



Cabinet Member (Policing and Equalities)

Time and Date

2.30 pm on Friday, 14th November, 2014

Place

Committee Room 2 - Council House

Public Business**1. Apologies****2. Declarations of Interest****3. 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(s).

4. Minutes

(a) To agree the minutes of the Cabinet Member (Policing and Equalities) meeting held on 2nd October, 2014.

(b) Matters arising

5. Progress report regarding action taken to address nuisance behaviour in Thompson's Road, Keresley, Coventry

Report of the Executive Director, People

6. Magistrates' Court Building

Report of the Executive Director, Resources

7. The Coventry Award of Merit

Report of the Executive Director, Resources

8. Outstanding Issues Report

Report of the Executive Director, Resources

9. Any Other Business

To consider any other items of public business which the Cabinet Member decides to take as a matter of urgency because of the special circumstances involved.

Private Business

10. **Magistrates' Court Building**

Report of the Executive Director, Resources

11. **Any Other Business**

To consider any other items of private business which the Cabinet Member decides to take as a matter of urgency because of the special circumstances involved.

Chris West, Executive Director, Resources, Council House Coventry

Thursday, 6 November 2014

Note: The person to contact about the agenda and documents for this meeting is Usha Patel, Tel: 024 7683 3198

Membership: Councillors C Fletcher (Deputy Cabinet Member) and P Townshend (Cabinet Member)

By invitation: Councillor A Andrews (Shadow Cabinet Member)

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.

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Coventry City Council
Minutes of the Meeting of Cabinet Member (Policing and Equalities) held at 2.00 pm on Thursday, 2 October 2014

Present:

Members: Councillor P Townshend (Chair)
 Councillor A Andrews (Shadow Cabinet Member)
 Councillor C Fletcher (Deputy Cabinet Member)

Other Members: Councillor N Akhtar (For item 36 below)

Employees (by Directorate):

S Brake, People Directorate
S Chantler, People Directorate
C Edwards, People Directorate
M Fothergill, Place Directorate
C Goodwin, Resources Directorate
C Hickin, People Directorate
S Hutt, People Directorate
B Massey, People Directorate
U Patel, Resources Directorate
H Simmonds, People Directorate
M Watson, People Directorate

In attendance: D Ali (for item 32)
 J Ali (for item 32)
 L Buchanan (Observer)
 D Keegan (for item 35)

Public Business

29. Declarations of Interest

There were no declarations of interest.

30. Minutes

The minutes of the meeting held on 4th September, 2014 were signed as a true record. There were no matters arising.

31. Exclusion of Press and Public

RESOLVED to exclude the press and public under Section 100(A)(4) of the Local Government Act 1972 in relation to the private report referred to in Minute 42 headed "Report in response to a petition concerning a property in Earlsdon Ward" on the grounds that the report involved the likely disclosure of information as defined in Paragraphs 1, 3 and 5 of Schedule 12A of the Act, as it contained information relating to an individual and the financial or business affairs of any particular person and information in respect of which a claim to legal profession privilege could be maintained in legal proceedings. The public interest in

maintaining the exemption outweighs the public interest in disclosing the information.

32. **Report in response to a petition concerning a property in Earlsdon Ward**

The Cabinet Member considered a report of the Executive Director, People which responded to a petition concerning a property in Earlsdon Ward. The report provided a response to a petition received on 3rd July 2014 signed by 71 individuals who live in the Earlsdon Ward. The petition requested the City Council to take action in relation to local residents' concerns regarding the poor condition of a property in Earlsdon Ward and the impact it was having on the surrounding neighbourhood. The report detailed the measures that officers were taking to address the residents' concerns.

The specific issues highlighted in the petition were:

- The long term accumulation of excessive amounts of building materials at the property
- The placement of CCTV cameras overlooking adjacent properties
- The erection of an unsightly 2m wire fence to the front and rear of the property.

In recent years the Council had taken a variety of enforcement actions and whilst these have achieved a degree of success, the condition of the property has once again deteriorated. A more concerted approach to the owner and the property was now underway.

The conditions at this particular property were well known to the City Council and whilst enforcement action had been taken, lasting improvements had not been achieved. The report detailed measures being undertaken with the aim of finding a permanent solution.

Councillor Andrews, an Earlsdon Ward Councillor and the petition organisers attended the meeting and spoke in support of the petition. The petition organisers described the problems that they had endured over a considerable length of time and also circulated photographs as evidence.

The Cabinet Member noted that a Section 215 Notice was served by Planning Officers on 3rd September 2014, and subject to no appeal against the Notice being lodged at the Magistrates' Court beforehand, it would take effect on 5th November 2014. The Notice requires compliance within four months from the date the Notice takes effect.

RESOLVED that Cabinet Member:

- 1. Notes the Section 215 Notice served under The Town and Country Planning Act and instructs officers to oppose the appeal if one is lodged.**
- 2. Endorses the action already taken and planned to address the conditions at this property.**

3. **Requests a legal opinion from the Assistant Director Legal Services on what other courses of action are available to the Council to take action (for example injunction/legal proceedings etc.) to address the issues.**
4. **Requests officers to ensure that all relevant assessments are carried out prior to any enforcement action being taken.**
5. **Directs that a further report as to the on-going situation and progress be submitted to the Cabinet Member meeting scheduled for 18th December, 2014.**

33. **E- Petition to save Coventry's Badgers from Culling**

The Cabinet Member considered a report of the Executive Director, People which responded to an e-petition that was generated on the Council web site in July 2014. The petition bearing 61 signatures was raised by residents who called on the City Council to prohibit the culling of badgers on council-owned land and invest in a 'vaccination program' locally. The petitioners believed culling to be inhumane, inefficient and unscientific in the control of bovine tuberculosis (bTB) in cattle. They claimed that this was a national issue which will be of direct concern to the people of Coventry when DEFRA "rolls out" its culling policy in 2014.

