



Coventry City Council

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### **Cabinet Member for Jobs and Regeneration**

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#### **Time and Date**

2.00 pm on Wednesday, 6th July, 2016

#### **Place**

Diamond Room 2 - Council House

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1. **Apologies**
2. **Declaration of Interests**
3. **Minutes** (Pages 3 - 8)
  - (a) The minutes of the former Cabinet Member for Business, Enterprise and Employment meeting held on 29 March, 2016 are submitted for information
4. **Land on the North East Side of Wyken Croft - Surrender of Existing Lease and Sale of Land** (Pages 9 - 16)

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

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

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Chris West, Executive Director, Resources, Council House Coventry

Tuesday, 28 June 2016

Note: The person to contact about the agenda and documents for this meeting is Suzanne Bennett Tel: 024 7683 3072 E mail [Suzanne.bennett@coventry.gov.uk](mailto:Suzanne.bennett@coventry.gov.uk).

Membership: Councillor J O'Boyle (Cabinet Member)  
Councillor Welsh (Deputy Cabinet Member)  
By Invitation: Councillor G Crookes (Shadow Cabinet Member)

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

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

**Suzanne Bennett**

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**Coventry City Council**  
**Minutes of the Meeting of Cabinet Member for Business, Enterprise and**  
**Employment held at 10.00 am on Tuesday, 29 March 2016**

Present

Members: Councillor K Maton (Cabinet Member)

Other Members: Councillor R Lakha  
Councillor D Welsh  
Councillor J McNicholas

Employees (by Directorate):

Place: H. Caves, N. Clews, T. Miller, R. Moon  
Resources: G. Holmes, S. McGinty, C. Sinclair

Apologies: Councillor G Crookes  
Councillor R Brown

## **Public Business**

### **60. Declaration of Interests**

There were no declarations of interest.

### **61. Minutes**

- (a) The minutes of the meeting of the Cabinet Member for Business, Enterprise and Employment, held on 18 January 2016, were signed as a true record.
- (b) The minutes of the joint meeting of the Cabinet Members for Business, Enterprise and Employment and Public Services, held on 2 February 2016, were signed as a true record.

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

**RESOLVED that approval be given to exclude the press and the public under Section 100(A)(4) of the Local Government Act 1972 for consideration of the private reports relating to “Proposal to enter into an Exclusivity Agreement for Riley Square” and “Freehold disposal of land at Lansdowne Street” on the grounds that that items involve the disclosure of exempt information, as defined in Paragraph 3 of Schedule 12A of that Act as they contain information relating to the financial or business affairs of any particular person (including the authority holding that information) and that in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.**

63. **Recommendations from the Business, Economy and Enterprise Scrutiny Board (3) Task and Finish Group on Selective Licensing**

The Cabinet Member considered a report of the Executive Director of Place setting out recommendations of the Business, Economy and Enterprise Scrutiny Board Task and Finish Group which had been established to consider the practicalities and implications of introducing a licensing scheme for the private rented sector.

During the Municipal year 2013/14, Scrutiny Co-ordination Committee established a Task and Finish Group to look at the issue of Houses in Multiple Occupation. One of the outcomes of the review was that licensing for private rented sector housing be looked at in more detail. The Business, Economy and Enterprise Scrutiny Board (3) agreed to establish a Task and Finish Group to undertake this task.

The Task and Finish Group noted concerns in respect of some of the housing conditions experienced in the private rented sector and it was recognised that this wasn't limited to houses in multiple occupation or smaller shared housing, but to the private rented sector as a whole. This was supported by information from the Private Sector Stock Condition Survey, reported in 2013. The areas of the city that had the highest number of properties that were considered to be non-decent were St. Michael's, Lower Stoke, Foleshill and Whoberley. Both St. Michael's and Foleshill had the highest proportion of private rented property.

