs and supported by social care and therefore, outside of the remit of the service.
  - Number of referrals to the service and waiting lists are increasing. In 2012/13 94 referrals for work with children and young people were received, this figure was 64 for the first 6 months of 13/14.
  - The service delivers workshops funded by Barnados about the effects of DVA

<p>on children to parents at the Panaghar Refuge for people of a variety of BAMER backgrounds. 20 parents accessed the workshop in 2012/13 with 33 non service user children and young people supported indirectly via this work.</p>
<p>4. A number of mental health services for children and young people work with children and young people affected by DVA, but there is limited data to evidence this. These services complement support provided by the children's DVA service as it is often addresses a lower level of need.</p>
<p>5. Children's social care:</p> <ul style="list-style-type: none"> <li>• The available data from children's social care services indicates that potential need for a children's service far outweighs capacity.</li> <li>• In 2011, 3423 Joint Screening Team notifications of DVA incidents were communicated to Social Care, of which 453 were passed to the allocated Social Worker, 95 initial assessments were undertaken, 330 strategy meetings were held and 2543 were filed as contacts.</li> <li>• DVA is integral to nearly all Child Protection work and related care proceedings, along with other issues such as drug and alcohol abuse and mental health. Because of this, it is not separately identified; however, work is currently underway to introduce DVA markers into social care data. It is known that there is also a gap in data from a range of social care services in relation to numbers of children in need, at lower levels of risk.</li> <li>• DVA is an exceptionally high feature in new child protection cases and new LAC cases. In 2011/12 394 children became subject to a child protection plan and 376 became Looked After totalling 662 children (factoring in the overlap in numbers of children who started to be looked after, who were already subject to child protection plans or repeat instances of being taken in to care).</li> <li>• In 2011/12 of the 394 becoming subject to a child protection plan: <ul style="list-style-type: none"> <li>○ Almost half of the cases were under the category of emotional abuse.</li> <li>○ There was even split for gender in line with the Coventry school 2011 census data.</li> <li>○ The largest age groups were 1-4 and 5-9 (28.8% and 25.5%) followed by 10-15 (18.6%). The smallest figure was for 16-17 year olds at 0.5% and this group is underrepresented if compared to the 1% shown in the Coventry school census 2011 data.</li> <li>○ White children are over-represented at 69.1% compared to 61.3%. Asian children are under-represented at 9.6% compared to 18.6% (school census data).</li> </ul> </li> <li>• The number of children becoming Looked After is rising, with 350 in 2010/11 and 376 in 2011/12.</li> <li>• A recent review into the prevalence of domestic abuse in families key-worked through the Children's and Families First Team showed that at least 50% of families worked with at CAF Level 3 are experiencing domestic abuse, have experienced domestic abuse or are suspected to be experiencing domestic abuse. When considering current case load of the service and throughput of cases, this equates to at least 640 families per annum (<i>NB service currently working at 68% workforce, 100% workforce would equate to at least 765 families with domestic abuse</i>).</li> </ul>
<p>6. In 2011/12, there were a total of 485 children and young people living with victims that were accessing 6 DVA services in Coventry and it is estimated that 209 of these are aged over 5 years old.</p>

## Generating and evaluating options

### 9. What are the different options being proposed to stakeholders?

The model has been developed jointly with stakeholders via a number of pre-engagement sessions. This has been an ongoing and interactive process, which has led to the development of the final option rather than a number of pre-defined options being given for consideration.

Key decisions made during the pre-engagement sessions included:

- The use of an outcomes based commissioning process
- The combining of the commissioning process for supported accommodation services and the other elements of the model into one commissioning process, rather than commissioning each element separately as originally proposed.
- The key elements of the new model to include:
  - A telephone helpline and interactive website
  - A clear point of access to all victim services
  - A single assessment procedure for victims
  - A range of supported accommodation for victims
  - Active case management support for victims
  - Active case management support for children
  - Work to challenge and encourage change in perpetrators
  - Security for properties where the victim remains living in their home
  - Aftercare support for victims who have ended active case management support.

### 10. How will the options impact on protected groups or those experiencing deprivation?

The model will provide support and have a positive impact on vulnerable victims of DVA and their children including:

- Female and male victims.
- Service users from Black, Asian, Minority Ethnic and Refugee (BAMER) communities.
- Service user from different religions and faiths
- Service users with physical and sensory impairments.
- Service users who are lesbian, gay, bisexual and transgender.
- Children and young people.
- Older people.

### 11. Please detail how you could mitigate any negative impacts.

No negative impacts have been identified. However for all services it is acknowledged that although the new model will increase the level of provision it is unlikely to meet the known level of need for all victims, perpetrators and children and the demand on the service is likely be in excess of the available resource.

The provision of commissioned services is an important part of the City's response to DVA. However commissioned services cannot respond to the issue in isolation and

additional statutory interventions and initiatives to tackle DVA are also undertaken by Community Safety and Safeguarding partnerships. This work includes improvements to the assessment of risk to victims and children affected by DVA, challenging and taking action against serial perpetrators and safeguarding through child protection and multi-agency management and interventions.