The report indicated that licences were originally issued in autumn 2012 by the Government for badger control in two pilot areas. These pilot areas were in West Gloucestershire and West Somerset and the licence permitted controls to take place on four occasions over a four year period. Badger control activity took place in the two pilot areas in 2013. Natural England have recently issued letters authorising the resumption of badger control measures in the two pilot areas in 2014 and a start date for culling activity will be decided by the cull companies.

There currently were no plans to carry out badger culling outside these pilot areas.

RESOLVED that the Cabinet Member acknowledge the e-petition and confirms the Council's support for the wider aim of the Government's strategy in achieving TB free status by 2038.

34. **Progress report in response to a petition asking the Council to improve the environment and security of the Hearsall Area of Coventry**

The Cabinet Member considered a report of the Executive Director People which responded to a petition asking the Council to improve the environment and security of the Hearsall area of Coventry.

A petition bearing 184 signatories was originally submitted on 25th March 2014 by Councillor B Singh and Councillor Howells, Whoberley Ward Councillors. The petition requested the Council to implement measures to address environmental issues which are likely to improve the security of the Hearsall area, in Whoberley Ward.

The petitioners outlined issues including fly-tipping obstruction caused by wheelie bins. Additionally they requested that estate/letting agency signs should be removed and that all alleyways and entryways should be gated and any existing gates to be repaired to a good working order.

The report provided further details of additional measures taken by Council Officers to address these issues as recommended by Cabinet Member on 3rd July 2014.

RESOLVED that the Cabinet Member:

- 1. Acknowledges and endorses the additional work of officers since the last Cabinet Member meeting as detailed in Section 2 of the report.**
- 2. Requests officers to:**
 - (a) Continue the Care for Our Area/Hot Street project until the relevant alleyways have been cleared and the project reaches its conclusion.**
 - (b) Continue to offer advice and guidance to residents on the implementation of self-help 'gating schemes' where appropriate.**
 - (c) Continue to investigate and respond to reports from residents concerning the unauthorised use of for sale and letting boards.**
 - (d) Report back to Cabinet Member on progress made to the meeting scheduled for 18th December 2014.**
 - (e) Directs the Community Development Service to continue to engage with residents.**

35. Progress report on action taken to improve security to open land at rear of 2-66 Brookside Avenue

The Cabinet Member considered a report of the Executive Director, Place which provided an update on action taken to improve security to open land at rear of 2-66 Brookside Avenue.

A petition bearing 11 signatures, from 6 households was submitted on 25th March 2014 by Councillor Singh. A report in response to the petition was presented to Cabinet Member on 3rd July 2014. The report detailed initial action taken by officers in response to residents' concerns about environmental and nuisance behaviour on an open space at the rear of properties 2-66 Brookside Avenue in Whoberley Ward.

The report provided an update on progress against further recommendations made by Cabinet Member.

The land is an open stretch of green space measuring approximately 900 metres in length which is owned by the City Council and managed by the Parks Service in the Place Directorate.

The petition organiser attended the meeting and spoke in support of the petition. He described the problems faced by residents and stated that the measures being suggested only provided short term solutions to long term problems. He also circulated photographs at the meeting.

Officers reported that the overhanging branches will be trimmed to raise the canopy of trees to enable a clear view and to remove any places for youngsters to shelter.

With regard to the fencing, it was reported that this was being considered separately and that funding was being sought from the Community Fund. The finer detail such as location etc. would be determined when the funding has been secured.

The Cabinet Member requested the following:

- Officers to explore the feasibility of installing CCTV equipment to act as a deterrent
- Signs to be erected as reminder that littering will incur a fine and that CCTV cameras are operational in the area.
- An officer from the local policing team be invited to attend the meeting when this matter is due for consideration.
- Test purchases of illegal sales of alcohol and cigarettes to be undertaken within the immediate area (1.5–2 mile vicinity) and provide a report back.
- The Head of Community Safety to send a letter to all licensed premises reminding them of sales of alcohol and cigarettes to underage youngsters.

RESOLVED that the Cabinet Member:

- 1. Endorses the additional action taken by officers.**
- 2. Directs officers to request the Police, by letter to be drafted by the Head of Community Safety to be sent to the Chief Inspector, to continue to patrol the area, responding to any issues raised or identified and to exercise their powers to obtain identities and disperse groups of individuals that are likely to cause nuisance or offending behaviour.**
- 3. Requests Community Development Officers to continue to work with the community in tackling local issues including litter and environmental issues and to assist residents in seeking funding that they could use on private land to improve the security of their properties.**
- 4. Requests officers to continue to monitor incidents of crime and nuisance together with the effectiveness of their action and to respond appropriately to any such issues.**

5. Directs officers to submit a further progress report to the Cabinet Member meeting scheduled for 18th December 2014.

36. Update on Action to address incidents of fly-tipping and anti-social behaviour taking place on Whitefriar's land on corner of Keppel Street-Wright Street, Hillfields, Coventry

The Cabinet Member considered a report of the Executive Director, People which provided an update on action taken to address incidents of fly-tipping and anti-social behaviour taking place on the corner of Keppel Street and Wright Street, Hillfields, Coventry.