The Draft Coventry Private Sector Stock Condition Survey 2013 reported that Coventry had a higher proportion of non-decent homes (37%) than England (36%). However there were areas of the city that had a considerably higher proportion than the England average. 11 wards had higher than England with Foleshill (49%) and St. Michael's (47%).

Members of the task and finish group had looked at the criteria for implementing discretionary licensing schemes in detail and identified the area of the city that would most benefit from the implementation of a scheme and be likely to meet the criteria. They had considered:

- The local context and background
- Detail on different kinds of discretionary licensing
- The desired outcome of implementing a licensing scheme to key stakeholders
- Government guidance
- The data in Coventry City Council
- Financial analysis
- Information from other areas

The Group's recommendation was to initiate the process to implement selective licensing in a specific area of the city that met Government criteria – which was St. Michael's Ward (excluding the city centre).

It was expected that, subject to the successful implementation of the St Michaels scheme, discretionary licensing would be extended to other areas that met the Government's criteria. In anticipation of this, the Cabinet Member suggested that residents from those areas referred to in the report who had raised concerns be informed that data was already being collected and collated.

The Cabinet Member thanked the Chair and members of the Task and Finish Group for their work and, in approving the recommendations, requested that Ward Councillors be involved in discussions promoting the implementation of the scheme including meetings with local residents and landlords.

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

- (1) Initiate the statutory process to implement a selective licensing scheme in St. Michael's Ward (minus the city centre) of the city and to ensure that Ward Councillors were involved in discussions regarding promoting the implementation of the scheme, including meetings with local resident and landlords.**
- (2) Agree that, pending the consultation in recommendation (1), consider at the same time, the financial feasibility of implementing a selective licensing scheme in the St. Michael's Ward of the city.**
- (3) Actively encourage landlords to join a landlord's accreditation scheme. Appropriate discounts on licences will be granted to those landlords who have houses in the proposed licensing area.**
- (4) Agree that any future proposal to implement further selective licensing schemes would be considered by the appropriate Scrutiny Board before a decision is taken by the Cabinet Member.**

**64. Proposal to Enter into an Exclusivity Agreement for Riley Square Shopping Centre**

The Cabinet Member considered a report of the Executive Director of Place seeking authority to enter into an Exclusivity Agreement in respect of Riley Square Shopping Centre.

Riley Square Shopping Centre was part of the Bell Green District Centre, built in the 1960s. The shopping centre had an outdated design and suffered from a lack of significant investment. It had been recognised that the shopping centre was in gradual decline and this had been accelerated with the changing habits of shoppers and the competing retail centres in the vicinity of the Arena Park, Courthouse Green and the Gallagher Retail Park.

A report had been taken to Cabinet Member for City Development in November 2008 to authorise officers to market and secure new external investment in Riley Square shopping centre and a development partner. Since 2008 there had been repeated attempts and discussions to attract potential retailers, developers and investors but nothing was forthcoming.

In October 2015, the Council was approached by a developer about the potential for investment by way of refurbishment and partial redevelopment of Riley Square. They had requested a six month period of exclusivity that would enable them to work up proposals for the centre, undertake a retail impact study to identify established retail operators and agree terms with the Council for the transfer of the

centre by way of a long leasehold interest. They had agreed to commit up to £100,000 to fund the study with the findings to be shared at the end of the exclusivity period.

A corresponding private report, detailing confidential financial matters was also submitted for consideration (Minute 68 below refers).

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

- (1) Delegate authority for the Assistant Director for Property Asset Management to enter into an Exclusivity Agreement with the Developer for a maximum period of six months to enable them to work up a detailed feasibility study and proposal for Riley Square Shopping Centre including public consultation with Whitefriars Housing Association and other stakeholders on the emerging proposals for the shopping centre.**
- (2) Request that the Assistant Director for Property Asset Management submits a report to the Cabinet Member at the end of the six month exclusivity period setting out the findings of the Retail Impact Study, proposals for investment and refurbishment of the centre and terms for the disposal of the centre by way of a long lease.**

#### **65. Freehold Disposal of Land at Lansdowne Street**

The Cabinet Member considered a report of the Executive Director of Place which sought approval for the freehold disposal of land at Lansdowne Street.

