



### **Cabinet Member (Business, Enterprise and Employment)**

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#### **Time and Date**

10.00 am on Tuesday, 13th January, 2015

#### **Place**

Diamond Room 1 - Council House

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#### **Public Business**

1. **Apologies**
2. **Declaration of Interests**
3. **Minutes** (Pages 3 - 10)
  - (a) To agree the minutes of the Cabinet Member for Business, Enterprise and Employment meeting held on 1st December, 2014
  - (b) Matters Arising
4. **Exclusion of the Press and Public**

To consider whether to exclude the press and public for the item of private business for the reasons shown in the report.
5. **Release of Restrictive Covenant , 21 Parkside** (Pages 11 - 16)

Report of the Executive Director of Place
6. **Outstanding Issues**

There are no outstanding issues
7. **Any other items of public business which the Cabinet Member decides to take as matters of urgency because of the special circumstances involved.**

#### **Private Business**

8. **Release of Restrictive Covenant, 21 Parkside** (Pages 17 - 20)

Report of the Executive Director of Place

(Listing Officer: G. Stephens Tele: 02476 832577)

9. **Any other items of private business which the Cabinet Member decides to take as matters of urgency because of the special circumstances involved.**

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Chris West, Executive Director, Resources, Council House Coventry

Monday, 5 January 2015

Note: The person to contact about the agenda and documents for this meeting is Suzanne Bennett (Tel. 024 7683 3072).

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

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OR if you would like this information in another format or  
language please contact us.

**Suzanne Bennett**

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**Coventry City Council**  
**Minutes of the Meeting of Cabinet Member (Business, Enterprise and**  
**Employment) held at 10.00 am on Monday, 1 December 2014**

Present:

Cabinet Member: Councillor Maton

Shadow Cabinet  
Member Councillor Birdi

Employees (by Directorate):

Place: O. Chittem, R Moon, N. Clews, R Young

Resources: S Bennett, J Sprayson

Apologies: Councillor McNicholas

## **Public Business**

### **41. Declaration of Interests**

There were no declarations of interest.

### **42. Minutes**

The Minutes of the meeting of the Cabinet Member held on 20<sup>th</sup> October, 2014 were signed as a true record. Further to Minute 26, in relation to correspondence he had received, the Cabinet Member noted that there would be a period of public consultation once the planning application for the Canley and Whitworth site had been lodged.

The Minutes of the Joint Meeting of the Cabinet Members for Business, Enterprise and Employment and for Policing and Equalities held on 3<sup>rd</sup> November, 2014 were noted. Officers were requested to provide the Cabinet member with an update in relation to this matter.

### **43. Exclusion of the Press and Public**

**RESOLVED that approval be given to exclude the press and public under Section 100(A)(4) of the Local Government Act 1972 for consideration of the private reports detailed below on the grounds that the items involve the likely disclosure of exempt information, as defined in Paragraphs 3 and 4 of Schedule 12A of the Act, as they contain information relating to the identity, financial or business affairs of an organisation (including the authority holding that information) and the amount of expenditure proposed to be incurred by the Council under a particular contract for the supply of goods or services: and that in all circumstances of the cases, the public interest in**

**maintaining the exemption outweighs the public interest in disclosing the information:-**

- 47 Freehold Disposal: The Carriers Enterprises Unit, 2 Carriers Close, Canley
- 48 Leasehold Disposal: Land off Primrose Hill Street/Bath Street
- 49 Land and Premises at Shultern Lane, Cannon Park

**44. Delivering the Jobs and Growth Strategy - Half Year Progress (April 2014 – September 2014)**

The Cabinet Member considered a report of the Executive Director of Place, which summarised the progress made to deliver the Jobs and Growth Strategy in the last six months from 1 April to 30 September, 2014. The Strategy, which was in its first year of delivery, supports the vision and priorities of the Council's Plan – Coventry Open for Business: Globally connected and locally committed, and articulates how the Council will use its resources to make Coventry a city open for business and growth, providing jobs and prosperity for local people.

The report indicated that news was very positive, with many performance measures on track to meet or exceed the readjusted higher targets set for the year. Key achievements included:-

- The Council's services have directly contributed to creating 1206 new jobs opportunities within Coventry against a target of 1270 set for the year.
- Over £48.9 million pounds of business investment has also been secured for the benefit of the City.
- The number of people engaging with the Council's Employment Team is far exceeding targets set. In the past 6 months 4618 people have accessed employment support. 1011 people who have engaged with the services provided have progressed into work. This is a significant achievement. The majority of these individuals are engaging through the Council's city centre Job Shop located in Bull Yard.