The petition signed by 22 signatories called on the Council to request Whitefriars Housing Association to take action to address fly-tipping and nuisance behaviour taking place on their land at the corner of Wright Street and Keppel Street in the Hillfields area of Coventry. A report on response to the petition was presented to the Cabinet Member on 3rd July 2014.

The report provided an update on further action taken by officers in respect of the recommendations made at that meeting.

Councillor Akhtar, a St Michaels Ward Councillor attended the meeting and spoke in support of the petition. He reported that the petitioners were happy with the progress made so far and enquired as to when the CCTV camera was going to be installed.

RESOLVED that the Cabinet Member:

- 1. Notes the action taken to address the issues.**
- 2. Directs officers to request the Police, by letter to be drafted by the Head of Community Safety to be sent to the Chief Superintendent, to continue to patrol the area responding swiftly to any issues raised or identified and to exercise their powers to obtain identities and disperse groups of individuals that are likely to cause nuisance or offending behaviour. The letter to be copied to Councillors Akhtar, O'Boyle and Welsh, St Michaels Ward Councillors for information.**
- 3. Requests that officers continue to monitor the issues associated with this land as part of the Hillfields Action Plan and the effectiveness of interventions applied.**
- 4. Directs that a briefing note be sent to Councillors Akhtar, O'Boyle and Welsh, St Michaels Ward Councillors and copied to Councillors Townshend, Fletcher and Andrews before 31st October 2014, confirming that the CCTV has been installed.**

37. Primary Authority Partnerships - a revised model for delivering regulatory advice to businesses

The Cabinet Member considered a report of the Executive Director, People which outlined proposals for Primary Authority Partnerships - a revised model for delivering regulatory advice to businesses.

Regulatory Services consists of various teams delivering Environmental Health, Environmental Protection, Trading Standards and Licensing functions. Currently the service provides free advice to all types of businesses, large and small. Some requests made by companies can be quite complex and involve significant officer time, which places a drain on the service.

As a way of formalising the working arrangements between local authorities and companies seeking detailed advice, the Regulatory Enforcement and Sanctions Act 2008 introduced the concept of 'Primary Authority Partnerships'. A Primary Authority Partnership (PAP) is effectively a written agreement setting out the terms of which a company that operates across two or more local authorities can seek detailed advice. The advantage to companies is that any advice is regarded as 'assured advice' (meaning it has to be taken into account by any other regulator). The advantage to the local authority is that it can better manage its resources and it can charge for its services in delivering a PAP scheme.

Approval was being sought to introduce Primary Authority Partnerships to Coventry and offer them to companies who wish to seek specialist help from Regulatory Services, over and above that which would be provided for free.

RESOLVED that the Cabinet Member:

- 1. Approves the introduction of the Primary Authority Partnership Scheme with businesses which meet the statutory criteria and who wish to work with regulatory officers.**
- 2. Approves the proposed charging summary for Primary Authority Partnerships detailed in appendix 1.**
- 3. Requests a further report be presented by officers in 12 months' time detailing the initial outcomes of implementing the Primary Authority Partnership scheme, to the Cabinet Member with portfolio responsibilities for this area of work.**

38. Annual Compliance Report - Regulation of Investigatory Powers Act (RIPA)

The Cabinet Member considered a report of the Executive Director, Resources which presented the Annual Compliance Report on the Regulation of Investigatory Powers Act (RIPA).

The Regulation of Investigatory Powers Act 2000 (RIPA) Part 1 covers the acquisition and inception of communications data and Part 2 covers covert surveillance and property interference. Each part of the Act is regulated by separate commissioners.

The Council's use of RIPA is to support its core functions for the purpose of prevention and detection of crimes where an offence may be punishable by a custodial sentence of 6 months or more, or are related to the underage sale of alcohol and tobacco.

The Act sets out a compliance structure within which Coventry City Council can request judicial approval to use directed surveillance techniques or acquire communications data in order to support core function activities (e.g. investigations undertaken by Trading Standards, Environment Health, Benefits e.g. premises/individuals suspected of selling illegal cigarettes; s cigarettes and/or alcohol to under 18s; rogue traders; benefit fraud investigations). The information obtained as a result of such operations can later be relied upon in court proceedings providing RIPA is complied with.

The Home Office Code for Covert Surveillance Property Interference recommends that elected members, whilst not involved in the making of decisions or specific authorisations for the local authority to use its powers under Part II of the Act, should review the Council's use of the legislation and provide approval to its policies for same. The Council adopted this approach for oversight of the authority's use of Part I of the Act.

The report indicated that there had been no material change in the legislation since the 2012/2013 report.

RESOLVED that the Cabinet Member:

- 1. Notes the Council's use and compliance with RIPA; and;**
- 2. Considered any comments and recommendations provided by the Audit and Procurement Committee.**

39. Change to the Constitution: Appointments to Appeals Committee

The Cabinet Member considered a report of the Executive Director, Resources which outlined proposals to change the Constitution to allow Cabinet Members to sit on Appeals Committees.

The Appeals Committee has responsibility for the determination of appeals against any decision made by or on behalf of the Council where there is a statutory right of appeal. Some appeals, such as school admission appeals, are excluded from its terms of reference. In practice most, if not all, appeals heard by employees although occasionally there is an appeal in connection with social services home care charges. Membership of the Committee is drawn on an ad hoc basis from a pool of members who have received relevant training.