The former St Marys R.C School closed in the autumn 2002 and was amalgamated with St Benedict's R.C School in Hillfields. Whilst the school site was owned by the Catholic Diocese Schools Commission (CDSC) the playing fields were in Council ownership. The total combined area of the former school site was 2.13 acres (0.86 hectares) with the Council ownership 0.85 acres (0.34 hectares)

The CDSC sold their part of the site in 2004 and the purchaser subsequently tried to purchase the Council's interest and obtained planning permission for a residential and student scheme (which included the Council's land) but unfortunately a disposal was never completed.

The Council granted a lease to Mazing Ltd over its land for use as a private car park to support the Far Gosford regeneration project in 2014. Mazing Ltd and Complex Developments Ltd were the two companies that had developed various projects in Far Gosford Street in partnership with the Council. The Fargo Village developers had now submitted an unconditional offer to purchase the site.

A corresponding private report, detailing confidential financial matters was also submitted for consideration (Minute 69 below refers).

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

- (1) **Authorise the freehold disposal of the land in consideration of the sum to Complex Development Projects.**
- (2) **Delegate authority to the Assistant Director for City Centre and Development Services following consultation with the Cabinet Member for Business, Enterprise & Employment, for any subsequent variation in terms.**
- (3) **Delegate authority to the Executive Director of Resources and in particular, officers within Legal Services to complete the necessary legal documentation in this matter.**

66. **Outstanding Issues**

The Cabinet Member received a report of the Executive Director of Resources that identified those items which the Cabinet Member had requested further reports on.

In respect of the one outstanding matter entitled “Save the Employment Support Service”, the Cabinet Member agreed that the date to receive the progress report be changed to to July 2016.

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

There were no items of urgent public business.

68. **Proposal to Enter into an Exclusivity Agreement for Riley Square Shopping Centre**

Further to Minute 64 above, the Cabinet Member considered a report of the Executive Director of Place which detailed confidential financial matters in relation to the proposal to enter into an Exclusivity Agreement for Riley Square Shopping Centre.

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

- (1) **Delegate authority for the Assistant Director for Property Asset Management to enter into an Exclusivity Agreement with the Developer for a maximum period of six months to enable them to work up a detailed feasibility study and proposal for Riley Square Shopping Centre including public consultation with Whitefriars Housing Association and other stakeholders on the emerging proposals for the shopping centre.**
- (2) **Request that the Assistant Director for Property Asset Management submits a report to the Cabinet Member at the end of the six month exclusivity period setting out the findings of the Retail Impact Study, proposals for investment and refurbishment of the centre and terms for the disposal of the centre by way of a long lease.**

69. **Freehold Disposal of Land at Lansdowne Street**

Further to Minute 64 above, the Cabinet Member considered a report of the Executive Director of Place which detailed confidential financial matters in relation to the freehold disposal of land at Lansdowne Street.

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

- (1) Authorise the freehold disposal of the land in consideration of the sum to Complex Development Projects.**
- (2) Delegate authority to the Assistant Director for City Centre and Development Services following consultation with the Cabinet Member for Business, Enterprise & Employment, for any subsequent variation in terms.**
- (3) Delegate authority to the Executive Director of Resources and in particular officers within Legal Services to complete the necessary legal documentation in this matter.**

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

There were no items of urgent private business.