## **12. Identify which contractors or service users would be negatively affected by the options**

No service users will be negatively affected

A number of current services will be decommissioned which are provided by 6 organisations. These include:

- Coventry Haven Supported Accommodation Service
- Coventry Haven Mentoring and Befriending Support Project
- Valley House Supported Accommodation Service
- Valley House Staying Put (Sanctuary Scheme)
- Panahghar Supported Accommodation Service
- Panahghar The Key Project (BAMER floating support)
- Refuge Independent Domestic Violence Advocate (court support)
- Safe Partnership Domestic Security Service
- Barnardo's Defuze (support for children)

The new service will replace all of the current services via an integrated multi agency model. All elements of the above services e.g. supported accommodation, emotional support via caseworkers, support at court, sanctuary scheme and children's support will be integrated into the new model and no service elements are being deleted. Service users will receive an enhanced and streamlined service.

As a result of the tender process some organisations that currently deliver DVA services on behalf of the City Council will cease to do so. These are voluntary sector organisations. The majority of employees from these providers are women, including women from BAMER backgrounds. It has been determined that TUPE applies to the new contract and therefore the negative impact on these protected groups should be minimised. The impact will be analysed during the implementation phase of the new service.

## **Formal consultation**

### **13. Who took part in the consultation? *Please also specify representatives of any protected groups.***

A number of consultation sessions have been held throughout the development of the model with both stakeholders/providers and service users. This included service users with protected characteristics and organisations working with service users from the following protected groups:

- Female and male victims of DVA
- BAMER victims of DVA
- People from a diverse range of cultures and faiths
- People with physical, sensory and learning disabilities

- LGBT people
- Older people
- Children and Young People

### Stakeholder/Provider Consultation

1. September 2010 - consultation survey to review the strengths, weaknesses and gaps in DVA supported accommodation services, including the needs of service users with protected characteristics. 19 responses were received.
2. July 2011 - research undertaken by Perpetuity Consultancy on a review of DVA service provision in Coventry (excluding accommodation) This included individual interviews with 24 stakeholders/providers to capture the services provided, the approach to DVA, objectives and targets in relation to DVA, referral pathways, partnership working, case management and gaps/weaknesses in service provision. Feedback was gained about both adult and children's services.
3. September 2011 – January 2012 – establishment of the DVA multi agency model working group to include representatives from all relevant stakeholders/providers. The group held 9 sessions which reviewed best practice in other areas, mapped current provision, developed a pathway through services, agreed the key elements of the new model and discussed the needs and profile of service users (victims, children and perpetrators) including service users with protected characteristics.
4. January 2012 – consultation survey on the specification for DVA supported accommodation. 45 stakeholders were sent the survey and 6 responded. The consultation survey asked questions on how well the proposed service model enabled access and support for people with protected characteristics.
5. April 2012 – consultation survey on the revised specification for DVA supported accommodation. 45 stakeholders were sent the survey and 2 responded. The consultation survey asked respondents to determine if there were any additional factors that the Council needed to consider that have not already been raised that may disadvantage people with protected characteristics.
6. November 2012 – February 2013 - four further pre engagement sessions were held with representatives from all relevant stakeholders/providers to finalise the requirements for the new model and bring the elements of supported accommodation and other DVA services together. Issues discussed included an opinion finder exercise on the requirements in DVA supported accommodation (e.g. number of units, type of provision, needs of BAMER victims, accommodation for people with sensory and physical impairments) outcomes for service users, access to services, case worker role, volunteer roles and work with perpetrators. The final session discussed an overview of the whole model including all of the service elements and outcomes and included a section to discuss the children's element of the service.
7. On July 15<sup>th</sup> 2013 a specific consultation session was held to discuss the children's element of the model. Approximately 30 Professionals from Council, Health, Police and voluntary children's services and adults DVA services were

invited to the session. 16 people attended. The session built on the service elements presented and key points from the last meeting described above. Attendees were asked to discuss statements and questions that highlighted possible features of the service model. There was discussion about outcomes for children and young people, the service and the city and an opportunity to share any other views about future service provision.

8. In November 2013, stakeholders that attended the session in section 7 above and other key professionals were given the results of consultation with all stakeholders between August 2011 and November 2013 and were given a further opportunity to comment on the proposed features of the children's element of the model. They were provided with additional supplementary information highlighting key issues that were integral to the development of the proposed model. 7 professionals from different organisations responded.

### Service User Consultation

1. September 2010 – four service user focus groups to discuss DVA accommodation services were held at provider's premises. A total of 25 service users were consulted including service users of current DVA accommodation services and service users not currently accessing accommodation services. The discussions reviewed strengths and weakness of current provision, identified gaps, identified service user's profiles and discussed the type of provision required. Comments were also made about the support required for children.
2. August 2011 – five service user focus groups to consult on DVA service provision (excluding accommodation) were held with service users at the following agencies:
  - Refuge – IDVA service users
  - Valley House – Staying Put service users
  - Barnados – Defuze service users (children)
  - Relate – The Bridge service users
  - Panahgar – The Key Project service users

A sixth focus group was held in a central city centre location to ensure any DVA service users from other agencies were able to attend.