At present, the Appeals Committee Procedure Rules at part 3J of the Constitution do not allow Cabinet Members to sit on the Committee. The report recommended that the Constitution should be amended to permit Cabinet Members to sit on the Committee provided that they have received appropriate training. The ability to do this would be restricted to appeals by employees only and there is no proposal to extend membership to non-employee appeal hearings such as care charge appeals. It is also proposed to extend membership to non-employee appeal

hearings such as care charge appeals. It is also proposed that the operation of the new arrangements should be reviewed in the next municipal year to ensure that they are delivering the anticipated improvements.

RESOLVED that Cabinet Member:

- 1. Recommends to Council that paragraph 1 of Part 3J of the Constitution be amended to remove the prohibition of Cabinet Members sitting on the Appeals Committee in connection with appeals by employees only, subject to their receiving appropriate training beforehand.**
- 2. Requests that the operation of the new arrangements be reviewed in the next Municipal Year to ensure that they are delivering the anticipated improvements with a further short report to the Cabinet Member meeting on 23rd April 2015.**
- 3. Recommends Council to approve the amendment of paragraph 1 of Part 3J of the Constitution to remove the prohibition on Cabinet Members sitting on the Appeals Committee in connection with appeals by employees only, subject to their receiving appropriate training beforehand.**

40. Outstanding Issues Report

The Cabinet Member (Policing and Equalities) is requested to consider the list of outstanding issues and to ask the member of the Management Board or appropriate officer to explain the current position on those which should have been discharged at this meeting or an earlier meeting.

RESOLVED that the Cabinet Member approves that item 6 headed “Effectiveness & Quality of recent consultation exercises carried out by Coventry City Council”, be deleted from the table of outstanding issues as this has been taken over by a wider review of Ward Forums which makes suggestions about future consultations more widely.

41. Any Other Business

RESOLVED that the Cabinet Member gives approval for the Lord Mayor and an Assistant Director from the Place Directorate to undertake a civic visit to Volgograd, Russia from 30th October to 2nd November 2014.

(Note: The above matter was considered as an item of urgent business, the reason for urgency being the need to seek approval for attendance at the visit prior to the next scheduled meeting of the Cabinet Member).

PRIVATE BUSINESS

42. Report in response to a petition concerning a property in Earsldon

Further to Minute 32 above, the Cabinet Member considered a report of the Executive Director, People which provided confidential information in relation to a property in Earlsdon.

RESOLVED that Cabinet Member:

- 1. Notes the Section 215 Notice served under The Town and Country Planning Act and instructs officers to oppose the appeal if one is made.**
- 2. Endorses the action already taken and planned to address the conditions at this property.**
- 3. Requests a legal opinion from the Assistant Director Legal Services on what other courses of action are available to the Council to take action (for example injunction/legal proceedings etc.) to address the issues.**
- 4. Requests officers to ensure that all relevant assessments are carried out prior to any enforcement action being taken.**
- 5. Directs that a further report as to the on-going situation and progress be submitted to the Cabinet Member meeting scheduled for 18th December, 2014.**

43. Any Other Business

There were no other items of private business.

(Meeting closed at 3.25 pm)



14th November 2014

Name of Cabinet Member:

Cabinet Member (Policing and Equalities) - Councillor Townshend

Director Approving Submission of the report:

Executive Director, People

Ward(s) affected:

Bablake

Title:

Progress report regarding action taken to address nuisance behaviour in Thompson's Road, Keresley, Coventry

Is this a key decision?

No

Executive Summary:

A petition containing 7 signatures was submitted by Councillor David Galliers on 4th June 2014. The petition requested that action be taken by agencies to address anti-social behaviour, particularly nuisance from off-road motorbikes in Thompson's Rd, Keresley, Coventry.

A report in response to the petition was presented to Cabinet Member on 31st July 2014 outlining initial action taken by agencies. This report provides an update on additional action taken to date.

Recommendations:

Cabinet Member is recommended to:-

1. Endorse the additional action taken by Officers and note the reduction in incidents of nuisance behaviour.
2. Request that Officers continue to work with local agencies and residents in order to identify perpetrators and to monitor levels of incidents, and take action to prevent further offending behaviour.

List of Appendices included:

None

Other useful background papers:

None

Other Useful documents

None

Has it been or will it be considered by Scrutiny?

Not applicable

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

Not applicable

Will this report go to Council?

Not applicable

Report Title

Progress report regarding action taken to address nuisance behaviour in Thompson's Road, Keresley, Coventry

Context (or background)

- 1.1 A petition containing 7 signatures was submitted by Councillor David Galliers on 4th June 2014. The petition requested that action be taken by agencies to address anti-social behaviour, particularly nuisance from off-road motorbikes in Thompson's Rd, Keresley, Coventry.
- 1.2 A report in response to the petition was presented to Cabinet Member on 31st July 2014 detailing initial action taken by agencies. At that meeting the Cabinet Member:
 - a) noted and endorsed the measures implemented by partner agencies to address the issues outlined in the petition and identified through further investigation by Officers;
 - b) requested Officers to monitor and review the effectiveness of initial actions taken and continue to work with residents and the wider community to improve the security to areas of land, whilst taking action against the perpetrators;
 - c) requested Officers to explore the most relevant legislation that may compel landowners to take or at least permit action to prevent access to their land and subsequent nuisance to residents;
 - d) requested that the Local Neighbourhood Policing Team continue to meet with Councillor Galliers and the local residents affected, to continue to address the challenges identified within the report and to provide appropriate community reassurance;
 - e) requested that the Community Safety Team consider the possibility of the urgent installation of mobile CCTV in the relevant area during the months of August, September and October 2014;
 - f) requested Officers to provide a report back on the outcome of recommendations 2 and 3 to the Cabinet Member meeting scheduled for 6th November 2014 in order to ensure the outcome of monitoring during the summer months could be included in the report.
- 1.2.1 Through work undertaken to date, Officers have identified two legal off-road biking sites around or near the City that could be used: one near Ryton and one near Packington. However there is a cost associated with the use of these sites, both of which are some distance from the Thompson's Road location.