The Cabinet Member reiterated the importance of working with a range of partners to deliver the Strategy. The importance of continuing to secure European Funding was also noted and the Cabinet Member asked to be kept updated in relation to bids for the new programme of grants, which will commence at the end of 2015.

**RESOLVED that the Cabinet Member for Business, Enterprise and Employment, having considered the report submitted, endorses the progress made by the Jobs Strategy for Coventry between April – September 2014.**

**45. Livingstone Road - Authority to Negotiate**

The Cabinet Member considered a report of the Executive Director of Place which sought authority to negotiate with Arden Estates Partnership (AEP) for the redevelopment of the former Foleshill Leisure Centre site at Livingstone Road to

provide consolidated health and doctors' accommodation and supported housing accommodation.

AEP is the exclusive developer of NHS primary care accommodation in Coventry and the proposed redevelopment of the site has the support of the Coventry and Rugby Clinical Commissioning Group and NHS England. AEP requires the comfort of exclusivity and commitment from the Council that the site will be made available for this purpose to take its proposals to the next stage of worked up proposals, viability and commitment from potential users and funders.

Foleshill Leisure Centre was vacated in August 2014 when the leisure facilities housed there were reprovided at Centre AT7 nearby. Officers reported at the meeting on the significant increase in the take up of sporting facilities at AT7, which despite only being open for 14 weeks had seen a 10 fold increase in the number of swimmers. Tenders have been obtained for the demolition of the former leisure centre to minimise the health and safety responsibilities of managing a void building pending redevelopment and authority was sought to commence demolition of the site at a recoverable cost of £360,000.

Officers reported at the meeting on an approach received from a local temple who were keen to acquire the site to provide sports and health facilities. The Cabinet Member asked that their interest be acknowledged and that AEP be requested to liaise with the local temple to see if their objectives could be achieved within the scheme. The Cabinet Member also requested that any further report on this issue provides information regarding how the development of such health centres has impacted on other areas in the City.

**RESOLVED that the Cabinet Member for Business, Enterprise and Employment:-**

- (1) Authorises negotiations for the disposal of the site of the former Foleshill Leisure Centre at Livingstone Road to Arden Estates Partnership Limited and receives a report back on the terms agreed for any disposal.**
- (2) Authorises the demolition of the premises at a cost of £360,000 pending redevelopment.**

**46. Freehold Disposal: The Curriers Enterprises Unit, 2 Curriers Close, Canley**

The Cabinet Member considered a report of the Executive Director of Place, which sought approval to dispose of the Curriers Enterprises Unit, which had been declared surplus to Council requirements and earmarked for disposal as part of the Council's capital receipts programme for 2014/15. Following a six month marketing campaign, three offers had been received and the report sought approval to dispose of the property to a local engineering company.

A corresponding private report, detailing confidential financial matters was also submitted for consideration (Minute 47 below refers).

**RESOLVED that the Cabinet Member for Business, Enterprise and Employment:-**

- (1) Authorises the freehold disposal of the property to a local**

**engineering company in the terms as detailed in the private report (Minute 47 below refers)**

- (2) Delegates authority to the Assistant Director for City Centre and Development Services, following consultation with the Cabinet Member for Business, Enterprise and Employment, for any subsequent variation in terms.**
- (3) Delegates authority to the Executive Director of Resources, and in particular officers within Legal Services, to complete the necessary legal documentation in this matter and collect the agreed consideration.**

**47. Leasehold Disposal: Land off Primrose Hill Street/Bath Street**

The Cabinet Member considered a report of the Executive Director of Place which indicated that Sidney Stringer Education Trust (SSET), following the success achieved at their secondary school academy in Hillfields, have in conjunction with the Education Funding Agency (EFA), approached the Council with the proposal to deliver a new primary school on land between Primrose Hill Street and Bath Street. The site extends to circa 1.7 acres and has been identified as the preferred location.

The report sought authority to dispose of the land by a long leasehold interest for the development of a new primary school. A corresponding private report, detailing confidential financial matters was also submitted for consideration (Minute 48 below refers).

The Council owned land was acquired, along with other parcels of land, for educational purposes with financial assistance from the regional development agency Advantage West Midlands (AWM). Any land transaction will be subject to approval by AWM's successor body, the Homes and Community Agency (HCA). Approval for the transaction has been sought and in principle is acceptable. Formal approval in writing from the HCA will be issued following the Council's approval to proceed and the detailed documentation.