A total of 61 service users were consulted. Issues discussed included service user's experience in accessing help/support, experiences of using DVA services (both the specific service and general services), identifying what helped, what hindered and gaps in service provision.

3. March 2012 – a service user focus group to review the draft accommodation service was held at a central city centre location. Invitations to the event were sent to approximately 20 different organisations including those directly providing services to DVA victims and those providing generic services. A total of 19 service users attended. Issues discussed included the types of accommodation required, levels of support, length of stay, units for male victims, how well service users felt the service would meet victim's needs, whether there were any aspects of the service that would disadvantage any groups of people and the provision of specialist units for BAMER victims. Comments were also made about the support required for children.

4. February 2013 - two service user focus groups were held at a central city centre location to review the overview of the proposed model service elements and outcomes. A total of 15 service users were consulted. The use of a 'river journey' was used to help visualise aspects of the proposed service and to demonstrate how service users may proceed through the future service. Comments were also made about the support required for children.
5. Service user consultation about the children's service:

In addition to the above feedback received from service users about support for children additional consultation work undertaken on the children's element of the model has included:

- a. Survey for parents and carers of children and young people affected by DVA and feedback of results/ key features of proposed model
  - June 2013 - A survey for parents and carers was widely circulated with follow up reminders, to DVA service providers and Council children's services, to promote with parents and carers that use their services, specifically including those where there were identified DVA issues. The survey was also put on a website for parents and carers. The survey asked about their views about current services and features about future services that were important to them. 14 responses were received via online and paper copies.
  - November 2013 –parents/carers were given the results of consultation with all stakeholders between August 2011 and November 2013 and an opportunity to comment on the proposed features of the children's element of the model. It was widely distributed as carried out in June 2013. 2 responses were received.

The number of participants is limited and not representative of all service users / parents carers in the city.

- b. Children and young people

Three Children and Family First Teams in the city, two services that work with children and young people and one DVA supported accommodation service were approached about using their contact with service users for a focus group or to carry out questionnaires for children and young people.

- August 2011 - A focus group of 8 service users from the Barnados Defuze service.
- June 2013 - A focus group of 6 service users from the Barnados Defuze service, questionnaires returned from 6 service users from the Barnados Defuze and 1 from the Children and Family First Team (South).
- November 2013 – some service users that were originally seen at the Barnados Defuze service and other children currently using the service were given feedback about the results of the consultation with children and young people that took place in August 2011 and June 2013, with the Council's response to the comments. 4 children and young people chose to feedback with additional comments.



The number of participants is limited and not representative of all service users; there are a number of reasons for this including the sensitive nature of the work, short time scales and the limitations of accessing respondents via gate keepers.

#### **14. What were the key findings of the consultation?**

The key findings from the various consultations were:

##### 14.1 Initial Findings from stakeholder/provider and service user consultation

- There is no clear point of access to DVA services and service users and professionals are unclear about where to go for advice, what services are available and how to access them. This is especially difficult for BAMER service users.
- Current services have a range of different recording systems and different methods of reviewing and assessing need.
- There is a lack of support for low and medium risk victims
- There is a lack of capacity in services including a lack of supported accommodation units.
- There are a number of services where potential duplication occurs and a lack of coordination between services.
- Service users only want to have to tell their story once.
- The provision of emotional support to help service users build their confidence is vital
- Service users felt that when their support ended they were sometimes left in limbo and suggested that a peer mentoring service could help with this.
- Service users with physical and sensory impairments are currently unable to access supported accommodation services due to a lack of accessible accommodation.
- Service users with 4 or more children and single service users are sometimes unable to access supported accommodation due to a lack of correctly sized units
- Service users with substance misuse issues, serious mental health issues and older male children are sometimes unable to access supported accommodation as they are not suitable for shared housing and there is a lack of self contained accommodation
- BAMER victims need specialised culturally specific accommodation and support services
- Services need to be able to respond to LGBT service users and staff need to be trained and educated to provide effective support
- Services need to meet the needs of male victims including the ability to provide supported accommodation for a couple of male victims a year.

##### 14.2 Findings from pre engagement sessions on the proposed model with stakeholders/providers

- The use of an outcomes based commissioning process will enable the specification to be less rigid on issues such as the number of support hours and length of support and encourage an innovative and flexible model to be developed by providers.
- New services need to devise systems to prioritise service users based on the level of risk and providing a service to Coventry residents. However supported

accommodation services also need to accept residents from outside Coventry who need to move to a new area for their safety.

- Adult services which will be supporting 16 and 17 year olds need to have Child Protection knowledge and experience/understanding of working with children and young people
- Services need a tiered approach to response times e.g. emergency response
- New assessment procedures need to be in line with other inter-agency procedures e.g. CAF
- Work developed to challenge perpetrators needs to be suitable for 16 and 17 year old offenders and have clear evaluation criteria
- Specialist caseworkers are required to work with BAMER victims.
- All participants agreed the elements of the service model and outcomes accurately reflected the engagement sessions held to develop the DVA multi agency model and that no required elements were missing.