- 1.2.2 Officers have also identified schemes which young people interested in bike maintenance may attend, and potentially gain qualifications in bike maintenance. This information is and will continue to be provided to anyone found to be using bikes inappropriately in Keresley.
- 1.2.3 Where offenders are apprehended, decisions will be taken on a case by case basis of the most appropriate course of action, ranging from advice, guidance and diversion schemes identified above through to prosecution and seizure of bikes.
- 1.2.4 Incidents of nuisance biking have reduced significantly with only 2 reports being made to the Police since the previous meeting on 31st July 2014.
- 1.2.5 Publicity and communication following on from the letter to local residents in relation to reporting and gathering local intelligence was distributed and work with local Councillors and the Parish Council has improved vigilance in the community in terms of these issues and may have discouraged potential participants.
- 1.3 Due to the reduction in and infrequency of the incidents, enforcement action has not been necessary. In terms of damage to hedgerows or boundaries, Planning Enforcement through Hedgerow Regulations has not been required.
- 1.4 Other legislative tools have been considered however, it is not proportionate or possible, due to the relatively small number of reports being received, notwithstanding the impact that these incidents may be having on local residents.
- 1.5 The position will be kept under review and the Council may take action where appropriate if the level of reports increase.
- 1.6 The local Police team has continued to liaise with local residents and agreed the use of the Parish Council website for reporting incidents and details of perpetrators anonymously.
- 1.7 CCTV in the area has been fully operational since the last meeting with full colour pictures available for review if reports are received

2. Options Considered and recommended proposal

The previous measures and initiatives appear to have resulted in a reduction in incidents of off-road biking in the area however agencies will continue to work together to ensure that this continues.

Work will continue with local residents, the Parish Council and other agencies to encourage the regular reporting of any incidents should they occur. The CCTV camera will remain in situ for the coming months and this will allow us to investigate fully should reports be made.

3. Results of consultation/actions undertaken

Letters were delivered to all properties in Thompson's Rd, and the issue has been discussed at the local Safer Neighbourhood Group and by the Parish Council. Whilst this has not resulted in an increase in reporting or intelligence, it is hoped

that the increase in profile of the issue has made people reconsider their actions and has contributed to the reduction in incidents.

4. Timetable for implementing this decision

The Bablake Safer Neighbourhood Group will continue to monitor and review the situation locally. If individuals are identified, their details will be passed onto the North West Local Case Management Forum for them to be managed appropriately.

5 Comments from Executive Director, Resources

5.1 Financial Implications

There are no additional financial implications arising from the implementation of the recommendations within this report

5.2 Legal Implications

None, in that the current recommendations are effectively to monitor the situation and consider options as appropriate.

6 Other Implications

None

6.1 How will this contribute to the Council Plan (www.coventry.gov.uk/councilplan/)?

Reducing crime, the fear of crime and anti-social behaviour are key priorities for the Local Authority and in the Coventry Community Safety Plan 2014-15 as identified by the Local Police & Crime Board Annual Strategic Assessments

6.2 How is risk being managed?

Risk will be managed through proactive work by partner agencies and on-going monitoring and guidance from the Bablake Safer Neighbourhood Group

6.3 What is the impact on the organisation?

Any additional resources required will be within operational capacities of partner agencies.

6.4 Equalities / EIA

This is not considered to have any impact on equality matters, all victims of anti-social behaviour should be risk assessed when reporting incidents to see if they are vulnerable in any way through age, disability or similar.

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

Implementation of the recommended actions should result in an improvement in Community Safety and improve the quality of life of residents adversely affected by previous incidents.

Report author(s):

Name and job title: Liam Nagle – Policy & Strategic Lead for Offender Management

Directorate: People Directorate, Community Safety Team

Tel and email contact: (024) 76832063 liam.nagle@coventry.gov.uk

Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Mandie Watson	Head of Community Safety	People Directorate, Community Safety Team	21/10/14	27/10/14
Marcus Fothergill	Planning	Place	21/10/14	
Andrew Burton	Legal	Resources	21/10/14	21/10/14
Sara Roach	Assistant Director	People	21/10/14	23/10/14
Usha Patel	Governance Services Officer	Resources	27.10.14	27.10.14
Names of approvers for submission: (officers and members)				
Finance: Diane Jones		Resources	21/10/14	21.10.14
Legal: Andrew Burton		Resources	21/10/14	21.10.14
Planning : Marcus Fothergill		Place	21/10/14	
Deputy Director: Sara Roach		People	21/10/14	22.10.14
Members: Councillor Philip Townshend	Deputy Leader – Coventry City Council Chair of Coventry Police, Crime & Community Safety Board		21/10/14	27.10.14

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A separate report is submitted in the private part of the agenda in respect of this item as it contains information required to be kept private in accordance with Schedule 12A Local Government Act 1972. The grounds for privacy are that it refers to information relating to the financial or business affairs of any particular person (including the authority holding that information), and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Cabinet Member (Policing & Equalities)

14th November 2014

Name of Cabinet Member:

Cabinet Member (Policing and Equalities) – Councillor Townshend

Director Approving Submission of the report:

Executive Director, Resources

Ward(s) affected:

All

Title:

Magistrates' Court Building

Is this a key decision?