**RESOLVED that the Cabinet Member for Business, Enterprise and Employment:-**

- (1) Authorises the leasehold disposal of the subject land to Sidney Stringer Education Trust subject to planning consent being granted.**
- (2) Delegates authority to the Assistant Director for City Centre and Development Services following consultation with the Cabinet Member for Business, Enterprise and Employment, for any subsequent variation in terms.**
- (3) Delegates authority to the Executive Director of Resources, and in particular officers within Legal Services, to complete the necessary legal documentation in this matter and to agree an apportionment of the capital receipt between the Council and**

**the Homes and Community Agency in accordance with funding agreements between the Council and the Homes and Community Agency.**

**48. Land and Premises at Shultern Lane, Cannon Park**

The Cabinet Member considered a report of the Executive Director of Place which indicated that the Council is the freeholder of land and premises at Shultern Lane, Cannon Park, Coventry. The Council granted a 125 year lease in 1989 to High Cross Garage (Balsall) Ltd for use as a car showroom. The lease was granted at a peppercorn rent without provision for review.

The Tenant wishes to surrender the existing lease and be granted a new 125 year lease at a market rent with provision for upward rent reviews on each fifth anniversary of the term to enable the premises to be redeveloped as a supermarket. The Tenant in turn wants the ability under the terms of the new 125 year lease to sub-let the whole of the site to a retail user for a period of 20 years. This will enable the Council to obtain an annual income (subject to upward only rent review) whereas under the existing lease agreement the Council is not receiving any income.

A corresponding private report, detailing confidential financial matters was also submitted for consideration (Minute 49 below refers).

**RESOLVED that the Cabinet Member for Business, Enterprise and Employment:-**

- (1) Subject to the grant of planning permission, approves the surrender of the existing 125 year lease to High Cross Garage (Balsall) Ltd to the Council and;**
- (2) Approves the grant of a new 125 year lease to High Cross Garage (Balsall) Ltd with the ability within the terms of the new lease to sub-let the whole of the premises**
- (3) Delegates authority to the Executive Director of Resources, and in particular officers within Legal Services to effect the surrender of the existing lease and immediately complete the new 125 year lease upon the terms set out in this report.**

**49. Outstanding Issues**

There were no outstanding issues.

**50. Any Other Public Business**

There were no other items of public business.

**51. Freehold Disposal: The Curriers Enterprises Unit, 2 Curriers Close, Canley**

Further to Minute 42 above, the Cabinet Member considered a report of the Executive Director of Place which detailed confidential financial matters in relation to the freehold disposal of the Curriers Enterprises Unit, 2 Curriers Close, Canley

**RESOLVED that the Cabinet Member for Business, Enterprise and Employment:-**

- (1) Authorises the freehold disposal of the property on the lines now indicated in the report submitted.**
- (2) Delegates authority to the Assistant Director for City Centre and Development Services following consultation with Cabinet Member for Business, Enterprise and Employment for any subsequent variation in terms.**
- (3) Delegates authority to the Executive Director of Resources, and in particular officers within Legal Services, to complete the necessary legal documentation in this matter and collect the agreed consideration.**

**52. Leasehold Disposal: Land Off Primrose Hill Street/Bath Street**

Further to Minute 43 above, the Cabinet Member considered a report of the Executive Director of Place which detailed confidential financial matters in relation to the leasehold disposal of land off Primrose Hill Street/Bath Street to Sidney Stringer Education (Trust) in connection with a proposal to deliver a new primary school on this land.

**RESOLVED that the Cabinet Member for Business, Enterprise and Employment:-**

- (1) Authorises the leasehold disposal of the subject land for the minimum sum now indicated in the report submitted to Sidney Stringer Education Trust, subject to planning consent being granted.**
- (2) Delegates authority to the Assistant Director for City Centre and Development Services, following consultation with the Cabinet Member for Business, Enterprise and Employment, for any subsequent variation in terms.**
- (3) Delegates authority to the Executive Director of Resources, and in particular officers within Legal Services, to complete the necessary legal documentation in this matter and to agree an apportionment of the capital receipt between the Council and the Homes and Communities Agency in accordance with funding agreements between the Council and the Homes and Community Agency.**



53. **Land and Premises at Shultern Lane, Cannon Park**

Further to Minute 44 above, the Cabinet Member considered a report of the Executive Director of Place which detailed confidential matters in relation to the surrender of the existing lease and the granting of a new 125 year lease for land and premises at Shultern Lane, Cannon Park to enable the premises to be redeveloped as a supermarket.

