

**Time and Date**

2.00 pm on Tuesday, 8th September, 2015

Place

Council Chamber - Council House

1. **Apologies**
2. **Minutes of the Extraordinary and Ordinary Meetings held on 14 July 2015**
(Pages 5 - 12)
3. **Exclusion of the Press and Public**

To consider whether to exclude the press and public for the items of private business for the reasons shown in the report.
4. **Coventry Good Citizen Award**

To be presented by the Lord Mayor and Judge Griffith-Jones, Honorary Recorder
5. **Correspondence and Announcements of the Lord Mayor**
6. **Petitions**
7. **Declarations of Interest**

Matters Left for Determination by the City Council/Recommendations for the City Council

8. **Audit and Procurement Committee Annual Report 2014/15** (Pages 13 - 22)

From the Audit and Procurement Committee held on 3 August 2015.

It is anticipated that the following matters will be referred as Recommendations. The reports are attached and the relevant Recommendations will be circulated.

9. **Public Realm and Major Projects Update** (Pages 23 - 34)

From Cabinet, 1 September 2015
10. **City Centre South - Update** (Pages 35 - 44)

From Cabinet, 1 September 2015.

Items for Consideration

11. **Appointment of Acting Monitoring Officer and Delegation of Powers**
(Pages 45 - 56)
Report of the Executive Director of Resources
12. **Appointments of the City Council - City of Culture Trust** (Pages 57 - 60)
Report of the Executive Director of Resources
13. **Appointments of the City Council - Coventry Health and Well-being Board** (Pages 61 - 64)
Report of the Executive of Resources
14. **Question Time**
 - 14.1 Written questions (Pages 65 - 66)
 - 14.2 Oral questions to Chairs of Scrutiny Boards/Chair of Scrutiny Co-ordination Committee
 - 14.3 Oral questions to Chairs of other meetings
 - 14.4 Oral questions to Representatives on Outside Bodies
 - 14.5 Oral questions to Cabinet Members and Deputy Cabinet Members on any matter relating to their portfolios
15. **Statements**
16. **Debates - There are no debates**

Private Business

Matters Left for Determination by the City Council/Recommendations for the City Council

It is anticipated that the following matters will be referred as Recommendations. The reports are attached and the Relevant recommendations will be circulated

17. **Public Realm and Major Projects Update** (Pages 67 - 82)
From Cabinet, 1 September 2015

(Listing Officer: D. Cockcroft: Tel: 024 7683 3964)
18. **City Centre South - Update** (Pages 83 - 92)
From Cabinet, 1 September, 2015

(Listing Officer: N. Clews, Tel: 024 7683 1320)

Chris West, Executive Director, Resources, Council House Coventry

Friday, 28 August 2015

Note: The person to contact about the agenda and documents for this meeting is Carolyn Sinclair/Suzanne Bennett 024 7683 3166/3072

Membership: Councillors F Abbott, N Akhtar, P Akhtar, M Ali, A Andrews, M Auluck, R Auluck, R Bailey, S Bains, L Bigham, J Birdi, J Blundell, R Brown, K Caan, D Chater, J Clifford, G Crookes, G Duggins, D Galliers, D Gannon, A Gingell, M Hammon (Chair), L Harvard (Deputy Chair), J Innes, D Kershaw, T Khan, A Khan, R Lakha, R Lancaster, M Lapsa, J Lepoidevin, A Lucas, P Male, K Maton, J McNicholas, C Miks, K Mulhall, J Mutton, M Mutton, H Noonan, J O'Boyle, E Ruane, T Sawdon, P Seaman, B Singh, D Skinner, T Skipper, H Sweet, K Taylor, R Thay, S Thomas, P Townshend, S Walsh and D Welsh

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Carolyn Sinclair/Suzanne Bennett
024 7683 3166/3072

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Coventry City Council
Minutes of the Meeting of Council held at 2.00 pm on Tuesday, 14 July 2015

Present:

Members: Councillor M Hammon (Chair)

Councillor F Abbott	Councillor A Khan
Councillor N Akhtar	Councillor R Lakha
Councillor P Akhtar	Councillor M Lapsa
Councillor M Ali	Councillor J Lepoidevin
Councillor A Andrews	Councillor A Lucas
Councillor M Auluck	Councillor P Male
Councillor R Auluck	Councillor K Maton
Councillor S Bains	Councillor J McNicholas
Councillor L Bigham	Councillor C Miks
Councillor J Birdi	Councillor H Noonan
Councillor J Blundell	Councillor J O'Boyle
Councillor R Brown	Councillor E Ruane
Councillor K Caan	Councillor T Sawdon
Councillor D Chater	Councillor P Seaman
Councillor J Clifford	Councillor B Singh
Councillor G Duggins	Councillor D Skinner
Councillor D Galliers	Councillor K Taylor
Councillor D Gannon	Councillor R Thay
Councillor A Gingell	Councillor S Thomas
Councillor L Harvard	Councillor P Townshend
Councillor D Kershaw	Councillor S Walsh
Councillor T Khan	Councillor D Welsh

Honorary Aldermen J. Gazey, J Wright

Apologies: Councillor R Bailey, G Crookes, J Innes, R Lancaster, K Mulhall, J Mutton, M Mutton, T Skipper and H Sweet

Public Business

33. Declarations of Interest

There were no declarations of interest.

34. Honorary Freeman of the City of Coventry to Mr Ratan N Tata GBE and Professor Lord Kumar Bhattacharyya KB CBE

The City Council considered a report of the Executive Director of Resources which recommended that the Council confer the title of Honorary Freeman of the City of Coventry upon Mr Ratan N. Tata, GBE, and Professor Lord Kumar Bhattacharyya, KB, CBE and for an appropriate ceremonial event to be arranged on a date to be determined to mark the occasion.

Mr. Ratan N. Tata is Chairman Emeritus of Tata Group, which he joined in 1962 and served as the Chairman at Tata Industries Ltd. from 1981 to December 28, 2012. Mr Tata was responsible for transforming Tata Motors Ltd. into a Group

strategy “think-tank” and a promoter of new ventures in high technology businesses.

Professor Lord Bhattacharyya is the Founder and Chairman of Warwick Manufacturing Group (WMG) a unique academic group with a current annual programme of over £180 million which includes industrial and in-kind support. From WMG's inception to the present day, Professor Lord Bhattacharyya has been a passionate advocate for academic engineering, with WMG being a beacon of manufacturing R&D and business education for 34 years.

RESOLVED that the City Council agree:

- 1. That, pursuant to the powers conferred on the City Council by Section 249(5) of the Local Government Act 1972, the City Council admit Mr Ratan N. Tata GBE and Professor Lord Kumar Bhattacharyya KB CBE as Honorary Freemen of the City of Coventry in recognition of the investment of Tata Steel into Jaguar Land Rover which has enhanced and protected the status of car manufacturing in the region, the Jaguar Land Rover brand and particularly the employment of its employees and many subsidy suppliers, supported by the Warwick Manufacturing Group.**
- 2. That the Lord Mayor's Office be requested to make suitable arrangements, on a date to be fixed later this year, for the celebration of the admission to the Honorary Freedom of the City to include the presentation to them of an Illuminated Address and, under the Common Seal, a copy of the Resolution set out above.**

(Meeting closed at 2.15 pm)

Coventry City Council
Minutes of the Meeting of Council held at 2.15 pm on Tuesday, 14 July 2015

Present:

Members: Councillor M Hammon (Chair)

Councillor F Abbott	Councillor A Khan
Councillor N Akhtar	Councillor R Lakha
Councillor P Akhtar	Councillor M Lapsa
Councillor M Ali	Councillor J Lepoidevin
Councillor A Andrews	Councillor A Lucas
Councillor M Auluck	Councillor P Male
Councillor R Auluck	Councillor K Maton
Councillor S Bains	Councillor J McNicholas
Councillor L Bigham	Councillor C Miks
Councillor J Birdi	Councillor H Noonan
Councillor J Blundell	Councillor J O'Boyle
Councillor R Brown	Councillor E Ruane
Councillor K Caan	Councillor T Sawdon
Councillor D Chater	Councillor P Seaman
Councillor J Clifford	Councillor B Singh
Councillor G Duggins	Councillor D Skinner
Councillor D Galliers	Councillor K Taylor
Councillor D Gannon	Councillor R Thay
Councillor A Gingell	Councillor S Thomas
Councillor L Harvard	Councillor P Townshend
Councillor D Kershaw	Councillor S Walsh
Councillor T Khan	Councillor D Welsh

Honorary Aldermen J. Gazey, J. Wright

Apologies: Councillor R Bailey, G Crookes, J Innes, R Lancaster, K Mulhall, J Mutton, M Mutton, T Skipper and H Sweet

Public Business

35. Minutes of the meeting held on 23 June 2015

The minutes of the meeting held on 23 June 2015 were signed as a true record.

36. Coventry Good Citizen Award

On behalf of the City Council, the Lord Mayor presented Mrs Mandie Watson with the Good Citizen Award. Her citation read:

“Mandie worked in the city for 29 years, first in Housing and then in Community Safety. She has been committed to social justice and creating safer communities. Mandie was never frightened to challenge offenders and make sure victims had the support they needed. She encouraged a range of agencies to work together to find innovative solutions to problems. She was committed to partnership working to ensure people recognised each other's roles and strengths thus together

making Coventry a safer city. Mandie has worked on the front line which inspired her passion to work strategically.

One particular area of the city has benefitted from Mandie's tenacity and enthusiasm. She ensured that the community's voice was heard and has liaised with the relevant agencies. This has resulted in a decline in Anti-Social Behaviour, drug use and has seen evictions of some of those responsible. The community feel that Mandie has added to their quality of life by making their area a safer and better place to live. She has given outstanding service above and beyond her role.

Mandie's hard work and dedication have made a difference to local people and made Coventry a safer and more pleasant place to live. She is an excellent role model of a Good Citizen Award winner."

37. **Terrorist Attack in Tunisia**

Members of the City Council stood for a minute's silence as a mark of respect for victims of the recent terrorist attack in Tunisia.

38. **Memorial Service**

The Lord Mayor reported that, on behalf of the City Council, he had recently attended a memorial service at Westminster Abbey to mark the Srebrenica massacre in 1995 and to commemorate those massacred in the Bosnian town.

39. **High Sheriff's Award**

On behalf of the City Council, the Lord Mayor congratulated Ben Yorke, Business Development Officer from the Business Investment Team on his recent successful nomination for the High Sheriff's Award.