#### 14.3 Findings from service user consultation on the proposed model

- All service users responded positively to the proposed new model and felt that it accurately reflected the services they required.
- It is important to have staff who are skilled, sensitive and experienced at supporting victims of DVA.
- There needs to be improved awareness of services available.
- Services need to be delivered in languages additional to English to make them accessible.
- There is a need for support in the evenings.
- It is important to provide education on domestic violence and abuse in schools.
- Service users were divided between those who felt that provision for BAMER victims should be integrated into other services and those who felt it should be separate. It was stressed that workers in all services should be trained in understanding different cultures particularly for White British victims who have children of dual heritage

#### 14.4 Findings from consultation on children's provision

##### 14.4.1 Findings from stakeholder engagement

The key issues raised from all stakeholder/provider engagement detailed in Q13, point 7 above, about the proposed children's model to date were:

- There is insufficient service provision, funding and resource in the city, to help increasing numbers of children to cope emotionally with their experiences. As a consequence the work focuses on families at greater risk, rather than early intervention. There is a need for awareness raising about services, clarity of roles of agencies and work with parents /carers.
- The children's service as it is, cannot cater for all needs in the city alone due to level of demand. There need to be clear thresholds and service mapping about the role of different children's services in the city.
- Specialist workers to work directly with children and young people and provide specialist advice and guidance to other professionals that work with children.

- The needs of specific groups of children and young people need to be considered including those:
  - in transition from children's to adults services and those for whom adult services are not appropriate (aged 16/17)
  - no recourse to public funds and related costs to social care
  - with limited communication skills
  - teenagers in DVA relationships
- There is a lack of support for some groups of children and young people including those:
  - children and young people who have a social worker because they have complex and high level of needs that are supported by social care
  - where schools are supporting children and young people that require some extra support from a targeted service
  - teenagers that are perpetrators of DVA (this needs to be a separate specialist service).
- Direct work with parent and carers should be kept to a minimum and restricted to support for parents and carers of the children referred to the service.
- The need for training, consultancy and practice development to teach other children's professionals how to work directly with children and young people affected by DVA was discussed. This proposed method of addressing increasing numbers requiring a service was seen as positive, only if adequate financial resource was made available.
- Better data about the level of need and demand is required to inform future commissioning of services.
- Comments to on the results of the consultation and proposed service model included:
  - Reasons for a positive rating included the increase in numbers of children and young people to be supported, reduction of risk by not having a waiting list and prioritisation of referrals.
  - The service must have strong links with specialist services for DVA adult victims from Black, Asian, Minority Ethnic groups to ensure referrals to the service are increased. The proposed model to consider cultural awareness, differing levels of cultural acceptance of DVA and its effects on children and young people.
  - Suggestion for more intensive training for CAF Leads in schools in DVA specific issues and for other professionals to also be trained to share the role of identification and reporting of DVA e.g. after-school clubs and holiday provision, school nurses and academies, pupil referral units.
  - Queries about the referral route and referring agencies, how children and young people under 4 will be supported by the service and related data about age to predict demand.
  - Query to clarify the equality of access to other services for those children who will not be able to access the service due to their assessed level of need.
  - Need for the panel that prioritises referrals to have time constraints to reduce risk.
  - The need for links to youth provision including YOS (relationship awareness and work with young perpetrators).
  - The service should work with universal services to identify children and young people who have not disclosed but are affected by DVA to access the service. A range of various age appropriate interventions is required to enable children and young people to identify and disclose.

- Suggestion that service should provide women safe space / times to enable women to feel comfortable about accessing the service.

#### 14.4.2 Findings from engagement and consultation with service users

##### a. Service User Consultation for adult victims of DVA.

- The need for awareness raising in schools for teachers and children and young people about DVA and acceptable behaviour in relationships was a common theme. This was repeated when parents and carers were given the results of the consultation and features of the proposed service model.
- Support is needed for children and young people that have come from families with DVA issues –this may be in refuges. Support could be in the form of counselling and should be with a consistent person. Support could be a group that runs the same time as a group for women's support groups
- Better links between support workers for children and the survivor's support worker are needed.

##### b. Survey for Parents and Carers of children and young people affected by DVA and feedback of results/ key features of proposed model.

- Most important areas of support in their view were coping with feelings and understanding what DVA is. Least important areas of support were help with improving school attendance and helping to give evidence in court.
- Respondents felt that services should be offered in a range of locations and on both an individual and group basis.
- Increased confidence and improved communication were the areas that most parents/carers felt their child/ren had benefited from.
- Slowness of referral was an issue raised by some respondents – better linkages between adult and children services.
- However “The services were pivotal in my child’s life and supported not just her but all of us as a family, they are the difference between being a victim or a survivor and I would not hesitate to champion or recommend these services.”
- Responses to the results of the consultation with all stakeholders/ service users and key features of the new model: more should be done to help children as currently, there not enough support available; suggestion for a children’s database for professionals to share/ track information and investigate concerns; need for support that increased the confidence of victims and their parenting skills in parenting courses aimed at victims of DVA.