**RESOLVED that the Cabinet Member for Business, Enterprise and Employment:-**

- (1) Subject to the grant of planning permission, approves the surrender of the existing 125 year lease from High Cross Garage (Balsall) Ltd to the Council and;**
- (2) Approves the grant of a new 125 year lease to High Cross Garage (Balsall) Ltd with the ability within the terms of the new lease to sub-let the whole of the Premises.**
- (3) Delegates authority to the Executive Director of Resources, and in particular officers within Legal Services, to effect the surrender of the existing lease and immediately complete the new 125 year lease upon the terms set out in the report submitted.**

54. **Any Other Private Business**

There were no other items of private business.

(Meeting closed at 10.45 am)

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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 on the Local Government Act 1972 as amended. The grounds for privacy are that it refers to the identity, financial and business affairs of an organisation (including the authority holding the information). The public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.**

Cabinet Member for Business, Enterprise and Employment

13<sup>th</sup> January 2015

**Name of Cabinet Member:**

Cabinet Member for Business, Enterprise and Employment - Councillor Maton

**Director Approving Submission of the report:**

Executive Director of Place

**Ward(s) affected: St. Michaels**

**Title:**

Release of Restrictive Covenant, 21 Parkside, Coventry

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**Is this a key decision?**

No

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**Executive Summary:**

The property 21 Parkside, Coventry is in the freehold ownership of the St. John Ambulance Brigade. Under a conveyance dated 1<sup>st</sup> December 1931 there is a restricted covenant on the use of the site in favour of the Council. The covenant restricts the use of the property to a lecture and drill hall and club in connection with the St. John Ambulance Brigade.

St. John Ambulance has agreed to sell the property and have approached the Council for a release of the restrictive covenant.

As consideration for the covenant being released, St. John Ambulance will pay the Council a premium plus the Council's reasonable legal and surveyors costs.

**Recommendations:**

The Cabinet Member is recommended to:

1. Approve the release of the restrictive covenant subject to the payment of a premium.
2. Delegate authority to the Executive Director of Resources to complete the Deed of Release and collect the agreed premium.

**List of Appendices included:**

Plan

**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*

## **Report title: Release of Restrictive Covenant - 21 Parkside, Coventry**

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

- 1.1 The property is in the freehold ownership of the St. John Ambulance. The Council conveyed the land to the trustees of St John Ambulance under a Conveyance dated 1<sup>st</sup> December 1931 at value and St. John Ambulance built the hall and club building currently on the site. The conveyance contains a restrictive covenant in favour of the Council which restricts the use of the property to a lecture and drill hall and club in connection with the St. John Ambulance Brigade. The owners have agreed to sell the property and have offered the Council a premium in return for a release from the restrictive covenant.

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

- 2.1 The recommended option is to agree to the proposal, which involves the release of the restrictive covenant.
- 2.2 A second option was to refuse the request. The St. John Ambulance would be unable to sell the property and the Council would not receive a premium payment.
- 2.3 It is recommended that the Council accept the offer and enter into a Deed of Release with St. John Ambulance to release them from the restrictive covenant in the said 1931 conveyance.

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

- 3.1 None

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

- 4.1 Providing that Cabinet Member approval is secured it is expected that this receipt will be received within this financial year.

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

- 5.1 Financial implications

This decision if approved will generate a capital receipt, which will contribute to the Council's planned programme of capital disposals. The disposal programme, in line with Corporate Policy supports the Medium Term Financial Strategy which is helping to deliver a number of major regeneration and growth projects in the City.

- 5.2 Legal implications

The consideration for a deed of release from this restrictive covenant represents best value reasonably obtainable by the Council. This meets the Council's obligations to obtain best value under the requirements of section 123 of the Local Government Act 1972.

Officers within legal service will complete the necessary deed of release and will collect the agreed consideration.

### **6. Other implications**

**6.1** The receipt will contribute to the Council maintaining a balanced budget in the medium term thus helping preserve services for the people of Coventry.

**6.2 How is risk being managed?**

This is a capital receipt, there are no risks.

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

There is no significant impact on the organisation arising from this proposal. An opportunity has arisen for the Council to receive a capital payment and this opportunity has been realised.

**6.4 Equalities / EIA**

This is a property transaction and an Equality Impact Assessment is not required.

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

There are no implications for the environment.

**6.6 Implications for partner organisations?**

There are no implications for partner organisations.