(Meeting closed at 10.20 am)





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Cabinet Member for Jobs and Regeneration

6 July 2016

**Name of Cabinet Member:**

Cabinet Member for Jobs and Regeneration – Councillor O’Boyle

**Director Approving Submission of the report:**

Executive Director of Place

**Ward(s) affected: Wyken**

**Title:**

Land on the North East Side of Wyken Croft – Surrender of Existing Lease and Sale of Land

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**Is this a key decision?**

No

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**Executive Summary:**

Pinley Rugby Club are acquiring the freehold of their ground (outlined in red on the attached plan) from Wyken Working Mens’ Club with support of a grant from the Rugby Football Union (RFU). In order to consolidate their ownership, they have requested to acquire the freehold or lease 1 of the land they occupy from the Council, which is presently leased to Wyken Working Mens’ Club, together with Council land upon which they have partly built their club house.

The land, as outlined in blue on the attached plan at Wyken Croft, Coventry, is in the freehold ownership of Coventry City Council (“CCC”). This Land is subject to a lease dated 24 September 1954 made between CCC and Wyken Working Mens Club & Institute Trustees (“WWMC”). The Term of the lease is 99 years commencing on 25 March 1954 and is granted at a peppercorn rent expiring 24 March 2053. This land has been made available to the Pinley Rugby Club by the WWMC to use as a training ground. There is no evidence that permission for this was ever sought by the WWMC from CCC.

The land, as outlined in green on the attached plan at Wyken Croft, Coventry, is designated as public open space. It has come to light that at some point in the past, Pinley Rugby Club have

extended their clubhouse onto this land and incorporated it into their site. There is no evidence that permission for this was ever obtained from CCC.

Pinley Rugby Club have approached CCC seeking to allow the WWMC lease to be surrendered whilst simultaneously selling or leasing to Pinley Rugby Club the two parcels area of land as outlined above. The approach has been made by Pinley Rugby Club as they are in the process of buying the land owned by the WWMC between the Wyken Croft Road and the CCC owned land. This is being funded via a grant which, CCC is advised, will only be released if the additional two pieces of land are granted to Pinley Rugby Club.

In order to obtain best consideration for the freehold land to a single party, the land should be independently valued at the expense of the proposed purchaser.

**Recommendations:**

The Cabinet Member for Jobs and Regeneration is recommended to:

1. Approve Coventry City Council to start negotiations to sell or lease the freehold interest on the basis reported and simultaneously accept a surrender of the Wyken Working Mens' Club leasehold interest if the terms agreed represent market value.
2. Delegate authority to the Executive Director of Resources, following consultation with the Cabinet Member for Jobs and Regeneration, to complete an Agreement to Surrender and then a Deed of Surrender with the Wyken Working Mens' Club and the simultaneous sale or lease of the freehold interest in the land to Pinley Rugby Club .
3. Advertise the intention to dispose of the land presently designated as Public Open Space and consider any objections received.
4. Delegate authority to the Executive Director Place and the Executive Director Resources as appropriate following consultation with Cabinet Member for Jobs and Regeneration to agree any variations or new requirements that are deemed necessary to give effect to the above proposals

**List of Appendices included:**

Appendix 1 - Plan

**Other useful background papers:**

None

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

No

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

No

**Will this report go to Council?**

No

## **Report title: Land on the North East Side of Wyken Croft – Surrender of Lease and Sale of Land**

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

- 1.1 The land, outlined in blue on the attached plan, has been leased to the Wyken Working Mens' Club & Institute Trustees (WWMC) as a sports field under a 99 year ground lease from Coventry City Council which has 37 years unexpired. The WWMC has allowed the Pinley Rugby Club to use this land as a training ground. The use by the Pinley Rugby Club is unauthorised.
- 1.2 The land outlined in green, is public open space and has been used by the Pinley Rugby Club to extend their clubhouse and for storage. Again, there is no evidence of agreement between CCC and Pinley Rugby Club to allow this, therefore, it is currently an unauthorised use.