##### c. Children and young people

- All respondents we were able to access were very positive of the support they had received and indicated they felt more was needed across the city
- Some respondents, especially older ones, suggested the need for more awareness of different types of support services in Coventry as one service does not have the resources to meet the needs of all children and young people.
- Most of the respondents mentioned the need for training aimed at teachers; in terms of spotting the signs of a child living in a DVA situation and how to support

them and this comment was repeated when children and young people were given the results of the consultation.

- Having someone to talk too and advocate on their behalf was a point repeatedly brought up by the respondents
- When asked what key message they wanted to give decision makers, responders told us to ensure staff liked children, were properly trained, and the venue was comfortable and inviting-one young person said "its not easy telling someone what's wrong and its even harder when you have to sit on a hard school seat and scared other kids will hear you"
- When given the results of the consultation with children and young people, they commented that it was good that they had been listened to and because more children would be seen by the service.

#### **15. Are there any gaps in the consultation?**

For the children's service, there is a need to be mindful that service user consultation is not representative of numbers of service users of the current service or of numbers of children, young people, parents and carers in the city, possibly, due to the sensitive nature of the subject.

#### **16. Following the consultation, what additional equality issues have emerged?**

The following equality issues have emerged from the consultation.

- There are currently a high level of victims and perpetrators in the City and demand on all services is likely be in excess of the currently available resource.
- An increase in supported accommodation units is required, including units that meet the needs of single people and people with 4 or more children.
- A number of units of supported accommodation that are accessible to people with physical and sensory impairments are required.
- It is essential to provide specialist culturally appropriate supported accommodation and caseworker support for victims from BAMER communities.
- A low number of gender neutral units of supported accommodation are required that can be accessed by male victims. It is anticipated that 2 or 3 male victims per year would require this.
- There must be sufficient self contained supported accommodation to house service users who have substance misuse issues, mental health issues or older male children.
- There needs to be an increased focus on services responding to the needs of service users from a range of backgrounds and providing individual tailored support to meet the needs of service users from different ages, genders, sexuality and transgender. This includes meeting the needs of service users who are experiencing same sex DVA and family DVA.
- There needs to be an increased focus on adults at risk experiencing DVA including the ability to support older people experiencing DVA from a family carer and provide support to people with learning disabilities.
- Service users require a clear and simple point of access to services and a place where they can access advice, support and information on services at the times when they need it

- There needs to be an increased focus on prevention and early intervention through supporting victims who are at medium risk as well as victims who are high risk.
- There needs to be a low level support service for victims once they have left active case management services to prevent them returning to a DVA relationship.
- All services need to have an increased focus on how they effectively safeguard children and young people and adults at risk.
- There is insufficient provision to support children and young people affected by DVA.
- There needs to be flexibility for teenagers aged 16-17 who are victims of DVA themselves, to access the children's service if the support provided by the adult DVA service or other children's services do not meet their needs.
- The needs of children and young people with no recourse to public funds, limited communication skills, those supported by social care with complex needs, and those supported by schools but requiring targeted support need to be considered as does the related issue of translation costs.
- There is some emerging evidence that professionals that work directly with children and young people may benefit from a training/ consultancy about direct work in relation to DVA from a specialist service or training about how they support families generally in relation to DVA specific issues e.g. special schools.
- It has been identified that there is a tension between focusing on work with children and young people most at risk and the need for increased focus on prevention and early intervention due to the limited budget for the current service. A service based on the current budget cannot meet the needs of all the children and young people in the city.
- Service users should feel safe to access the service e.g. parents/carers that may require support in a manner /time that is safe for women.

For all services it is acknowledged that although the new model will increase the level of provision it is unlikely to meet the level of need for victims, perpetrators and children and the demand on the service is likely be in excess of the available resource.

#### **17. Which of the options have changed following consultation and equality analysis, and how?**

Following the consultation and equality analysis the following elements have been determined for the new commissioned DVA services.

##### Telephone and interactive website

- To provide initial advice support and information to service users, professionals and members of the public including signposting to the single point of access to victim services. The service must ensure that it is accessible to people from all protected characteristic groups including people with physical and sensory impairments and people who do not have English as their first language.

##### Single point of access to all victim services

- A clear point of access to all victim services with links to perpetrator and children's services that is simple and easy. Service users will be able to self

refer or be referred via an agency. The service must ensure that it is accessible to people from all protected characteristic groups including people with physical and sensory impairments and people who do not have English as their first language.

#### A single assessment procedure and clear information sharing protocols.

- The development of a single assessment procedure across all victim services to ensure that service users only have to tell their story once.

#### Supported Accommodation

- Supported accommodation which can be accessed 24 hours a day
- An increased number of units of accommodation including units that meet the needs of single people and people with 4 or more children.
- A mix of shared housing and self contained housing including an increase in self contained housing to meet the needs of service users who have substance misuse issues, mental health issues or older male children.
- Units that are suitable for people with physical and sensory impairments, including the ability to accommodate a carer where required.
- Specialist culturally appropriate supported accommodation for victims from BAMER communities, with staff who speak a range of community languages, including the ability to support service users from a range of faiths and religions.
- A low number of gender neutral units that can be accessed by a male victim if required.