**Report author(s):**

**Name and job title: Graham Stephens - Manager, Commercial Property Management**

**Directorate: Place**

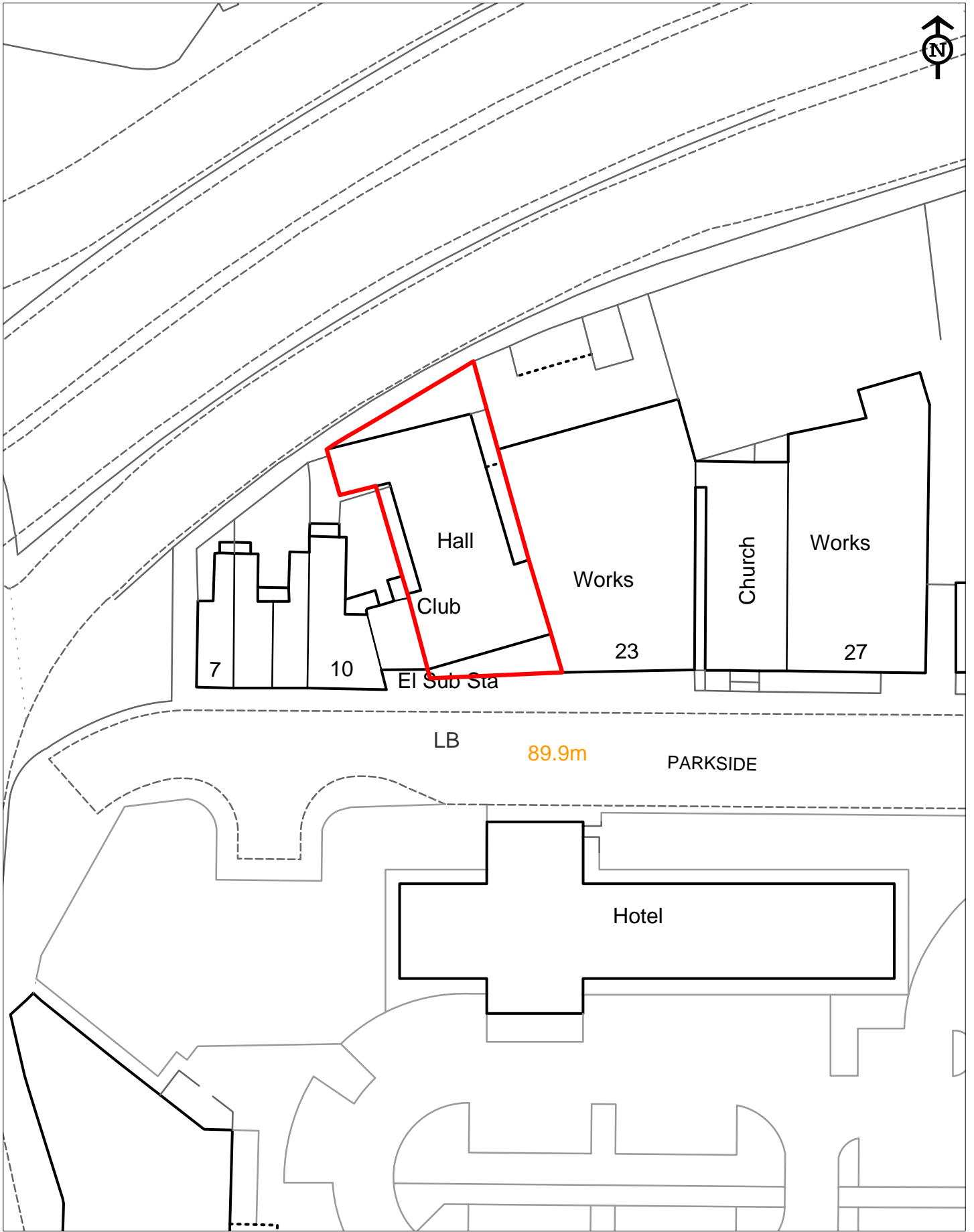
**Tel and email contact: 02476832577**

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>				
Nigel Clews	Assistant Director - Property Asset Management	Place	17/12/14	18/12/14
<b>Names of approvers for submission: (officers and members)</b>				
Finance: Phil Helm	Finance Manager - Place	Resources	17/12/14	18/12/14
Legal: Julie Sprayson	Principal Legal Executive	Resources Legal	17/12/14	17/12/14
Governance: Suzanne Bennett	Governance Services Team Leader	Resources - Governance Services	17/12/14	17/12/14
Director: Martin Yardley	Executive Director	Place	19/12/14	19/12/14
Member: Councillor Maton	Cabinet Member for Business, Enterprise & Employment		16/12/14	16/12/14

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**21 Ambulance Hall Parkside**

Scale 1: 500  
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 Date:17/12/2014  
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Martin Yardley - Director of Place Directorate  
 Nigel Clews - Assistant Director Property Asset Management

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