40. **Chief Superintendent**

The Lord Mayor welcomed the newly appointed West Midlands Police Chief Superintendent, Danny Long and congratulated former Chief Superintendent, Claire Bell on her recent promotion and wished her well for the future.

41. **Petitions**

RESOLVED that the following petition be referred to the appropriate City Council body:

Request to retain the bollard protecting the pathway between 6 and 7 Fosseway Road and 137 and 139 Anchorway Road in its current position – 28 signatures, presented by Councillor Sawdon in Councillor Crookes's absence.

42. **Declarations of Interest**

There were no declarations of interest.

43. **Coventry Bid for UK City of Culture 2021**

Further to Minute 20/15 of Cabinet, the City Council considered a report of the Executive Director for Place, which sought approval for the development of a Coventry bid for the UK City of Culture 2021 title and outlined the anticipated bid process and timescales, the bid feasibility work undertaken in Coventry to date, and the expected commitments and benefits for the successful city being awarded (in 2017) the title of UK City of Culture 2021.

The European Capitals of Culture (ECoC) programme was created in 1985 as an intergovernmental cultural initiative. Initially titled 'European Cities of Culture', the programme had evolved to a position where the ECoC programme was now considered by many to be the flagship cultural initiative of the European Union.

In December 2013, Coventry City Council agreed a motion proposing the undertaking of a scoping exercise to set out plans for Coventry to make a bid for the UK City of Culture in 2021 and/or European Capital of Culture in 2023.

An independent Steering Group had overseen the detailed investigation of Coventry's case to bid for either the UK or European title. Whilst the Steering Group were of the view that there were clearly merits in considering a European bid, it concluded that the UK City of Culture process would currently be a better fit for the City, both in terms of the needs of the City and current positioning of Coventry.

In March 2015, the Department for Culture Media and Sport (DCMS) announced that the competition for title of UK City of Culture 2021 would be held in 2017, in Hull's UK City of Culture year. Based on previous bidding guidance, it was anticipated that the successful candidate city for UK City of Culture 2021 would need to deliver against a number of criteria which were detailed in the report.

The economic case for Coventry bidding for UK City of Culture was considered by the Steering Group to be strong. A successful bid was likely to bring significant national investment into the City from public and private sources; visitor spend; enhanced student numbers as well as the potential economic benefits of accelerated development. In Derry/Londonderry there were major infrastructure developments realised through the programme and Hull was already attracting investment in transport, public realm and retail on the back of their successful bid.

The City Council also considered a briefing note of the Communities and Neighbourhood Scrutiny Board (4) at which they had made the following recommendations: that children and young people be included in the development of the UK City Culture 2021 bid and that the steering group be advised to consider representation from the school and further education sector. In moving the report, these additional recommendations were approved.

RESOLVED that the City Council:

- (a) Approve the development of a city bid for Coventry to be UK City of Culture in 2021.**

(b) Include children and young people in the development of the UK City of Culture 2021 bid.

(c) Advise the steering group to consider representation from the school and further education sector.

44. Annual Report, Final Hospitality Statement and Charity Appeal for the Mayoralty of Councillor Hazel Noonan 2014/2015

Further to Minute 6/15 of the Cabinet Member for Strategic Finance and Resources, the City Council considered a report of the Executive Director of Resources which outlined the end of year hospitality budget report for the Mayoral Year of Councillor Hazel Noonan 2014/2015. The report provided an update on how the budget was allocated during the Mayoral year. The total spend was £59,684.72 which was £5,911.28 less than the budget and this balance was returned to corporate reserves.

The Lord Mayor's Annual Report was attached at Appendix 1 of the report and provided the background to the civic engagements which were undertaken to meet a range of priorities from community engagement to international events.

Arising from discussion the Council agreed that the content of the report clearly demonstrated the impact the city had in terms of links with other cities and cultural events and as such recommended, with the agreement of the Cabinet Member for Strategic Finance and Resources, that the report be referred to the City of Culture Steering Group.

RESOLVED that, in noting the report, the City Council agreed that it be referred to the City of Culture Steering Group to consider as part of their work in putting together a bid for Coventry's UK City of Culture 2021 bid.

45. Devolution and Economic Growth - Consultation on a Combined Authority for the West Midlands

The City Council considered a report of the Chief Executive recommending agreement to a consultation on a combined authority for the West Midlands. On 28 May 2015 Coventry City Council's Cabinet agreed in principle to create a combined authority with a preferred option of councils from Coventry and Warwickshire (and Hinckley and Bosworth) with councils from the Greater Birmingham and Solihull and the Black Country Local Enterprise Partnership areas. Cabinet also agreed to delegate authority to the Leader of the Council with the Chief Executive to enter negotiation and discussions on a potential devolution deal.

Following extensive discussions with local authority neighbours; local enterprise partnerships and other partners, Coventry City Council and the other six West Midlands Metropolitan District Councils have undertaken a joint governance review to establish if the creation of a combined authority would improve economic development, regeneration and transport in the area.

All seven councils agreed that, whilst a combined authority for the metropolitan area would deliver considerable benefits, one that covers a geography that

includes other councils from wider Local Enterprise Partnership areas of Coventry and Warwickshire and Greater Birmingham and Solihull would be preferable. Discussions are continuing with these neighbouring local authorities (including Hinckley and Bosworth) and will continue through this consultation process.

The statement of intent “*Growing the UK Economy through a Midlands Engine*” setting out the case and aspirations for a West Midlands combined authority on this wider geographical basis was issued by the seven West Midlands Metropolitan District Councils on 6 July 2015 and was welcomed by the three local enterprise partnerships. The seven West Midlands Metropolitan District Councils now intend to consult across the West Midlands area on the governance review and proposals to set up a West Midlands Combined Authority.

RESOLVED that the City Council:

- 1. Agree that joint consultation by the seven West Midlands Metropolitan District Councils on setting up a combined authority for the West Midlands should take place in Coventry.**
- 2. Delegate authority to the Leader of the Council with the Chief Executive to agree the documentation to be used in the joint consultation on the proposed combined authority for the West Midlands.**

46. Question Time

The following Members answered oral questions put to them by other Members as set out below, together with supplementary questions on the same matters:

No	Question Asked By	Question Put To	Subject Matter
1	Councillor Sawdon	Councillor Ruane	Child poverty
2	Councillor Blundell	Councillor Gannon	Consultation on union representation time
3	Councillor Chater	Councillor A Khan	The Hunting Act
4	Councillor Sawdon	Councillor Maton	Properties in the City owned by other authorities
5	Councillor Birdi	Councillor Kershaw	Activities in schools
6	Councillor Lapsa	Councillor Townshend	Illegal traveller sites

47. Statements

The Cabinet Member for Children and Young People, Councillor Ruane, made a statement in respect of the “Children’s Services Improvement Plan”.

Councillor Noonan responded to the statement.

48. Debates - There were no debates

(Meeting closed at 4.35 pm)

Council – 8th September 2015

**Recommendation from
Audit and Procurement
Committee – 3rd August 2015**

Coventry City Council
Minutes of the Meeting of the Audit and Procurement Committee held at 3.30 pm
on Monday, 3 August 2015

Present:

Members: Councillor T Skipper (Chair)
Councillor S Bains
Councillor J Blundell
Councillor L Harvard

Employees (by Directorate):

P Baggott, Resources Directorate
C Booth, Resources Directorate
M Burn, Resources Directorate
P Jennings, Resources Directorate
L Knight, Resources Directorate
S Mangan, Resources Directorate
C West, Executive Director, Resources

Apologies: Councillor T Sawdon and B Singh

RECOMMENDATION

19. Audit and Procurement Committee Annual Report to Council 2014-15

The Committee considered the Audit and Procurement Committee's Annual Report, which was to be submitted to the City Council at their meeting on 8th September 2015. The report provided an overview of the Committee's activity during 2014/15.

During the previous municipal year, the Committee met on eight occasions. The report detailed all the routine reports considered during this time which were based around the clearly defined expectations of the services and functions that report to the Committee concerning governance; financial management and accounting; external and internal audit; fraud and procurement.

The Committee also considered ad-hoc reports which focused on either a specific concerns or developments that impacted directly on the Committee. These included the 2013-14 Annual Freedom of Information/Data Protection Act Report; Regulation of Investigatory Powers Act 2000 Annual Report; Ombudsman Complaint Annual Report and Posts with Salary Packages in Excess of £100,000.

In 2015/16, the Committee's initial focus would be ensuring that action was taken in response to disclosures made in the Annual Governance Statement, ensuring that any issues raised by the external auditors in the audit of the Council accounts were addressed on a timely basis, and ensuring that Members of the Committee were appropriately supported through training and development.

RESOLVED that the Audit and Procurement Committee recommends that the Council considers the Annual Report 2014/15.

(Meeting closed at 4.20 pm)

Audit and Procurement Committee Annual Report to Council 2014-15

To be considered at the City Council meeting
on the 8th September, 2015

Audit and Procurement Committee Annual Report 2014-15

Foreword by Chair of Audit and Procurement Committee 2014-15



**Councillor David Galliers
Chair, Audit and Procurement
Committee 2014-15**

I am pleased to present this report, which outlines the Committee's work over the municipal year 2014-15.

Over the last year, the Committee has discharged its key responsibility effectively, whilst at the same time, been able to consider other matters to support the Council including providing scrutiny and challenge over appointments to posts in the Council where proposed salary packages are in excess of £100,000 per year.

I hope that this Annual Report helps to demonstrate to Coventry residents and the Council's other stakeholders the vital role that is carried out by the Audit and Procurement Committee and the contribution that it makes to the Council's overall governance arrangements.

Introduction by Chair of Audit and Procurement Committee 2015-16

In May 2015, the Council appointed me as the new Chair of the Audit and Procurement Committee. I am looking forward building on the good work done in 2014-15 and ensuring that the Committee continues to make a positive contribution to the overall governance arrangements within the Council. In terms of initial priorities for 2015-16 these include ensuring that:

- Action is taken in response to disclosures made in the Annual Governance Statement.
- Any issues raised by the external auditors in the audit of the Council accounts are addressed on a timely basis.
- Members of the Audit and Procurement Committee are appropriately supported through training and development.



**Councillor Tony Skipper
Chair, Audit and Procurement
Committee 2015-16**

1 Activity of the Council's Audit and Procurement Committee

During 2014-15, the Council's Audit and Procurement Committee met on eight occasions. Meetings were held in July, August, September, October and December 2014 as well as in February, March and May 2015.