#### Active case management for victims

- Provision of caseworkers to co-ordinate and deliver a range of support and interventions for high risk and medium risk victims in accommodation services and community based services including supporting services users who are still living in DVA relationships.
- Support to be tailored to individual needs and include safety planning; DVA change work; reduction in levels of risk for victims and children; awareness of effects of DVA on children and improved parenting; practical support; advocacy; support through court processes; support for MARAC victims; referral to target hardening; referral to other services such as legal services, housing and health provider; resettlement support once a service users moves to independent accommodation.
- Specialist caseworkers for BAMER victims to provide a culturally sensitive service

#### Target hardening of properties

- The provision of a range of security and target hardening measures for properties where a victim has ended a DVA relationship and wants to remain living safely in their accommodation.

#### Provision of safe and well aftercare support services

- The provision of a range of low level interventions to support victims once they have moved on from active case management and prevent them returning to a DVA relationship e.g. telephone support, coffee mornings, peer support groups, volunteer befriending, confidence building activities. These may be delivered via volunteers

### Active case management and interventions for perpetrators

- Development of a bespoke solution focused perpetrator programme and training pack for Coventry which can be delivered directly to perpetrators, both on an individual and group basis, by key organisations e.g. Social Care, mental health services, substance misuse services.
- Provision of caseworkers to undertake one to one and group work with perpetrators and provide training and support to the key organisations delivering the perpetrator programme.

### Active case management for children

- Additional resource means the number of children supported by the service with individual work will increase.
- The provision of a service to children and young people with complex needs supported by social care (at risk of significant harm or removal from the home) who cannot access the service currently.
- Provision of a service for young people aged 16-17 who are victims of DVA in their own relationships where other DVA services for victims are not suitable to meet their needs.
- The service will continue to be accessible to children and young people with no recourse to public funds and will support those with a range of individual needs as listed below and also include ethnic origin, language, culture, religion or faith, disability, and other lifestyle preferences.

All service elements must be accessible to service users from a range of backgrounds and provide individual tailored support to meet the needs of service users from different ages, gender, sexuality or transgender. This includes meeting the needs of service users who are experiencing same sex DVA and family DVA and supporting adults at risk experiencing DVA including the ability to support older people experiencing DVA from a family carer and provide support to people with learning disabilities.

All the service elements must ensure that they are effectively safeguarding children and young people and adults at risk.

The new service must collect data on all equalities groups to enable a continued review of the impact of the service on key protected groups.

## **Equality impact of final option**

**18. Please confirm below which option has been chosen for implementation.**

The above model that has been developed jointly with stakeholders and service users via a number of pre-engagement sessions and consultation will be implemented.

**19. Please indicate which of the following best describes the equality impact of this analysis.**

**There will be no equality impact if the proposed option is implemented.**





There will be **positive equality impact** if the proposed option is implemented.



There will be **negative equality impact** if the preferred option is implemented, but this can be objectively justified.

*Please state clearly what this justification is and what steps will be taken to ameliorate the negative impact.*

**20. What will be the impact on the workforce following implementation of the final option? Please make reference to relevant equality groups (with protected characteristics under the Equality Act).**

A competitive tender process commenced on 16<sup>th</sup> January 2014 and closed on 27<sup>th</sup> February 2014.

Subject to approval to award the contracts, a 10 day standstill (cooling off period) will commence on the 18th June 2014 before the contracts are awarded to the successful organisations on or after 1<sup>st</sup> July 2014.

The new contracts will be effective from 29th September 2014. Implementation meetings will be held with the successful organisations during the lead in period.

Currently 38 staff are employed by providers of whom 100% are female, 50% White British and 50% from a range of BAMER backgrounds.

The successful providers will determine the level of staffing required for the new service during the implementation phase. As there is an expansion in service provision this may lead to an increase in employment opportunities. It has been determined that TUPE applies to the new contracts and therefore the negative impact on protected groups of staff should be minimised.

The equalities breakdown of employees in the new service will be monitored and compared with the equalities breakdown of staff in the current services to identify if the new service is adversely affecting employees with protected characteristics and take any appropriate action.

### Formal decision-making process

Please detail below the committees, boards or panels that have considered this analysis

Name	Date	Chair	Decision taken
Full cabinet	19 <sup>th</sup> November 2013	Cllr Ann Lucas	Approved

### Approval

This equality analysis has been completed by:

**Officer**

Penny Kay  
Commissioning Officer  
Adult Commissioning

Milan Jagatia  
Children's Commissioning Officer  
Strategic Services

**Service Manager**

Inderjit Lahel  
General; Manager  
Strategic Commissioning

Sally Giles  
Head of Children's Strategy and Commissioning

**Note:** Failure to comply with duties on equalities and consultation will put the Council (and specifically the elected member or officer making the decision) at risk of judicial review

**Director**

Brian Walsh

**Elected Member**

Cllr Phil Townshend  
Cllr Ann Lucas  
Cllr George Duggins  
Cllr Alison Gingell

**Date**

19<sup>th</sup> May 2014

## Monitoring and review

*This section should be completed 6-12 months after implementation*

- a) Please summarise below the most up to date monitoring information for the newly implemented service, by reference to relevant protected groups.