In order for Pinley Rugby Club to obtain funding for the land which they are purchasing from the WWMC (outlined in red on the attached plan) between the Wyken Croft Road and the CCC land, they are required by the funders to obtain the two additional parcels of land owned by the Council. They have therefore approached CCC seeking to allow a surrender of the existing lease between CCC and WWMC and then simultaneously selling or leasing the two areas of land to Pinley Rugby Club

- 1.3 The Council has no operational or service requirements for the land

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

- 2.1 The recommended option is to enter into negotiations with Pinley Rugby Club and the WWMC on the basis of the above proposals, which will involve the surrender of the existing long lease from WWMC to CCC and the subsequent simultaneous disposal of CCC's freehold/leasehold interest in the two parcels of land for a capital receipt or market rent (as the case may be)
- 2.2 A second option would be to refuse the request and decide on the options available to CCC against WWMC/ Pinley Rugby Club for the unauthorised use of the land. The lease to WWMC would continue, Pinley Rugby Club would be required to take down part of its clubhouse and CCC would not receive a capital receipt or rent
- 2.3 It is recommended that CCC accept the proposal and look to a simultaneous sale of the freehold interest or grant of a lease and accept a surrender of WWMC's lease on the basis of the terms set out above to regularise Pinley Rugby Club's use and occupation of this land.

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

- 3.1 The Wyken Ward Councillors have been consulted and support the regularisation of Pinley Rugby Club's occupation.

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

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

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

### **5.1 Financial implications**

This decision, if approved, will potentially generate a capital receipt (if the land is sold), which will contribute to the Council's planned programme of capital disposals which supports the Medium Term Financial Strategy.

### **5.2 Legal implications**

5.2.1 If sold or leased, subject to an independent valuation, the freehold will represents best value reasonably obtainable by CCC or the rent under any lease will be an open market rental. This will meet the Council's obligation to obtain the best price reasonably obtainable under the requirements of section 123 of the Local Government Act 1972.

5.2.2 CCC will include a development clawback or restrictive covenant in the disposal to ensure that the land is only used for sport and recreation use and that should development of the land be sought at some stage in the future for a higher value use then CCC will benefit from any uplift in value.

5.2.3 In consideration that the land is held by the Council as public open space and under the requirements of S.123 (1) of the Local Government Act 1972, the Council is required to place a notice in the local newspaper for two consecutive weeks, advising that the Council is seeking to dispose of the site. Any objections to the proposal will be considered by Cabinet Member.

5.2.4 Officers within the Resources Directorate (Legal Services) will complete the necessary legal documentation effecting the surrender of the existing leasehold interest and either the subsequent freehold sale of the grant of a leasehold interest to Pinley Rugby Club (as the case may be) and will collect payment of the agreed consideration.

5.2.5 Pinley Rugby Club and its financial backers are not clear yet whether they have the resources to buy so flexibility is sought to negotiate either an outright freehold disposal or lease at a market rent. Pinley Rugby Club have agreed to meet the Council's costs in advertising the disposal as detailed in paragraph 5.2.3 above and securing an external valuation.

## **6. Other implications**

6.1 The receipt will contribute to CCC's Medium Term Financial Strategy.

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

Risks will be managed through the disposal process. The principle risks are the receipt of objections to the disposal of public open space and the available resources of Pinley Rugby Club to complete the transaction.

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

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

**6.4 Equalities / EIA**

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

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

There are no implications for the environment.

**6.6 Implications for partner organisations?**

There are no implications for partner organisations.