The Committee receives a range of:

- Routine reports based on the clearly defined expectations of services / functions that report to the Audit and Procurement Committee, e.g. internal / external audit and financial management.
- Ad-hoc reports which focus on either a specific concern or developments that impact directly on the Committee.

The details of the reports considered in 2014-15 are expanded upon below.

1.1 **Governance** - As part of the Annual Accounts process for 2013-14, the Internal Audit and Risk Manager co-ordinated the development of the Council's Annual Governance Statement. The draft Statement was considered by the Committee in July 2014 and then in September 2014, when the audited Statement of Accounts were approved by the Audit and Procurement Committee. The statement highlighted the following significant governance issues which required the Council's focus in 2014/15; implementation of the Ofsted Improvement Plan, meeting the financial challenges facing the Council, delivering the Kickstart Transformation Programme and implementing the Education Improvement Strategy. The Statement also highlighted internal control issues for improvements in relation to the Council's arrangements for dealing with fraud, its development of the Agresso financial system and processes in relation to Council Tax discounts and exemptions.

1.2 **Financial Management and Accounting** - The unaudited Statement of Accounts (including revenue and capital outturn) was considered by the Committee in July 2014 and then in September 2014, when the audited Statement of Accounts were approved by the Audit and Procurement Committee. Additionally, the following reports were received in year:

- Quarterly monitoring reports of the Council's performance against its revenue and capital budgets during 2014-15 were considered in August and December 2014, as well as February 2015.
- Treasury Management activity updates were considered in September and October 2014 as well as in February 2015. The report highlighted investment activity carried out by the Council and provided assurance that the Council was managing investments in accordance with its Investment Strategy.
- Transformation Programme / JEEP Campaign Financial Savings Update - A report was considered in October 2014 and provided an update on the financial savings anticipated from the Council's Transformation Programme and the final position in relation to achievement of the JEEP (Justify Expenditure, Examine Performance) financial savings.

1.3 **External Audit** - The following reports were received from the Council's external auditors, Grant Thornton in 2014-15:

- The Audit Findings for Coventry City Council - This report was considered in September 2014, and its purpose was to highlight the key matters arising from the audit of the Council's financial statements for the year ending 31 March 2014. The report conclusions were that, pending satisfactory clearance of outstanding matters:
 - An unqualified audit opinion would be provided on the Council's financial statements.
 - A qualified value for money conclusion would be issued as a direct result of the findings in the Ofsted report on Children' Services.

The report did identify issues which the external auditors thought required focus by the Council in the next year including valuing assets in the same asset class simultaneously, taking actions to maintain a sound financial position, assessing the adequacy of reserves and reviewing its accounting for Private Finance Initiative schemes. An update on the response to these issues by the Council was considered at the March 2015 meeting. The Audit and Procurement Committee agreed with the assessment of progress made and that the current position represented an appropriate response to the issues raised.

- Annual Audit and Inspection Letter - This was considered at the December 2014 meeting. The main focus being to summarise the findings from the 2013-14 audit and to formally document their conclusions in respect of the audit of the accounts and the Council's arrangements for securing value for money. The conclusions reached for both these areas were consistent with those indicated in the Audit Findings for Coventry City Council report considered in September 2014.
- Certification of Claims and Returns Annual Report - This was considered in March 2015 and summarised the findings from the certification of 2013-14 claims and returns that were subject to review by the external auditors. The report highlighted that only three grant claims were subject to external audit approval and one of the claims had been qualified due to errors identified although the impact of this was estimated not to be significant.
- 2014-15 Audit Plan - This was also considered in March 2015 and set out the work that Grant Thornton would undertake in respect of the audit of the Council's financial statements for the year ended 31 March 2015. It also documented the expected outputs that the Committee would receive from the external auditors.

1.4 **Internal Audit** - During the year, the Audit and Procurement Committee received the following reports at the July and August 2014 meetings:

- Internal Audit Annual Report - This report had two main purposes:
 - To summarise the Council's Internal Audit activity for the period April 2013 to March 2014, against the agreed Internal Audit Plan for the same period.

- To provide the Committee with the Internal Audit and Risk Manager's opinion on the overall adequacy and effectiveness of Coventry City Council's internal control environment. Based on the work of Internal Audit in 2013-14, the Internal Audit and Risk Manager concluded that 'moderate' assurance could be provided that there was generally a sound system of internal control in place to help the organisation meet its objectives.
- Annual Review of the Effectiveness of the System of Internal Audit - This review led by the Council's Internal Audit and Risk Manager discharges a requirement of the Accounts and Audit Regulations that the Council "*at least once a year, conduct a review of the effectiveness of the system of Internal Audit*". Whilst the review is primarily focused on assessing the Council's Internal Audit Service against recommended practice and professional standards, it also considers how the Council's Audit Committee arrangements compare against recommended practice. This identified a number of areas to enhance current arrangements including Audit Service staff development, greater use of computer assisted audit techniques, reviewing how stakeholder feedback is obtained, consideration of how best to receive external assessment of the service, understanding the range of assurance mechanisms available to the Council and a review of retention requirements.
- Internal Audit Plan for 2014-15 – This report considered the outcome of the Internal Audit planning process and provided the Committee as a key stakeholder of the Internal Audit and Risk Service, the opportunity to comment on scope and coverage outlined in the plan.

Other Internal Audit reports considered during the year include:

- Progress reports on Internal Audit work - Monitoring reports were received in October 2014 and February 2015. These reports provided updates on the performance of the Service, along with a summary of the key audits from a sample of high profile audit reviews carried out in the relevant periods. In considering these reports, the Committee agreed with the focus of improvements identified and the timescales agreed for implementation.
- Recommendation Tracking Report - In December 2014, a report on action taken by Council officers in implementing agreed audit recommendations was presented. This highlighted high levels of compliance with the implementation of agreed actions.
- In response to specific concerns raised by the Committee, updates on action taken to address audit concerns in respect of the following audits was considered in February 2015:
 - IT Systems Back Up, Recovery and Data Centre Review – The main audit concern was that whilst disaster recovery arrangements exist for certain key IT systems, these had not been informed by the views of senior management from across the Council and as such the risk was that current arrangements may not meet the needs of the Council. The update highlighted that an exercise had been undertaken with all Assistant Directors to identify their business critical systems and this found that not all systems either had

disaster recovery arrangements and even where arrangements were in place, these had not been tested. A further follow up review is planned during 2015-16 and the findings of the review will be reported to the Committee.

- Council Tax Exemptions and Discounts – The update indicated that to address audit concerns that existing procedures were not sufficient to mitigate against the risk of fraud and error, an on-going programme of proactive reviews will be undertaken as part of a wider remit looking at fraud and error in Council Tax. Updates on the impact of the proactive reviews will be reported to the Audit and Procurement Committee during 2015-16.

1.5 **Fraud** - The following fraud reports were considered in 2014-15:

- Annual Fraud Report - This report was considered by the Committee in August 2014 and summarised the Council's response to fraud activity for the financial year 2013-14, focusing on the work of both the Corporate Fraud and Benefit Fraud Teams.
- Half Yearly Fraud Update - A report was received in December 2014, focusing on the outcome of work by both the Corporate Fraud and Benefit Fraud Teams during 2014-15.

Both these reports also included updates on how the Council were responding to the impact of the Benefit Fraud Team transferring to the Department for Work and Pensions (DWP) in March 2015. The transfer went smoothly and the impact on the Council's fraud arrangements was limited by the fact that responsibility in legislation for investigating housing benefit fraud also moved from local authorities to the DWP. The Council does still have responsibility for Council Tax fraud and as a result, a team of two was set up in March 2015 to lead on the Council's response to the risk of fraud and error in Council Tax.

- National Fraud Initiative (NFI): Outcomes and Information for Elected Members and Decision Makers 2012-13 – This report was produced by the Audit Commission specifically for Coventry City Council and provided benchmark data on the outcome of the Council's response to NFI compared with other authorities. The data indicated that Coventry City Council investigates less matches than other authorities whilst achieving better outcomes through targeting resources on known areas of risks.

1.6 **Procurement** – The following reports were considered in 2014-15:

- Procurement was a standard agenda item at every meeting of the Committee during 2014-15 with the exception of March and May 2015. This area is considered under the private part of the agenda and is a progress report summarising procurement activity considered by the Procurement Board and Panels in the relevant period, as well as providing an update on progress made in delivering agreed procurement saving targets. The Committee in considering these reports noted the content of reports and sought assurance around specific activity highlighted.

- A briefing note was considered in December 2014 regarding the work that has been undertaken since the introduction of Coventry's Social Value Policy in February 2014 which the Committee endorsed.

1.7 **Other** - The Audit and Procurement Committee also supports the Council in considering other areas and in 2014-15, this included the following:

- 2013-14 Annual Freedom of Information/Data Protection Act Report - This report considered the Council's performance for responding to information requests through the different mechanisms as well as highlighting the outcome of internal reviews carried out by the Council and complaints considered by the Information Commissioners Office. The Council completed 90% of FOI requests on time and 80% of DPA requests with 5 out of 8 Information Commissioner's Office complaints were upheld or partially upheld.
- Regulation of Investigatory Powers Act 2000 Annual Report – This report focused on providing oversight of the Council's compliance with this Act.
- Ombudsman Complaint Annual Report - This report provided information regarding the number and outcome of Local Government Ombudsman complaints received and investigated during 2013/14, along with outlining the actions taken by the Council where a complaint was upheld by the Ombudsman. Of 108 complaints only 19 were pursued and 10 upheld. The Committee noted the Council's performance including its response to complaints.
- Post with salary packages in excess of £100,000 - The Council's Pay Policy Statement considers that decisions on large salary packages (£100,000 and above) should be subject to accountability and scrutiny and it has been agreed that the Audit and Procurement Committee is the appropriate forum to undertake this role. At the March and May 2015 meeting, the following posts were approved with salaries in excess of £100,000:
 - Director of Education, Libraries and Adult Education
 - Executive Director for People
 - Director of Children's Services
 - Director of Adults Services

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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
Council

1st September 2015
8th September 2015

Name of Cabinet Member:

Cabinet Member (for Public Services) – Councillor Lancaster

Director Approving Submission of the report:

Executive Director for Place

Ward(s) affected:

All

Title:

Public Realm and Major Projects Update

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

Executive Summary:

Further to the report to Cabinet on March 3rd 2015 regarding the bid for further European Regional Development Funding (ERDF), we have finally been told that we have been awarded £3m. This will bring our investment in the transformational city centre public realm programme to over £32m and our major projects budget to over £130m. Our investment has been instrumental in attracting around three quarters of a billion pounds of investment to the city: over £100m of investment in the city centre, £0.5bn at Whitley and supporting the development of the £100m National Automotive Innovation Centre at Warwick University.