[Click [here](#) and type]

**b) What have been the actual equality impacts on service users following implementation?**

*Analyse current data relating to the service and think about the impact on key protected groups: race, sex, disability, age, sexual orientation, religion or belief, pregnancy or maternity, gender reassignment.*

It may help to answer the following questions: Since implementation

- Have there been any areas of low or high take-up by different groups of people?
- Has the newly implemented service affect different groups disproportionately?
- Is the new service disadvantaging people from a particular group?
- Is any part of the new service discriminating unlawfully?

[Click **here** and type]

**c) What have been the actual equality impacts on the workforce since implementation?**

[Click **here** and type]

**Equality Analysis and Consultation Template  
July 2012 · Version 2.0.1**

The latest version of this template can be found at:  
<http://beacon.coventry.gov.uk/equalityanddiversity/>  
*Please ensure you are using the latest version of the template.*

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**CONFERENCES/SEMINARS**


**AUTHORITY FOR ATTENDANCE**

THIS FORM TO BE USED FOR COUNCILLORS (FOR ATTENDANCE BOTH IN AND OUTSIDE THE U.K.) AND FOR EMPLOYEES (OUTSIDE THE U.K. ONLY OR, IF ACCOMPANYING A COUNCILLOR, INSIDE THE UK)

<b>1. Title of Conference</b>	Kiel Week and International City Forum 2014
<b>2. Organising Body</b>	Kiel City Council
<b>3. Location</b>	Kiel, Germany
<b>4. Date(s)</b>	20 – 23 June 2014
<b>5. Councillor(s) recommended to attend</b>	The Lord Mayor, Councillor Hazel Noonan will be attending, but Authority for Attendance is not required as within the European Union.
<b>6. Employee(s) recommended to attend</b>	An officer from City Centre and Development Division, Place Directorate  Authority for Attendance is required to accompany the Lord Mayor.
<b>7. Cost per person, including travel, etc</b> (Note: If total cost is less than £100.00, formal Cabinet/Cabinet Member approval is not required).	Flights only (inc. baggage and seat reservations)  £326 per person (as at 29.5.14 and dependant on availability of this flight)  The City of Kiel covers the cost of accommodation, meals and internal transfers for the group.  £200 subsistence for the group for incidental expenditure.
<b>8. Is participation at this event as part of a group</b>	Yes
<b>9. If so, how many people IN TOTAL will be attending the event as part of that group</b>	Number: 3
<b>10. Is there anyone travelling with the Member, officer or group in relation to whom any of the costs of travel, accommodation or any other expense will be paid for by a Member or officer. If "YES" please state number.</b>	Mr Christopher Noonan, Consort
<b>11. Source of Funding (FIS Code)</b> DP61505	Lord Mayor's Hospitality Budget  The Lord Mayor will fund the costs of the Consort personally.



<p><b>12. What are the reasons for attendance and what benefits to the City Council are expected from attendance</b></p>	<p>Coventry, being a twin city of Kiel since 1947, has received its annual invitation for the Lord Mayor to attend Kieler Woche (Kiel Week) and the International City Forum - this year's topic being "Unemployment amongst young people and a shortage of skilled workers - strategies and approaches for the integration of young people into the labour market"</p> <p>The visit will help to maintain the close relationship with the city administration which continues to be very active.</p> <ul style="list-style-type: none"> <li>The Lord Mayor will deliver a paper at the Forum on Coventry's approach to the issue of Youth unemployment and the funding which has been allocated to the West Midlands to invest in programmes supporting young people to find employment. The paper also looks at barriers to youth employment, education, support and funding options and the opening of the City Council's Job Shop. The paper has been prepared by Rebecca Young.</li> </ul> <p>Completed By/Signed: Jane Barlow Date: 29 May 2014</p>
<p><b>13. Is this conference part of an overall project involving further visits in the future?</b></p>	<p>YES</p>
<p><b>14. Recommendation of Cabinet Member/ Cabinet/Chair of any other City Council Committee</b></p> <p>(a) Are you satisfied that there is a genuine reason for attendance and genuine benefit for the Council?</p>	<p>YES/NO</p> <p>YES/NO</p>
<p>(b) Will Councillor attendance affect the decision-making processes of the Council?</p> <p>(c) Is attendance recommended?</p>	<p>YES/NO</p> <p>YES/NO</p> <p>Signed: Date:</p>
<p><b>15. Cabinet Member's recommendation</b></p>	<p>YES/NO</p> <p>Signed: Date:</p>

16. Leader's recommendation	YES/ <del>NO</del> Signed:  Date: 4/6/14
17. Person responsible for booking conference following approval of attendance	Name: Jane Barlow, Principal Private Secretary to the Lord Mayoralty Department: Customer and Workforce Services Telephone No: (024) 7683 3047