No

Executive Summary:

When the Council constructed the Coventry Magistrates' Court building in the 1980s, the premises included a "Probation Suite" whose construction cost of around £1.2 million was to be met by the Council initially but repaid by the Probation Service over a period of some 40 years. Annual repayments were made until 2007. However, the Probation Service now disputes liability to make any further payments.

This matter was considered by Cabinet on 11 December 2012, where authorisation was given to commence legal proceedings to recover the outstanding loan monies. The Cabinet Member (Community Safety & Equalities) was given delegated authority to determine alternative strategies or decisions as the matter progresses and the matter was considered at Cabinet Member meetings on 24th February 2014 and 1st May 2014. This report is an update as to the progress of the proceedings to date and considers the options going forward.

Recommendations:

Cabinet Member is recommended to:

- (1) Note the progress made since the last report dated 1st May 2014 and direct that a further report be submitted for consideration at the Cabinet Member meeting on 18th December, 2014;
- (2) Authorise the Assistant Director for Legal and Democratic Services (in consultation with the Cabinet Member for Policing and Equalities) to continue with the settlement negotiations following the mediation on 25th September 2014;
- (3) In the event that the settlement negotiations are unsuccessful, the Assistant Director for Legal and Democratic Services is authorised (in consultation with the Cabinet Member for Policing and Equalities) to pursue the court proceedings as appropriate and in the Council's best interests.

List of Appendices included:

None.

Other useful background papers:

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

1. Context (or background)

1. **Dispute History**-During the 1980s, the Council constructed the Coventry Magistrates' Court, which included a Probation Suite. A proportion of the construction cost of the Suite (approximately £1.2 million) was to be met by the Council initially but repaid by the Probation Service over a period of some 40 years. However, the Probation Service disputes liability to make any payment after 2007, when ownership of the court building was transferred to Central Government.
2. The arrears of annual debt payments up to and including the financial year 2012/13 amount to a total of £491,571, and on 21st January 2013 the Council issued High Court proceedings for that sum plus interest.
3. The local Probation Service has operated through a large number of different bodies since 1990. Therefore, the Council took the precaution of naming as defendants all of the bodies identified as possibly liable, a total of 9 defendants. It has since become clear that the active Defendants are the 6th to 9th defendants i.e. Staffordshire and West Midlands Probation Trust, the Secretary of State for Communities and Local Government, the Lord Chancellor and the Secretary of State for Justice, and the National Offender Management Service.
4. The active Defendants filed defences disputing liability. In essence, the active defendants say that there was an occupation agreement, rather than a loan agreement, with the Council under which the Probation Service was paying money to the Council as owner of the Magistrates' Court. Therefore, since ownership of the Magistrates' Court building was transferred to Central Government in or before 2007, the Probation Service has no liability to make further payments to the Council. Further, the active defendants do not accept that any liability to pay the Council which may have arisen historically has passed to any of them as successor organisations. Finally, the 7th to 9th Defendants have counterclaimed that they overpaid the Council in 2006/7 and are entitled to be repaid almost £100,000, plus interest.
5. The active Defendants proposed an ADR process of "Early Neutral Evaluation" whereby an independent QC would simply review the parties' cases and give an opinion on the merits. The Council considered that this was inappropriate because it would not in itself bring about settlement. The Council therefore suggested that a more effective way forward was an enhanced form of mediation, in which the mediator (probably a QC), was requested to express his or her views to each party on the merits of their case. The active Defendants agreed to this approach, in the form of an Evaluative Mediation.

The Evaluative Mediation

6. On 25th September 2014, the parties attended an Evaluative Mediation with Amanda Tipples QC acting as the Mediator.
7. The Court proceedings had been stayed to enable the parties to attempt Alternative Dispute Resolution (ADR). The parties have now requested that this stay be extended on the basis that if the case has not settled within 28 days of the date of the new Order, the Council will apply either to extend the stay (with the other parties' consent), or for a directions hearing to be fixed on the first available date.

2. Options considered and recommended proposal

- (i) the Options considered and recommended proposal are as set out in the accompanying private report.

3. Results of consultation undertaken

No consultation is considered to be appropriate.

4 Timetable for implementing this decision

If the case fails to settle as a result of the current negotiations with the Defendants, the Council will have the option to apply for directions to pursue its claim towards a trial at court. It may take 12 months or more for the case to come to trial in the High Court.

5. Comments from Executive Director, Resources

5.1 Financial implications

The Council has commenced legal proceedings to recover sums it considers it is lawfully entitled to, whilst recognising a duty to keep the merits of its case under review.

5.2 Legal implications

The Council has commenced legal proceedings to recover sums it considers it is lawfully entitled to, whilst recognising a duty to keep the merits of its case under review.

6. Other implications

None

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)?

Money recovered in excess of costs incurred will contribute to the general financial well-being of the Council.

6.2 How is risk being managed?

This topic is dealt with in the accompanying private report.

6.3 What is the impact on the organisation?

This topic is dealt with in the accompanying private report.