The lack of corporate resources to support any cost overruns means that it is essential that the major projects programme, including public realm, is balanced. The revised ERDF funding, the very limited time now available to deliver the programme, the preference to avoid having to pay back any unspent or unmatched ERDF and cost changes on the Whitley junction project have made it necessary for the overall programme to be revised. The revised programme and funding sources are set out in Table 1 – Major Projects Funding in section 2.1.

The table in section 2.1 sets out a proposed works programme that maximizes project delivery and would ensure no ERDF is returned whilst requiring no additional City Council money. To finance this programme a further £1.036m is required which is proposed to be financed from:

- a) use of future years Transportation and Highways Capital Programme of £0.906m (up to a maximum of £0.5m per year)
- b) use of station masterplan funding (Growth Deal) of £0.13m (to support the access tunnel).

The advantage of bringing funding forward is that for every pound we invest now we can match it with a pound from ERDF.

The final out turn costs for Whitley and Friargate are not going to be known for some time, so prudent cost assumptions have been made for both of these projects with the aim of ending up with a lower final account which would reduce the amount of finance needed to balance the programme.

The following phase 3a schemes, reported on March 3rd. will be delivered:

- Fairfax St/Whittle Arch – environmental enhancements and measures to improve safety and connectivity for visitors between the Cathedral and Motor Museum;
- Hill Top conservation area – repairs to historic features and surfaces, de-cluttering and other enhancements;
- Extension to the Belgrade Plaza scheme – to include the new pedestrian link through the former Allied Carpets unit (dependent upon the grant of planning permission for the West Orchard House development);
- Far Gosford Street – provision of additional parking and improved entrance to Fargo village;
- Lidice Place scheme enhancements.

This follows the priority list approved in the March 3rd report with the Palmer Lane and Canal Basin schemes postponed. This programme result in a remaining balance of £0.3m to be used to upgrade Greyfriars Lane to provide a more attractive and safe walking route between Salt Lane car park and the new restaurants opening in Cathedral Lanes. The opportunity has also been taken to expand the intelligent parking direction system to cover the whole ring road.

The additional £0.906m is proposed to be redeemed from the Transportation and Highways Capital Programme at a rate of £0.5m per annum.

Recommendations:

Cabinet are requested to recommend that Council:

1. Approve the revised Capital Programme as set out in Table 1;
2. Authorize the under-writing of the programme at a rate of £0.5m per annum from the Transportation and Highways Capital Programme.

Council are asked to:

1. Approve the revised Capital Programme as set out in Table 1;
2. Authorize the under-writing of the programme at a rate of £0.5m per annum from the Transportation and Highways Capital Programme.

List of Appendices included:

None

Other useful background papers:

1. Coventry City Centre Public Realm Phase 3A – Cabinet and Council Report of 3rd and 17th March 2015 respectively
2. Coventry City Centre Public Realm Phase 3 – Council Report of 7th October 2014
3. European Regional Development Fund (ERDF) open call for projects – Cabinet and Council report of 17th and 24th June 2014 respectively
4. Coventry City Centre Public Realm Phase 2 Update – Council Report of 23rd July 2013
([Click Here to Access Council Report](#))
5. Coventry City Centre Public Realm Phase 2 – Council Report of 23rd October 2012
([Click Here to Access Council Report](#))
6. European Regional Development Fund (ERDF) Open Call for Extension to Projects – Cabinet and Council report of 3rd and 17th March 2015 respectively

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, 8th September 2015

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Report title: Public Realm and Major Projects Update

1. Context (or background)

- 1.1 The City Council has a very ambitious major projects programme comprising City Centre public realm, Friargate, station masterplan, Whitley junction, pinch point schemes at Walsgrave Hospital and Warwick University and Nuckle. In total this represents over £130m of investment in the city.
- 1.2 The lack of corporate resources to support any cost overruns means that it is essential that this programme is fully funded from a combination of external grant and existing resources. The outcome from the latest European Regional Development Funding (ERDF) bid, the delayed timing of this announcement, and significant cost changes on the Whitley junction project have made it necessary for the overall major projects and public realm programme to be revised. This is to ensure that it can be delivered on time, within the available budget and thus avoid any claw back of ERDF. As the funding for Nuckle and pinch point schemes are effectively ring fenced, they have been excluded from further consideration in this report.
- 1.3 The background to the Coventry Public Realm Project has been covered in earlier reports to Cabinet. The previously approved programme for Phase 3a was on the assumption of the full £11.7m of additional ERDF bid for being awarded; the report noted the risk that this may not happen and set out a priority list of schemes to be funded in the event of not all of that funding being received. The Council has been awarded £3m, but helpfully the Department for Local Government and Communities have agreed to previously approved ERDF of £2.346m being transferred to new projects in cases where projects are no longer proceeding such as the canal basin.
- 1.4 The Council had also been told that the ERDF decision would be announced in February 2015. In the event, notification was only received on June 4th, whilst the deadline of December 31st 2015 for scheme completion and monetary claims remains unchanged.
- 1.5 The January 2015 bid to the Department for Communities and Local Government (DCLG) for an additional £11.7m of ERDF assumed that £3m of Growth Deal 2 money could be brought forward to act as match. Confirmation of this funding, expected in March this year is now not expected to be given until February next year and has to be considered at risk.
- 1.6 In view of the above changes, options for revisions to the capital programme and funding packages have been considered to ensure a balanced programme can be delivered.

2. Options considered and recommended proposal

- 2.1 **Option 1 – (recommended) – all ERDF utilized, additional match funding of £1.036m:** The table below sets out the programme that can be delivered within the required timescales if £1.036m match funding can be found for all the available ERDF. ERDF for previously approved schemes, principally the canal basin, has been re-allocated to other schemes with the agreement of DCLG.

TABLE 1 – Major Projects Funding

	Additional ERDF £'000	Other Public Match* £'000	ERDF Already Secured £'000	Private Match £'000	Total
FRIARGATE PROGRAMME & WHITLEY JUNCTION**	3,000	22,430	7,235	1,549	34,214
STATION ACCESS & CSMP***		24,197			24,197
MAJOR PROJECTS SUB-TOTAL	3,000	46,627	7,235	1,549	58,411
EXISTING PUBLIC REALM 3		2,660	2,523	2,500	7,683
BELGRADE PLAZA		997	1,606	879	3,482
WAYFINDING TOTEMS		254	256		510
LIDICE PLACE		771	767		1,538
FAIRFAX / WHITTLE ARCH		849	932		1,781
INTELLIGENT PARKING SCHEME		569	631		1,200
HILL TOP		177	197		374
GREYFRIARS LANE		142	158		300
FAR GOSFORD ST		142	158		300
PROFESSIONAL FEES		200	186		386
PUBLIC REALM 3 SUB-TOTAL	0	6,761	7,414	3,379	17,554
TOTAL	3,000	53,388	14,649	4,928	75,965

*Other public match includes Growth Deal 1, Growth Deal 2 and Regional Growth Fund resources.

**Friargate programme includes Friargate Bridgedeck, Station Forecourt, Enabling Works and Friargate LLP works.

***CSMP stands for Coventry Station Masterplan.

2.1.1 It is proposed that of the balance of £1,036,000, £906,000 is covered by top-slicing the Transportation and Highways Capital Programme for 2016/17 and 2017/18 and the balance of £130,000 is taken from station masterplan funding. This follows a similar top-slicing of the Transportation and Highways Capital Programme for the previous 4 years to support the public realm programme. The station masterplan funding would be used to support the station access tunnel which is a part of the masterplan. The advantage of bringing funding forward is that for every pound we invest now we can match it with a pound from ERDF.

2.1.2 The public realm schemes in the table above have been selected based on the priority list approved by Council in the March 3rd report. It will no longer be possible to deliver the Canal Basin scheme and the River Sherbourne de-culverting in Palmer Lane as part of this programme.

2.1.3 It has been necessary to revise the scope of the remaining schemes to ensure they can be delivered before the end of November 2015. The primary issue has been the lead time for materials which can be up to 4 months for granite for example. The revised project scope is as follows:

- Whittle Arch/Fairfax Street: realignment of bus gate, introduction of large continuous pedestrian refuge, repaving and resurfacing, new steps into Millennium Pace to reinforce the link to Priory Place, removal of traffic lights at Priory Street/Fairfax Street and environmental improvements along Fairfax Street between Whittle Arch and Priory Street. This will provide a better welcome for coach borne visitors as well as making the area around Whittle Arch safer and more attractive for all;
- Hill Top: repairs to setts, pavements and other road surfaces including University Square, decluttering, repaving and lighting the link from Priory Street to Priory Place and opening up access to Unity Lawn. This will help boost tourism by making the most of our historic assets;
- Far Gosford Street: provision of 20 space car park near Binley Road and a raised table and planting to improve the entrance to Fargo Village. Both measures will encourage trade to Fargo and the street itself;
- Belgrade Plaza and Lidice Place enhancements: as set out in the March 3rd report.

2.1.4 The changes to the scope of the above schemes mean that it is also possible to do the following:

- Greyfriars Lane: to support the opening of the new restaurants in Cathedral Lanes, it is essential to provide a good quality safe link from Salt Lane car park to Broadgate. To achieve this it is proposed to create a single surface in Greyfriars Lane, with trees and catenary lighting to provide a welcoming approach;
- Extension to the scope of the intelligent parking scheme allowing the whole of the ring road to be covered by variable message signs.

2.1.5 A total contingency of £0.7m has been included in the additional schemes to reflect the risks of delivering works in such a constrained timetable. The prudence built into the cost assessments for Whitley and Friargate should also be borne in mind in considering this option. The background to this is set out in paragraphs 1.7 and 1.9.

2.1.6 It is recommended this option is approved to deliver the full programme of public realm improvements to maximize impact. It is not known what funds may become available for public realm post 2015, therefore this is a last opportunity to utilise a significant package of grant funding to further enhance the city centre and complete the programme of works started at part of the Coventry 2012 initiative.

2.2 Option 2 - No additional match funding identified, c.£1.04m ERDF returned.

2.2.1 In total this option would result in a £2.3m reduction in the public realm programme, meaning that the Whittle Arch/Fairfax Street scheme could not be delivered. Although the priority list showed Far Gosford Street as the next lowest scheme, dropping this scheme in itself would not be sufficient to balance the budget. The Whittle Arch scheme is also the highest risk in terms of deliverability.