**THIS FORM SHOULD NOW BE RETURNED TO THE DIRECTOR OF CUSTOMER AND WORKFORCE SERVICES (Room 59)**

**FOR CUSTOMER AND WORKFORCE SERVICES DIRECTORATE'S USE ONLY**

Decision  APPROVED / NOT APPROVED	Cabinet Member/Cabinet  Date:
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Notification to:	<u>YES/NO</u>	<u>DATE</u>
(a) Officer responsible for booking conference		
(b) Councillor attending		
(c) Member of Management Board		
(d) Members' Services		
(e) Committee Officer		

Date report back obtained	
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Date of meeting of Scrutiny to receive report back	
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Cabinet

17 June 2014

**Name of Cabinet Member:**

Cabinet Member (Policy and Leadership) – Councillor A Lucas

**Director approving submission of the report:**

Executive Director, Resources

**Ward(s) affected:**

N/A

**Title:**

Outstanding Issues

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**Is this a key decision?**

No

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**Executive summary:**

This report is to identify those issues on which further reports have been requested or are outstanding so that members are aware of them and can monitor their progress.

**Recommendations:**

The Cabinet are recommended to consider the list of outstanding items as set out below and to ask the Member of the Management Board concerned to explain the current position on those which should have been discharged at this meeting or an earlier meeting.

**List of Appendices included:**

Table of outstanding issues

**Other useful background papers:**

None

**Has it or will it be considered by scrutiny?**

N/A

**Has it, or will it be considered by any other council committee, advisory panel or other body?**

No

**Will this report go to Council?**

No

**Report title:  
Outstanding Issues**

**1. Context (or background)**

- 1.1 In May 2004, the City Council adopted an Outstanding Minutes system, linked to the Forward Plan, to ensure that follow-up reports can be monitored and reported to Members.
- 1.2 The Table appended to the report outlines items where a report back has been requested to a future Cabinet meeting, along with the anticipated date for further consideration of the issue.
- 1.3 Where a request has been made to delay the consideration of the report back, the proposed revised date is identified, along with the reason for the request.

**2. Options considered and recommended proposal**

- 2.1 N/A

**3. Results of consultation undertaken**

- 3.1 N/A

**4. Timetable for implementing this decision**

- 4.1 N/A

**5. Comments from Executive Director, Resources**

- 5.1 Financial implications

N/A

- 5.2 Legal implications

N/A

**6. Other implications**

- 6.1 **How will this contribute to achievement of the council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Coventry Sustainable Communities Strategy?**

N/A

- 6.2 **How is risk being managed?**

This report will be considered and monitored at each meeting of the Cabinet

- 6.3 **What is the impact on the organisation?**

N/A

**6.4 Equalities / EIA**

N/A

**6.5 Implications for (or impact on) the environment**

N/A

**6.6 Implications for partner organisations?**

N/A

**Report author(s):**

**Name and job title:**

Lara Knight, Governance Services Team Leader

**Directorate:**

Resources

**Tel and email contact:**

E-mail: [Lara.knight@coventry.gov.uk](mailto:Lara.knight@coventry.gov.uk)

Tel: 024 7683 3237

Enquiries should be directed to the above person.

<b>Contributor/approver name</b>	<b>Title</b>	<b>Directorate or organisation</b>	<b>Date doc sent out</b>	<b>Date response received or approved</b>
<b>Contributors:</b>				
<b>Names of approvers:</b> (officers and Members)				

This report is published on the council's website: [www.coventry.gov.uk/moderngov](http://www.coventry.gov.uk/moderngov)

	<b>Subject</b>	<b>Minute Reference and Date Originally Considered</b>	<b>Date For Further Consideration</b>	<b>Responsible Officer</b>	<b>Proposed Amendment To Date For Consideration</b>	<b>Reason For Request To Delay Submission Of Report</b>
1.	<p><b>Growing Business Rates through creating the Coventry Investment Fund</b></p> <p>To receive an annual report on the Coventry Investment Fund</p>	<p>Minute No. 80/13</p> <p>19<sup>th</sup> November 2013</p>	November 2014	Executive Director, Place and Executive Director, Resources		
*2.	<p><b>Commissioning of Domestic Violence and Abuse Services</b></p> <p>To received bi-monthly progress reports until July 2014 on:-</p> <p>a) the commencement of a tender process for the proposed new service model.</p> <p>b) the equality and consultation assessment.</p> <p>c) the budget requirement.</p>	<p>Minute Nos. 82/13 and 87/13</p> <p>19<sup>th</sup> November 2013</p>	May 2014	Executive Director, People		

3.	<p><b>Education Capital: Priority Schools Building Programme</b></p> <p>Further monitoring reports on progress of construction and handover of the capital grant funded schools in the Coventry Priority Schools Building Programme and the procurement of President Kennedy School, to be replaced through a new form of Private Finance Initiative, known as PF2.</p>	<p>Minute No 144/13</p> <p>4<sup>th</sup> March 2014</p>	<p>July 2014</p> <p>November 2014</p>	<p>Executive Director, People</p>		
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\* identifies items where a report is on the agenda for your meeting.

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