6.4 Equalities / EIA

The decision to be made is not considered to have any Public Sector Equality Duty implications

6.5 Implications for (or impact on) the environment

None.

6.6 Implications for partner organisations?

None.

Report author(s): David Williams

Name and job title: Senior Solicitor

Directorate: Resources

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Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Usha Patel	Governance Services Officer	Resources	27.10.2014	28.10.2014
Names of approvers for submission: (officers and members)				
Finance: Rachael Sugars	Finance Manager	Resources	22.10.14	03.11.2014
Legal: Christine Forde	Council Solicitor	Resources	22.10.14	03.11.2014
Members: Name	Councillor Townshend		27.10.2014	27.10.2014
Executive Director	Chris West		22.10.14	28.10.2014

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Appendices
None



Name of Cabinet Member:

Cabinet Member (Policing and Equalities)
Councillor Townshend

14 November 2014

Council

9 December 2014

Director Approving Submission of the report:

Executive Director, Resources

Ward(s) affected:

None

Title:

The Coventry Award of Merit

Is this a key decision?

No

Executive Summary:

To consider advice from the meeting of the Cabinet Member (Policing and Equalities) Coventry Award of Merit Advisory Panel held on 17 October 2014.

Recommendations:

1. That the Cabinet Member (Policing and Equalities) considers the advice from the meeting of the Cabinet Member (Policing and Equalities) Coventry Award of Merit Advisory Panel held on Friday 17 October and makes recommendations to the City Council accordingly.
2. That the City Council approves the recommendations of the Cabinet Member (Policing and Equalities) and grants the Coventry Award of Merit to the recipients recommended by the Cabinet Member (Policing and Equalities).

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?

No

Will this report go to Council?

Yes, 9 December 2014

Report title:

The Coventry Award of Merit

1. Context (or background)

1.1 The Coventry Award of Merit was established by the City Council in the 1960s as a means of acknowledging and honouring personal behaviour reflecting the highest ideals of citizenship or outstanding performance in any field of human endeavour which enhances the good name of Coventry and affords inspiration to its citizens.

The Award has previously taken the form of a citation under the common seal together with a presentation of a gold medallion pendant from a ribbon in the City's colours. The motif on the medallion is the phoenix, symbolising the resurgence of Coventry from the flames of the Blitz.

1.2 The Advisory Panel is made up of the following members:

- The Cabinet Member (Policing and Equalities) (Chair)
- Cabinet Member (Strategic Finance and Resources)
- Shadow Cabinet Member (Policing and Equalities)
- Chair of Scrutiny Co-ordination Committee (or their representative)
- The Lord Mayor, ex officio
- The Council's Honorary Recorder, Judge Griffith-Jones

1.3 The Advisory Panel met on 17 October to advise the Cabinet Member (Policing and Equalities) on possible recipients of the Award.

1.4 The Cabinet Member (Policing and Equalities) will consider the advice from the Panel and make recommendations to Council for approval at the Council meeting on 9 December 2014.

1.5 The Panel noted that where the Cabinet Member was minded to accept its advice that he would have to consult the proposed recipient of the Award prior to presenting proposals for approval to full Council on 9 December 2014. It was recommended that pending such consultation that the nominations should remain confidential.

2. Options considered and recommended proposal

2.1 Cabinet Member is recommended to endorse the view that confidentiality should be maintained pending reporting to the full Council meeting.

3. Results of consultation undertaken

3.1 The Cabinet Member consulted the Advisory Panel on 17 October and will consider its advice in making his recommendations to Council.

4. Timetable for implementing this decision

- 4.1 The Cabinet Member (Policing and Equalities) will consider recommendations from the Coventry Award of Merit Advisory Panel and will then make recommendations regarding recipients to the City Council for approval at their meeting on 9 December 2014.
- 4.2 Following the decision of Council on 9 December, suitable arrangements will be made for an Awards Ceremony should the Council approve recipients of the Awards.

5. Comments from Executive Director, Resources

5.1 Financial implications

In previous years the costs associated with the Ceremony and the Awards were met from within the existing budget of the Lord Mayor's Hospitality Budget. The Cabinet Member will consult with the Lord Mayor and submit financial proposals to Council on 9 December for any Awards that he may recommend to Council.

Costs are not yet certain, however, if the Cabinet Member accepts all the nominations and all of the nominations accept the Award then the cost would be in the region of £8,000. Costs will be funded from the Lord Mayor's Hospitality Budget subject to full Council approval.

5.2 Legal implications

There are no legal implications associated with this decision.

6. Other implications

None

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)?

One of the Council's key priorities is to develop a strong sense of civic pride across the city. These awards give recognition to individuals or organisations that have rendered outstanding service to the city and promote civic pride.

6.2 How is risk being managed?

None identified.

6.3 What is the impact on the organisation?

These Awards enhance and promote the reputation of the Council and the City of Coventry

6.4 Equalities / EIA

There are no EIA implications

6.5 Implications for (or impact on) the environment

None.

6.6 Implications for partner organisations?

None.