2.2.2 This option is not recommended as there remains significant funding risk whilst there would be the potential damage to the Council's reputation of having to return ERDF.

2.3 Option 3 - No additional match funding identified and Growth Deal 2 funding assumed to be unavailable resulting in c.£4.04m ERDF returned

- 2.3.1 This option would result in the loss of £5.3m from the public realm programme necessitating the loss of all Phase 3a proposals and the de-scoping of the Belgrade Plaza and Lidice Place schemes, until such time as Growth Deal 2 funding availability is confirmed (by which time the opportunity to match fund with ERDF would be lost). This would include not proceeding with the walkway through Allied Carpets.
- 2.3.2 Whilst this is a low risk option and avoids deliverability issues, it means we would miss out on an opportunity to successfully conclude the city centre public realm programme and to maximize the benefits to the city in terms of boosting tourism and inward investment (given that £100m has already been attracted partly as a result of this programme). Although this option avoids future top-slicing, the big benefit is that for every pound we invest we can match it using ERDF. This option is not therefore recommended.

2.4 Recommended Proposal

- 2.4.1 For the reasons set out above it recommended that the Council proceeds with Option 1 to maximize our investment and bring the public realm scheme to a successful conclusion, utilizing future Transportation and Highways Capital Programme and the station masterplan funding to provide the required match funding.

3. Results of consultation undertaken

- 3.1 There has been no further consultation since the March report.

4. Timetable for implementing this decision

- 4.1 The timetable for Phase 3a is incredibly tight. All ERDF spend must be defrayed by December 31st 2015 in order to submit a final grant claim. Therefore works are to be completed by the end of November 2015 to enable time for final payments to be made. The DLO have no further capacity, so the 'Scape' contract is being used for the new schemes to minimize procurement time whilst meeting ERDF rules.
- 4.2 The works on the access tunnel at Coventry Station went out to tender in August 2015 and the tunnel will be built between January and October 2016.

5. Comments from Executive Director, Resources

5.1 Financial implications

- 5.1.1 Option 1 as proposed would result in a revised capital programme for public realm (phase 3/3a) and major projects as set out in Table 1. These schemes are proposed to be funded from a combination of Regional Growth Fund, ERDF, Growth Deal, and other contributions as summarised in Table 1.
- 5.1.2 Option 1 of maximizing ERDF grant requires additional match funding of £1.036m to be identified. The report proposes that £906,000 of this is funded from future year's Transportation and Highways Capital Programme.
- 5.1.3 The remaining £130,000 is proposed to be funded from the Station Masterplan (Growth Deal 1 funded) budget to make up the shortfall on the Station Access project, as some of the original funding package for this has been reallocated to Friargate due to the increase in costs as described earlier in the report.

5.2 Legal implications

- 5.2.1 The public realm schemes 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

6.1 How will this contribute to achievement of the Council's Plan?

- 6.1.1 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.

- 6.1.2 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.

- 6.1.3 The proposed extensions to the current Public Realm programme are closely aligned with one of the **CW LEP's 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.

- 6.1.4 The CWLEP recognises the importance of a successful Coventry city centre to the sub-region as a whole in its strategy. Public Realm Phase 3a 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.

6.2 How is risk being managed?

- 6.2.1 Arrangements are in place within the Place Directorate to deliver the accountable body role ensuring that procedures are in place to manage risk. There is a governance structure in place for the public realm programme whereby risks are managed at project team level and reported to strategic board. There is a separate project board to manage shared risks between Coventry University and the Council for the Gosford Street project. Regular risk workshops are undertaken on all projects to ensure active monitoring and management. The revised programme of works includes a £700,000 contingency.

- 6.2.2 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. The Council 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.

- 6.2.3 The City Council's Resources & New Projects (RNP) Team oversee all ERDF that comes into the Council beyond just public realm. They are experienced in dealing with external funding and will ensure that suitable monitoring and governance arrangements are in place at a programme level and appropriately align to the CWLEP's governance structure. The same team also oversee management of the Growth Deal funding in conjunction with CWLEP.
- 6.2.4 The programme manager for the works is 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 three phases of Public Realm will continue to implement the remaining public realm schemes.

6.3 What is the impact on the organisation?

HR Implications

- 6.3.1 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.

6.4 Equalities / EIA

- 6.4.1 Each of the infrastructure projects will undertake an Equality Impact Assessment as part of project development and impact. The proposals will make movement around the city centre easier for everyone. This is because of the removal of unnecessary street furniture and measures to reduce the dominance of vehicular traffic. However, access by car for those that need it will be maintained. Discussions with the Access Groups and representative organizations are underway to ensure that the design of Belgrade and other areas properly reflects access needs. There have been regular meetings with the Access Development Group and the Coventry and Warwickshire Access Committee to review the impact of Phase 1 to 3 schemes and to consider the design of further schemes. In particular, the Council has been working closely with the Guide Dogs Association providing funding to help the re-training of guide dogs in the new city centre.

6.5 Implications for (or impact on) the environment

- 6.5.1 The large scale infrastructure projects will have a positive impact on the environment in the city centre. Removal of traffic lights at Belgrade Plaza junction and Fairfax Street will result in freer flowing traffic, which will have a positive impact on air quality. We will also be introducing more green spaces and trees into the city centre.

6.6 Implications for partner organisations?

- 6.6.1 Private sector developers stand to benefit from the proposed Public Realm Phase 3a programme. The public realm projects will help increase the attractiveness of city centre sites to private sector developers, and is likely to bring new employment land forward for

development. The improvements at Fairfax Street/Whittle Arch and Hill Top will improve the settings for the Transport Museum and Cathedral, and encourage more footfall in these areas. The public realm improvements in Far Gosford Street will complement the private development in this area and encourage further investment. Friargate LLP, Network Rail, Virgin and London Midland will benefit from the Station Access scheme, as this will be the first phase of delivery of the wider Coventry Rail Station Masterplan.

Report author(s):

Name and job title: Colin Knight, Assistant Director (Planning, Transport and Highways)

Directorate: Place

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Mick Burn	Procurement Manager	Resources	31/7/15	10/8/15
Barry Butterworth	Team Leader (Development and Regeneration)	Place	31/7/15	11/08/15
Lara Knight	Governance Services Team Leader	Resources	21/8/15	21/8/15
Rhian Jones	Programme Manager	Place	14/7/15	14/7/15
Andy Williams	Resources & New Projects Manager	Place	31/7/15	4/8/15
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Finance: Phil Helm	Finance Manager, Place	Place	31/7/15	11/08/15
Director: Martin Yardley	Executive Director	Place	31/7/15	4/8/15
Members: Councillor Rachel Lancaster	Cabinet Member (Public Services)	-	7/8/15	19/8/15

This report is published on the council's website:
www.coventry.gov.uk/councilmeetings



Public report

Cabinet Report
Council Report

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
Council

01 September 2015
08 September 2015

Name of Cabinet Members:

Cabinet Member for Business Enterprise and Employment – Councillor Maton
Cabinet Member for Strategic Finance and Resources – Councillor Gannon

Directors Approving Submission of the report:

Executive Director, Place
Executive Director, Resources

Ward(s) affected:

St Michael's

Title: City Centre South - Update

Is this a key decision?

Yes, this is a key decision as it affects the city centre and therefore has a wider impact on the city as a whole.

Executive Summary:

Coventry is ranked 13th largest city in the UK and is a growing city with a projected population growth of 50,000 by 2031. Yet its city centre is under performing in relation to its size, position and aspiration to be in the top ten of UK cities.

Coventry requires a city centre that supports its aspiration to become a top 10 UK city. The city centre needs to improve to shift perceptions of the city as a whole, attract investment, cope with future demands and compete with rival cities.

Transforming the city centre is thus a top priority for the Council and is the last major part of various regeneration schemes, which are already underway including Friargate, the Railway Station Master-plan and Cathedral Lanes.

The City Centre South regeneration scheme obtained Outline Planning Permission in 2012 and the procurement of a “Preferred Developer Partner” was undertaken in 2013. Following the appointment of Queensberry Real Estate (QRE) as our “Preferred Developer Partner” in 2014, feasibility work on their City Centre South scheme proposal was undertaken.

This feasibility work is now complete and the results show retailer demand for a transformational scheme and financial unviability. To address this lack of financial viability, the QRE scheme proposal for City Centre South requires a capital investment from the Council.

The following three options have been considered:-

1. Do Nothing.
2. Accept QRE’s scheme proposal.
3. Test market for transformational scheme with offer of financial support.

Option 3 is recommended.

Recommendations:

Cabinet is requested to recommend that Council:-

1. Authorise officers to undertake a further OJEU compliant developer procurement exercise for a transformational scheme and to test level of financial support required.
2. Authorise a statement for inclusion in the City Centre South developer tender documents confirming that the Council will consider funding land acquisition for the scheme where it is not viable for the developer to do so, subject to finding a suitable development partner and future Cabinet and Council approvals once tenders have been received.
3. Authorise officers to develop a financial strategy based on identifying and prioritising capital receipts to fund any future Council financial support.
4. Request officers to bring a report to Cabinet and Council at the end of the procurement process to consider scheme proposals and any financial contribution required.

Council is recommended to:-

1. Authorise officers to undertake a further OJEU compliant developer procurement exercise for a transformational scheme and to test level of financial support required.
2. Authorise a statement for inclusion in the City Centre South developer tender documents confirming that the Council will consider funding land acquisition for the scheme where it is not viable for the developer to do so, subject to finding a suitable development partner and future Cabinet and Council approvals once tenders have been received.
3. Authorise officers to develop a financial strategy based on identifying and prioritising capital receipts to fund any future Council financial support.
4. Request officers to bring a report to Cabinet and Council at the end of the procurement process to consider scheme proposals and any financial contribution required.

List of Appendices included:

Appendix 1 – City Centre South Red Line Boundary Area

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?

Yes, on 8 September 2015.

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1. Context (or background)

- 1.1 Coventry has a population of 323,000 and is ranked 13th largest city in the UK and is continuing to expand with a projected growth in its population of 50,000 by 2031.

Yet Coventry's city centre is under performing in relation to its size, position and aspiration to be in the top ten of UK cities. This is evidenced in various statistics, but perhaps most keenly in retail rankings, where Coventry is 51st for retail footprint (CACI May 2013) and 58th for shopping destinations (NLP 2014). There is a mismatch between these two statistics and the city centre is clearly punching below its weight.

- 1.2 Coventry's aspiration to become a top 10 UK city requires a city centre that supports that aspiration. The city centre needs to improve to shift perceptions of the city as a whole, attract investment, cope with future demands and compete with rival cities.
- 1.3 Transforming the city centre is thus a top priority for the Council and is the last major part of various regeneration schemes, which are already underway including Friargate, the Railway Station Master-plan and Cathedral Lanes.
- 1.4 The City Centre South regeneration scheme obtained Outline Planning Permission in 2012 and the procurement of a "Preferred Developer Partner" was undertaken in 2013. Following the appointment of Queensberry Real Estate (QRE) as our "Preferred Developer Partner" in 2014, feasibility work on their City Centre South scheme proposal was undertaken.
- 1.5 This feasibility work is now complete and the results show retailer demand for a transformational scheme and financial unviability.

2. Options considered and recommended proposal

2.1 Option 1 – Do Nothing

- 2.2 This option entails the Council doing nothing for the course of this development cycle. In practice, this means managing the decline of the city centre - allowing Council assets in the red line boundary area (as shown in Appendix 1) to depreciate in capital value and decline in revenue income performance, allowing retailers to leave the city and move to competing centres and allowing continued under performance of the city centre in general.
- 2.3 This option will not contribute to the Council's strategic objective of delivering transformational change in the city centre, which is required to facilitate economic growth, attract inward investment and create jobs for local people.
- 2.4 Following due consideration, this option has been rejected for the reasons stated in 2.3.

2.5 Option 2 – Accept QRE's Scheme Proposal

- 2.6 This option entails the Council agreeing to provide financial support to fund the estimated capital viability gap, transferring our existing assets and entering into a development agreement with QRE to deliver their City Centre South scheme proposal.
- 2.7 The provision of Council financial support for the QRE scheme proposal would constitute a material change to the basis of their original appointment and following the Winchester case judgement on a similar scheme, which went against Winchester City Council, there is

now a legal requirement to undertake a fresh procurement exercise where this circumstance arises.

- 2.8 In summary, proceeding with QRE to deliver their scheme is not possible without retendering the revised opportunity.
- 2.9 Following due consideration, this option has been rejected for the reasons stated in 2.7 and 2.8.

2.10 Option 3 – Test Market for Transformational Scheme with Offer of Financial Support

This option entails the Council undertaking a fresh OJEU compliant developer procurement exercise to potentially secure a preferred developer partner to deliver a transformational City Centre South scheme with an offer of financial support from the Council. The wording detailed below would be included in the invitation to tender documents:-

“Subject to the Cabinet and full Council reviewing the bids it receives, it is the Council’s intention to appoint a lead development partner, who is able to demonstrate the delivery of a transformative scheme and on satisfactory financial terms. On this basis, the Council will consider taking responsibility for the following:-

- *Seeking to acquire third party interests and rights by agreement where it unviable in the context of the scheme for the developer to do so and if necessary, by promoting a Compulsory Purchase Order (CPO); and*
- *Funding the costs associated with gaining vacant possession of the sites, including CPO promotion and inquiry costs; professional fees and compensation payments where it unviable in the context of the scheme for the developer to do so.*

The principal rationale for this is to both assist the cashflow of the Council’s development partner, by removing up-front acquisition costs and also to help remove a key development risk.

Whilst the Council is offering to take responsibility for delivering vacant possession where it is unviable in the context of the scheme for the developer to do so, Bidders are encouraged to demonstrate ways in which they could support the Council in this respect. For example, Bidders will be expected to demonstrate how they would assist the Council with the potential promotion of a CPO; the extent to which their retail strategy will offer opportunities within the new scheme for existing tenants; and identify any opportunities to assist in securing third party land interests by agreement.”

- 2.11 The intended procurement route is competitive dialogue. It is anticipated that the process will start in autumn 2015 and take approximately twelve months to complete.
- 2.12 Following the Winchester case mentioned in paragraph 2.7, the Council now has a legal obligation to retest the market to obtain new proposals as there has been a material change to the basis of the original opportunity i.e. there is now an offer of potential financial support from the Council.
- 2.13 In addition to compliance with a legal requirement, the main benefit of retesting the market is that since the original tender, there has been an improvement in market conditions, supporting development has taken place on site and the tender would contain an offer of potential financial funding. All of which may elicit a new approach from developers that may be more favourable to the Council.

2.14 Following due consideration, this is the preferred option and it is recommended that it is accepted.

3. Results of consultation undertaken

3.1 Public consultation on proposals will be undertaken as part of the detailed planning application process.

4. Timetable for implementing this decision

4.1 If the recommendations in this report are approved, an OJEU procurement process will be undertaken starting in September 2015 and would last for approximately twelve months.

4.2 Progress of the procurement exercise will be monitored by the Project Board.

5. Comments from Executive Director, Resources

5.1 Financial implications

The financial commitment that will be required from the Council will be explored as part of the procurement process. However, the likely Council financial support will be to fund third party land acquisition costs and contribute our own land holding in the red line boundary area subject to the procurement of a suitable developer providing acceptable proposals with appropriate financial arrangements.

In order to fund the third party costs officers are requesting authority to develop a financial strategy based on identifying and prioritising capital receipts to fund any future Council financial support.

The costs incurred as a result of this decision to conduct a further OJEU compliant procurement process – consultants fees, legal fees, research for supporting information can be funded from existing resources.

5.2 Legal implications

The Council will undertake an OJEU compliant competitive dialogue process in accordance with the Public Contracts Regulations 2015 to appoint a developer partner to deliver the City Centre South scheme.

State aid implications will be monitored throughout the scheme development and procurement process. Measures will be put in place to ensure the Council's potential contribution to the scheme is undertaken in a state aid compliant manner.

6. Other implications

6.1 How will this contribute to achievement of the Council's Plan?

Transformational improvement of the city centre is essential to meet our aspiration of being a top ten UK city, which will help to facilitate economic growth, attract private investment and create jobs for local people. In particular, delivery of the City Centre South regeneration scheme will contribute to the Council's core aim of making Coventry an attractive and enjoyable place to be by improving the city centre's retail and leisure offer and public realm environment for local residents, businesses and visitors.

6.2 How is risk being managed?

The key risk associated with approving the recommendations in this report is that no developer submits compliant proposals.

The mitigation for reducing the likelihood of this scenario is the undertaking of soft market testing before the formal launch of OJEU process and ensuring that the opportunity tendered is attractive to the market with a clearly defined scoring matrix for compliant bids.

6.3 What is the impact on the organisation?

This decision impacts on the organisation's assets.

The impact on the organisation's assets is that a successful outcome of the procurement process may result in assets in the red line boundary being considered for disposal.

6.4 Equalities / EIA

No equality impact assessment has been carried out as the recommendations in this report do not constitute a change in any Council policy or service delivery.

6.5 Implications for (or impact on) the environment

A redevelopment of the city centre will deliver new retail units, which reflect modern day standards and building regulations. The use of new materials will eliminate energy loss from the fabric of the buildings and promote energy efficiency resulting in a reduction in carbon emissions and utility costs for occupiers.

6.6 Implications for partner organisations?

The recommendations in this report have no implications for partner organisations.

Report author(s):

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Directorate: Place

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Sarfraz Nawaz	Finance Manager	Resources	10.08.15	14.08.15
Lara Knight	Governance Services Co-ordinator	Resources	18.08.15	19.08.15
Other members				
Names of approvers for submission: (officers and members)				
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Legal: Ros Lilley	Senior Solicitor	Resources	18.08.15	18.08.15
Director: Martin Yardley	Executive Director	Place	18.08.15	19.08.15
Members: Cllr Maton	Cabinet Member (Business, Enterprise and Employment)	N/A	18.08.15	19.08.15
Members: Cllr Gannon	Cabinet Member (Strategic Finance and Resources)	N/A	18.08.15	19.05.15

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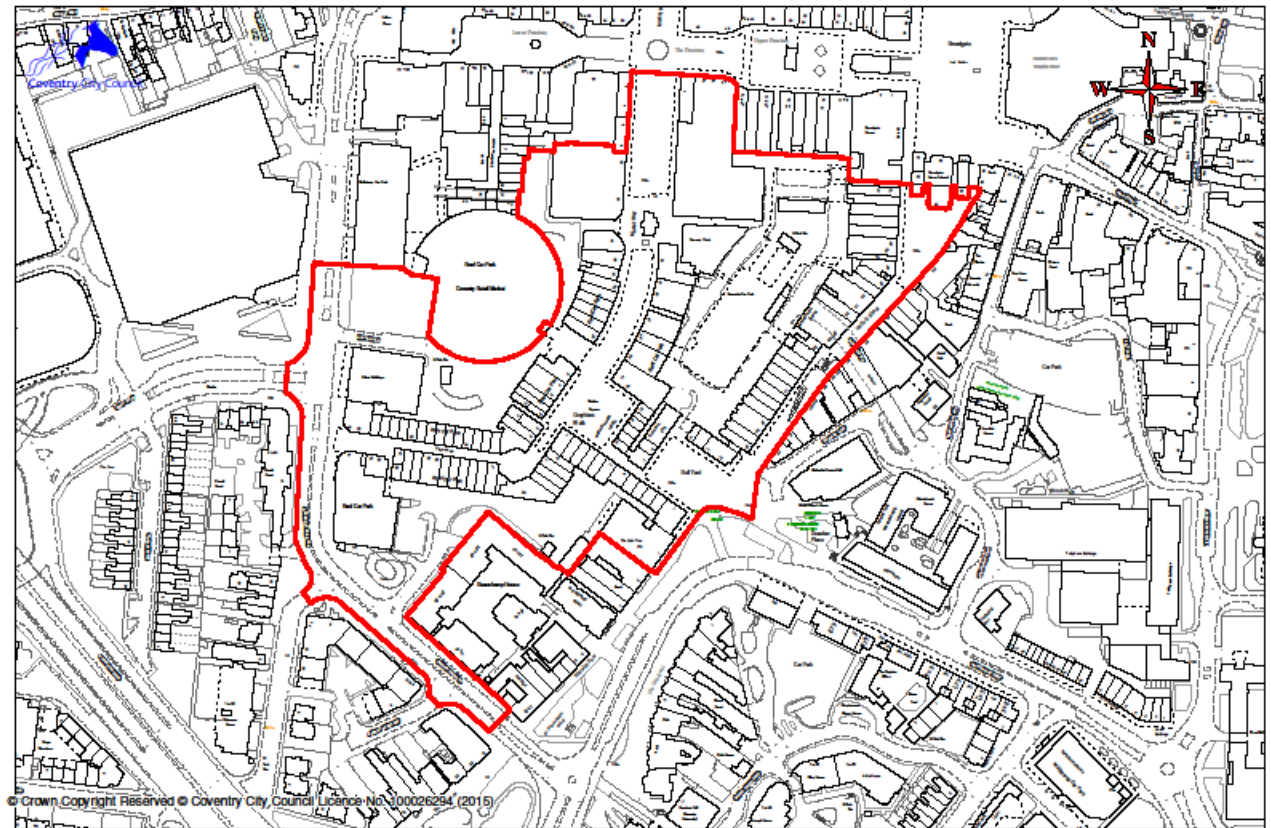
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Appendices

Appendix 1 – City Centre South Red Line Boundary Area

City Centre South, Coventry.