Report author(s):**Name and job title:**

Hugh Peacocke, Governance Services Manager

Directorate:

Resources

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Usha Patel	Governance Services Officer	Resources	23 October 2014	5 November 2014
Jane Barlow	Principal Private Secretary to the Lord Mayoralty	Resources	23 October 2014	5 November 2014
Other members	Councillor Hazel Noonan,	Lord Mayor	23 October 2014	27 October 2014
Names of approvers for submission: (officers and members)				
Finance: Kathryn Sutherland	Lead Accountant, Finance	Resources	23 October 2014	23.10.14
Legal: Andrew Burton	Solicitor, Legal Services	Resources	23 October 2014	23.10.14
Director: Chris West	Executive Director	Resources	23 October 2014	5.11.14
Members: Councillor Townshend	Cabinet Member	(Policing and Equalities)	23 October 2014	

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Appendix

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14th November, 2014

Name of Cabinet Member:

Cabinet Member (Policing and Equalities) – Councillor Townshend

Director Approving Submission of the report:

Executive Director, Resources

Ward(s) affected:

None

Title:

Outstanding Issues Report

Is this a key decision?

No

Executive Summary:

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. The attached appendix sets out a table detailing the issues on which further reports have been requested by the Cabinet Member (Policing and Equalities) so he is aware of them and can monitor progress.

Recommendations:

The Cabinet Member (Policing and Equalities) is requested to consider the list of outstanding issues and to ask the Member of the Management Board or appropriate officer 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?

No

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 author(s): Usha Patel

Name and job title: Governance Services Officer

Directorate: Resources

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Other members	Not applicable			
Names of approvers: (officers and members)				
Finance: Name	Not applicable			
Legal: Name	Not applicable			

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	Subject	Date for Further Consideration	Responsible Officer	Proposed Amendment to Date for Consideration	Reason for Request to Delay Submission of Report
1	<p>Report back on Progress of ongoing Development of the Youth Space in Cope Street, Coventry</p> <p>Report back on progress</p> <p>(CM(CS&E) 21st March, 2013 (Minute 73))</p>	tbc	<p>Executive Director, People</p> <p>Steve Wiles</p>		
2	<p>Equality Strategy</p> <p>A copy of the report be sent to all members of the Strategic Management Board and all Cabinet Members with a request that where there is inadequate or poor performance in their areas of specific responsibilities, that they provide a report to the Cabinet Member (P&E) and to SCRUCO on or before 18th Dec 2014.</p> <p>(CM(P&E) 4th Sept 2014 (Minute 25))</p>	On or before 18 th December 2014	<p>Chief Executive</p> <p>Surindar Nagra/ Jenni Venn</p>		
3	<p>Hillfields petitions report – Community Safety Issues in last 18 months</p> <p>Progress on recommendations made at meeting on 31st July 2014</p> <p>(CM(P&E) 31st July 2014 (Minute 13))</p>	18 th December, 2014	<p>Executive Director, People</p> <p>Bev Massey/ Mandie Watson</p>		
4	<p>Use of Covert Surveillance of Employees Policy and Procedure</p> <p>Annual report, only if applications have been received.</p>	Sept 2015	<p>Executive Director, Resources</p> <p>Helen Lynch</p>		

	(CM(P&E) – 4 th Sept, 2014 (Minute 26))				
5	Equalities in Employment Progress report (CM(CS&E) 5 th Sept 2013 (Minute 32))	tbc	Executive Director, Resources Shokat Lal		Information on equalities in employment to be submitted as part of the annual workforce planning report.
6*	Magistrates Court Building Progress report CM(CS&E) 24 th Feb 2014 (Minute 82)	14 th November 2014	Executive Director, Resources Helen Lynch/ David Williams		
7	Petition – security fencing to open land at rear of 2-66 Brookside Avenue Progress report (CM(P&E) 2 nd October 2014 (Minute 35))	18 th December, 2014	Executive Director, People Mandie Watson		
8	Petition – improve environment and security of Hearsall area of Earlsdon Progress report on recommendations made at 3 rd July meeting (CM(P&E) 3 rd July 2014 (Minute 34))	18 th December, 2014	Executive Director, People Simon Hutt		
9*	Petition – Anti-social behaviour in Thompson Road, Keresley, Coventry Progress made on recommendations made at 31 st July 2014 meeting (CM(P&E) 31 st July 2014 (Minute 11))	14 th November 2014	Executive Director, People Mandie Watson		

10	<p>Community Grant Funds</p> <p>Recommendations for the second round of grants</p> <p>(CM(P&E) 31st July 2014 (Minute 15))</p>	22 nd January, 2015	<p>Chief Executive</p> <p>Maureen Metcalf/Cat Parker</p>		
11	<p>Dog Control Orders</p> <p>Outcome of public consultation</p> <p>(CM(P&E) 4th Sept 2014) (Minute 23)</p>	On or before 18 th December 2014	<p>Executive Director, People</p> <p>Craig Hickin</p>		
12	<p>Report in response to a petition concerning a property in Earlsdon Ward</p> <p>Further report as to the on-going situation and progress</p> <p>(CM(P&E) 2nd October 2014 (Minute 32))</p>	18 th December 2014	<p>Executive Director, People</p> <p>Steve Chantler</p>		
13	<p>Change to the Constitution: Appointments to Appeals Committee</p> <p>Short report reviewing the new arrangements</p> <p>(CM(P&E) 2nd October 2014 (Minute 39))</p>	23 rd April 2015	<p>Executive Director, Resources</p> <p>Christine Forde/Shokat Lal</p>		
14	<p>Primary Authority Partnerships – a revised model for delivering regulatory advice to businesses</p> <p>Report detailing the initial outcomes of implementing the scheme</p> <p>(CM(P&E) 2nd October 2014 (Minute 37))</p>	October 2015	<p>Executive Director, People</p> <p>Hamish Simmonds</p>		

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By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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