Scale at A4 1 : 1250





Public Report

Council
2015

8 September

Name of Cabinet Member:

Cabinet Member for Policing and Equalities - Councillor P Townshend

Director Approving Submission of the report:

Executive Director of Resources

Ward(s) affected:

All

Title: **Appointment of Acting Monitoring Officer and Delegation of Powers**

Is this a key decision?

No

Executive Summary: A number of changes need to be made to the Scheme of Delegation for Employees in the Constitution and the Council needs to appoint an Acting Monitoring Officer because the City Solicitor and Monitoring Officer has now left the Council. This report sets out:

- (a) A recommendation that the Legal Services Manager (Place and Regulatory) be appointed as Acting Monitoring Officer;
- (b) Changes needed to update onwards delegations from the Chief Executive and Executive Director (Resources) as Proper Officers
- (c) Changes needed to allocate functions of the City Solicitor/Monitoring Officer.

Recommendations:

Council is recommended to:

1. Designate the Legal Services Manager (Place and Regulatory) as Acting Monitoring Officer under Section 5 of the Local Government and Housing Act 1989;
2. Approve the proposed changes to onwards delegations of the Proper Officer functions of the Chief Executive and Executive Director of Resources set out in paragraph 2.2.1 of the report ;
3. Approve the proposed delegation of the functions of the City Solicitor/ Monitoring Officer as set out in paragraphs 2.3.1 and 2.3.4 of the report; and
4. Authorise the Legal Services Manager (Place and Regulatory) to amend the Constitution accordingly.

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?

Will this report go to Council?

Yes

Report title: Appointment of Acting Monitoring Officer and Delegation of Powers

1. Context (or background)

- 1.1 Under Section 5 of the Local Government and Housing Act 1989, every local authority must designate one of its officers as the Council's Monitoring Officer. The Monitoring Officer cannot be the Chief Finance Officer or Head of Paid Service. This designation must be made by the full Council and cannot be made by an elected member or officer. The Council's designated Monitoring Officer left the Council on 31st August 2015 and the Council now needs to appoint another officer as its Monitoring Officer.
- 1.2 The Council's Scheme of Delegation to Employees sets out functions and powers which are delegated to named officers. The Executive Director of Resources has a number of delegated powers which under the Constitution are further delegated to, among others, the City Solicitor. The Executive Director can, in the absence of the City Solicitor, take back these powers and delegate them to other officers. This he has done. However, certain functions are exercised by him as Proper Officer (with an onwards delegation in the Scheme to the City Solicitor) and these need to be re-delegated by full Council. The same applies in relation to one Proper Officer function of the Chief Executive.
- 1.3 Finally, the City Solicitor/Monitoring Officer has, under the Scheme of Delegation, a number of functions delegated to him/her in his/her own right. These now need to be delegated to other officers and the Constitution amended accordingly.
- 1.4 The detail of the changes needed to the delegations and the requirement to designate an officer as Monitoring Officer are set out in Part 2M of the Constitution and are set out in more detail below.

2. Options Considered

2.1 Appointment of Acting Monitoring Officer

- 2.1.1 The Council must by law designate an officer as Monitoring Officer. The Council's Monitoring Officer left the Council on 31st August and it is recommended that, with effect from the date of today's meeting, the Legal Services Manager, (Place and Regulatory) be appointed Acting Monitoring Officer until further notice.

2.2 Appointment of Proper Officer

- 2.2.1 The Chief Executive and the Executive Director of Resources are the Council's appointed Proper Officer for a number of functions with onwards delegation to, among others, the City Solicitor. The table below sets out extracts from sections 6.1 and 6.2 of Part 2M of the Constitution where alternative

arrangements need to be made for the onwards delegation of these Proper Officer functions. The last column in the table shows out the current onwards delegation deleted and the proposed delegation underlined.

Statutory or other Functions		Nominee/Limitations
Section 6.1 (Functions of Chief Executive)		
2	To act as the Proper Officer for the purposes of receiving requests for dispensations under section 33 of the Localism Act 2011.	City Solicitor. <u>Legal Services Manager (Place and Regulatory)</u>
Section 6.2 (Functions of Executive Director of Resources)		
Functions in relation to Council Meetings and Members		
18	Receipt of Notice of Resignation of Office; and receipt of Notice of casual vacancy from two local government electors.	City Solicitor. <u>Members and Elections Team Manager</u>
19	Keeping a record of disclosures of Members' Interests.	City Solicitor. <u>Members and Elections Team Manager</u>
20	To receive notification of nominations to Committees and of political groups.	City Solicitor. <u>Members and Elections Team Manager</u>
21	Convening of meeting of Council to fill casual vacancy in office of Chairman.	City Solicitor. <u>Members and Elections Team Manager</u>
22	Receipt of Notices regarding address to which summons to meetings is to be sent and signature of summonses to Council meetings.	City Solicitor. <u>Members and Elections Team Manager</u>
23	Certification of resolutions and minutes of proceedings.	City Solicitor. <u>Members and Elections Team Manager</u>
24	All Proper Officer functions and all matters and actions relating to meetings, reports agendas, and minutes of Council, Cabinet, Cabinet Members and committees and sub committees in accordance with the Access to Information Procedure Rules, including: (a) Exclusion from public copies of agendas, reports etc of items not to be open to members of the public; and papers not open to Members;	City Solicitor <u>Members and Elections Team Manager</u> in all cases except: (f) All Assistant Directors.

	<ul style="list-style-type: none"> (b) Identification of background papers in the case of a report prepared by an elected or co-opted Member; (c) Supply of committee papers to the Press; (d) Preparation of summaries of minutes; (e) To produce a record of every decision taken at a meeting including decisions by individual Cabinet Members including a statement of: <ul style="list-style-type: none"> (i) the reasons for the decision and alternative options considered and rejected (ii) any conflict of interest declared by any Cabinet Member, either in connection with a decision of Cabinet, or who is consulted by the Cabinet Member or employee making the decision; and (iii) in respect of any declared conflict of interest, a note of dispensation granted by the Chief Executive; (f) To produce a record of every executive decision taken by employees, including a statement of: <ul style="list-style-type: none"> (i) the reasons for the decision; (ii) alternative options considered and rejected; (g) Power of rectification of the record of decision; (h) Ensuring publication of notices containing details of key decisions /urgency provisions and private meetings of Cabinet; (i) Where permitted, making reports and other documents available for public inspection and on the Council's website; and (j) To consider and respond to representations from the public as to why an item of business of the Cabinet should be held in public. 	
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Registration, Local Land Charges and Coroners Services		
36	General supervisory responsibility over births, marriages and deaths registration service including: (a) Acting as Proper Officer for the purposes of the registration service and the Registration Services Act 1953; (b) Making any necessary change to the service as result of directions or instructions from the General Register Office or changes imposed by statute; and (c) Authority to set, review, amend, or increase fees in connection with the births, marriages and deaths registration service (including fees for the approval and review process relating to secular and/or religious premises as venues for marriages and civil partnerships) and identify any areas for additional income generation.	(a) and (b): <u>City Solicitor Legal Services Manager(People) and Legal Services Manager (Place and Regulatory)</u> (c): <u>City Solicitor Legal Services Manager(People) and Legal Services Manager (Place and Regulatory)</u> in consultation with Cabinet Member (Policing and Equalities)
42	To maintain the Local Land Charges Register and to issue official search certificates.	<u>City Solicitor Legal Services Manager(People) and Legal Services Manager (Place and Regulatory)</u>
Legal and Procedural Matters		
45	Certification of photographic copies of documents and authentication of documents.	<u>City Solicitor Legal Services Manager(People) and Legal Services Manager (Place and Regulatory)</u>
Miscellaneous		
60	To exercise the powers and duties of the Council as Parish Trustee.	<u>City Solicitor Members and Elections Team Manager</u>
61	Keeping of the Roll of Freemen and Honorary Aldermen.	<u>City Solicitor Members and Elections Team Manager</u>
62	Deposit of documents with Proper Officer.	<u>City Solicitor Members and Elections Team Manager</u>
63	Certification of byelaws; and send copies of byelaws for parish records.	<u>City Solicitor Members and Elections Team Manager</u>

2.2.2 It is recommended that Sections 6.1 and 6.2 of Part 2M of the Constitution is amended as set out in the table in 2.2.1 above.

2.3 Delegation of City Solicitor/Monitoring Officer Functions

2.3.1 Set out below are the functions of the City Solicitor/Monitoring Officer which are specifically delegated to him/her, as set out in Section 6.5 of Part 2M of the Constitution. An additional column has been added to the table to show to which officer it is recommended that these functions should be delegated.

Monitoring Officer Responsibilities		Proposed
1	Establish and maintain the register of interests of Coventry City Council, Allesley Parish Council and Keresley Parish Council Elected and Co-opted Members.	Deputy Monitoring Officer may be appointed. Legal Services Manager (Place and Regulatory)
2	Deal with breaches of the Codes of Conduct for elected and Co-opted Members adopted by Coventry City Council, Allesley Parish Council and Keresley Parish Council in accordance with the Complaints Protocol as approved by the Ethics Committee.	Deputy Monitoring Officer may be appointed. Legal Services Manager (Place and Regulatory)
3	To act as Proper Officer for the purpose of receiving requests for dispensations under section 33 of the Localism Act 2011.	Legal Services Manager (Place and Regulatory)
4	To determine requests for dispensations under section 33 of the Localism Act 2011, subject to the right of Members and Co-opted Members to request the Ethics Committee to review a determination not to grant a dispensation.	Legal Services Manager (Place and Regulatory)
Constitution		
5	Authority to make amendments and corrections to the Constitution where in his/her opinion, such amendment is to correct any anomaly or ambiguity is purely technical, to	In cases of doubt about whether the change is purely technical, the Monitoring Officer should consult with Legal Services Manager (Place and Regulatory) and Legal Services Manager (People)

	correct a clear typographical or other error, to reflect any change in law or following a review (to include changes of officer or directorate descriptions), and such amendment does not materially alter the terms or practical operation of the Constitution.	either the Chief Executive or the Executive Director, Resources.	
6	To make necessary amendments to the Constitution, including the Rules for Contracts and its standing orders, to incorporate all requirements of the Member Code of Conduct and to amend the Rules of Contract to take account of changes in procurement practices and limits.	In consultation with the Cabinet Member (Policing and Equalities).	Legal Services Manager (Place and Regulatory) and Legal Services Manager (People)
7	To make minor amendments to the Constitution.	In consultation with the Cabinet Member (Policing and Equalities).	Legal Services Manager (Place and Regulatory) and Legal Services Manager (People)
Legal Functions			
8	Where any document is necessary to any legal procedure or proceedings on behalf of the Council, the authority to sign it personally or other person authorised by him/her unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.		Legal Services Manager (Place and Regulatory) and Legal Services Manager (People)
9	To instruct Counsel and external solicitors and engage professional experts and witnesses.		Legal Services Manager (Place and Regulatory) and Legal Services Manager (People)
10	To let contracts for the provision of services in compliance with the Rules for Contract and Financial Procedure Rules.		Legal Services Manager (Place and Regulatory) and Legal

			Services Manager (People)
11	To monitor and manage the contracted service and to take appropriate action under the contract to ensure service standards are maintained throughout the contract term.		Legal Services Manager (Place and Regulatory) and Legal Services Manager (People)

2.3.2 The functions set out in paragraphs 1 to 4 will become the responsibility of the Legal Services Manager (Place and Regulatory) as Acting Monitoring Officer. Responsibility for all of the other functions will be shared between the two existing Legal Services Managers.

2.3.3 It is recommended that Section 6.5 of Part 2M of the Constitution is amended in accordance with the table in 2.3.1 above.

2.3.4 Finally, in General Delegations to senior officers in Section 5 of Part 2M, there is a delegation at paragraph 5.25 *“to issue formal cautions where criminal offences are admitted”*. This power is exercised *“in conjunction with the City Solicitor”*. It is recommended that this be amended to read: *“in conjunction with the Legal Services Manager (Place and Regulatory) or the Legal Services Manager (People).”*

3. Results of consultation undertaken

3.1 No consultation has been undertaken because the changes are required to ensure that the Council complies with its statutory duty to appoint a monitoring officer and to ensure that functions may be exercised at the appropriate level.

4. Timetable for implementing this decision

4.1 The amendments need to take effect as soon as they are approved by Council.

5. Comments from the Executive Director of Resources

5.1 Financial implications
None.

5.2 Legal implications
The Council must designate an officer as Monitoring Officer under Section 5 of the Local Government and Housing Act 1989. In addition only Council can appoint officers as proper officers and re-allocate delegated functions previously allocated to the City Solicitor/Monitoring Officer.

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 Constitution sets out the governance arrangements of the Council and it is important that these reflect changes in operational matters within the Council.

6.2 How is risk being managed?

Having a Constitution that reflects changes in operational matters will ensure that the Council meets its legal obligations.

6.3 What is the impact on the organisation?

To put in place appropriate governance arrangements that reflect operational changes.

6.4 Equalities / EIA

None

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

None

Report author(s):

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Directorate: Resources

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Names of approvers for submission: (officers and members)				
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Chris West	Executive Director Resources	Resources	26/8/15	26/8/15
Members: Councillor Philip Townshend	Cabinet Member Policing and Equalities		27/8/15	27/8/15

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Public report

Council

8 September, 2015

Name of Cabinet Member:

Cabinet Member for Policy and Leadership – Councillor Lucas

Executive Director Approving Submission of the report:

Executive Director of Resources

Ward(s) affected:

Not Applicable

Title:

Appointments of the City Council - Coventry City of Culture Trust

Is this a key decision?

No

Executive Summary:

This report seeks approval to appoint a City Council representative to the newly formed Coventry City of Culture Trust.

Recommendations:

That the City Council appoints Councillor Abbott to the Coventry City of Culture Trust.

List of Appendices included:

None

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?

Yes – 8 September, 2015

Report title: Appointments of the City Council – Coventry City of Culture Trust

1. Context (or background)

- 1.1. On 14 July 2015, Council approved that the Coventry City of Culture Steering Group lead a whole-city bid for the title of UK City of Culture 2021, putting together a realistic and credible bid budget and creating a special delivery vehicle to manage the bid process. Council further approved the commitment of up to £250,000 of Corporate reserves to support the City of Culture bid process and further feasibility work (where required) to support the bid.
- 1.2. On 25 August 2015, it was agreed by the Chair of the Coventry City of Culture Steering Group, at a meeting of founding Directors, that the Coventry City of Culture Trust would be formed as the above special delivery vehicle. It was further agreed that the Coventry City of Culture Trust will be established as a company limited by guarantee with charitable status, with David Burbidge (Chair of the City of Culture Steering Group) serving as Chair and Company Secretary. Councillor Abbott, as Cabinet Member with portfolio responsibility for City of Culture, was proposed by the Chair as the Council's representative on the new Trust.

2. Options considered and recommended proposal

- 2.1 It is proposed that the City Council be represented on the Board by the appointment of Councillor Abbott.

3. Results of consultation undertaken

- 3.1 Not applicable

4. Timetable for implementing this decision

- 4.1 The appointment will take effect from the date of the Council Meeting.

5. Comments from the Executive Director of Resources

- 5.1 Financial implications

Not applicable

- 5.2 Legal implications

The company will be a company limited by guarantee [and/or charity] and so any person appointed by the Council to its Board will be a director of the company. There is always a possibility that at some point there may be a conflict of interest between the representative's role on the Council and their position as Director. Officers have considered this point and are satisfied that the likelihood of this happening is small. Under the circumstances it is considered appropriate to make the appointment to the Board.

6. Other implications

Not applicable

Report author:

Name and job title:

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Directorate:

Resources

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Names of approvers for submission: (Officers and Elected Members)				
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Chris West		Resources		
Councillor Lucas	Leader of the Council			

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Public report

Health and Well-being Board
Council

7 September, 2015
8 September, 2015

Name of Cabinet Member:

Cabinet Member for Policy Leadership and Governance – Councillor Lucas

Executive Director Approving Submission of the report:

Executive Director of Resources

Ward(s) affected:

Not Applicable

Title:

Appointments of the City Council - Coventry Health and Well-being Board

Is this a key decision?

No

Executive Summary:

Following the resignation of the current Chair of the Health and Well-being Board, Councillor Alison Gingell, this report seeks approval to appoint a new Chair and Deputy Chair for the Board along with a replacement Council Member to fill the current vacancy created by Councillor Gingell's resignation.

Recommendations:

Health and Well-Being Board

- (1) That the Board makes a nomination of a representative from one of the partner organisations to serve as Deputy Chair on the Health and Well-being Board for the remainder of the municipal year 2015/16.

Council

- (1) That the City Council appoints Councillor Kamran Caan as the Chair of the Health and Well-being Board for the remainder of the municipal year 2015/16.
- (2) That the City Council accepts the nomination from the meeting of the Health and Well-being Board on 7th September, 2015, (and which will be reported orally at the Council meeting on 8 September), to serve as Deputy Chair of the Board for the remainder of the municipal year 2015/16.
- (3) That the City Council appoints Councillor Joseph Clifford to take the place of Councillor Alison Gingell on the Health and Well-being Board for the remainder of the municipal year 2015/16.

List of Appendices included:

None

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?

Yes – 8 September, 2015

Report title: Appointments of the City Council – Coventry Health and Well-being Board

1. Context (or background)

- 1.1 Following the decision of Councillor Gingell to resign with immediate effect from the Health and Well-being Board, it is necessary to seek a new Chair for the Board for the remainder of the current municipal year. It is also appropriate to seek a replacement Council Member, on the nomination of the Leader of the Council, Councillor Lucas.
- 1.2 At the last meeting of the Health and Well-being Board on 6th July, 2015, the Board considered the report 'Next Steps for the Health and Well-being Board'. This report highlighted recent changes to the Board's representation including, for the first time, the appointment of a Deputy Chair of the Board. Members of the Board from the partner organisations suggested that, in light of all the joint working and pooled budgets, it would be appropriate for one of the representatives of the partner health organisations to be considered for the position of Deputy Chair of the Board.

2. Options considered and recommended proposal

- 2.1 It is proposed that Councillor Kamran Caan, the Cabinet Member for Health and Adult Services and the current Deputy Chair of the Board, be appointed Chair for the remainder of the municipal year.

It is also proposed that Councillor Joseph Clifford, the Deputy Cabinet Member for Health Services be appointed as a member of the Board on the nomination of Councillor Lucas.

It is further proposed that at their meeting on 7 September, 2015, the Health and Well-being Board nominates a representative from the partner organisations to serve as Deputy Chair of the Board. This nomination will then be reported orally to the City Council at their meeting on 8 September, 2015.

3. Results of consultation undertaken

- 3.1 Not applicable

4. Timetable for implementing this decision

- 4.1 The appointments will take effect from the date of the Council Meeting.

5. Comments from the Executive Director of Resources

- 5.1 Financial implications

Not applicable

- 5.2 Legal implications

The Health and Wellbeing Board is a committee of the Council and under its terms of reference, the appointment of its Chair and Deputy Chair must be made by full Council.

6. Other implications

Not applicable

Report author:

Name and job title:

Liz Knight, Governance Services Officer

Directorate:

Resources

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Suzanne Bennett	Governance Services Team Leader	Resources	26/08/15	26/08/15
Carol Bradford	Solicitor	Resources	26/08/15	26/08/15
Names of approvers for submission: (Officers and Elected Members)				
Helen Lynch	Legal Services Manager (Place and Regulatory)	Resources	26/08/15	27/08/15
Chris West	Executive Director, Resources	Resources	26/08/15	
Councillor Lucas	Leader of the Council		26/08/15	27/08/15

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Council Meeting

8 September 2015

Booklet 1

Written Questions

1.

QUESTION SUBMITTED BY: Councillor Lepoidevin

TO BE ANSWERED BY: Councillor Ruane, Cabinet Member for Children and Young People

TEXT OF QUESTION:

In July this year it was reported that a woman aged 23 and a man aged 26 had been given a suspended prison sentence for child neglect after staff on the Jeremy Kyle show tipped off police that they had concerns about the two children.

As part of Coventry's early intervention and prevention strategy could you tell the Council was this family known to Childrens Services and were our partner agencies involved with this family prior to this being picked up by the Jeremy Kyle show?

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

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