**Report author(s):**

**Name and job title: Charles Andrews – Principle Valuation Surveyor, Commercial Property Management**

**Directorate: Place**

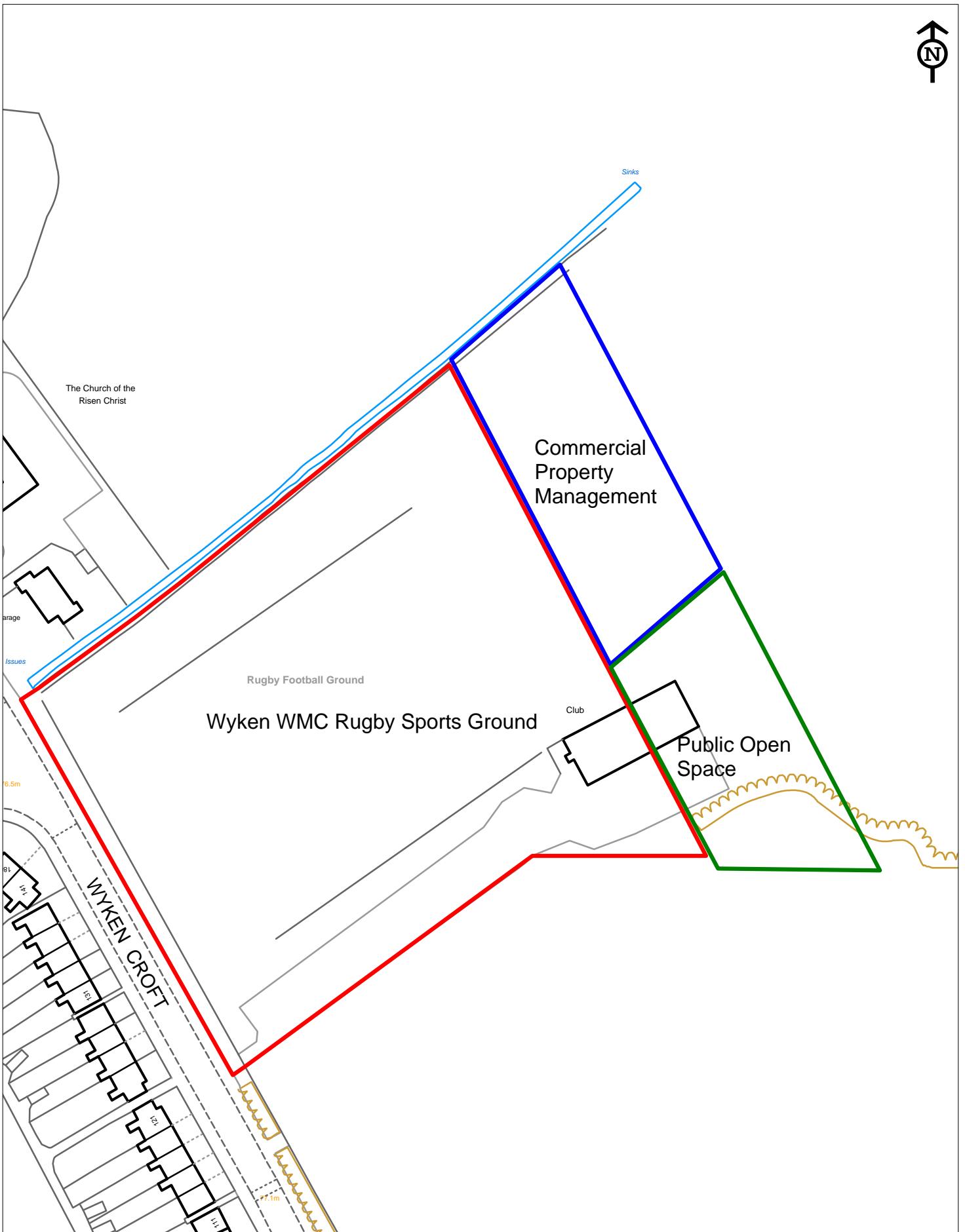
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Enquiries should be directed to the above person.


| <b>Contributor/approver name</b>                                 | <b>Title</b>                                   | <b>Directorate or organisation</b> | <b>Date doc sent out</b> | <b>Date response received or approved</b> |
|--|--|------------------------------------|--------------------------|---|
| <b>Contributors:</b>   |  |                                    |                          |   |
| Nigel Clews  | Assistant Director - Property Asset Management | Place                              | 15.06.2016               | 15.06.16                                  |
|  |  |                                    |                          |   |
|  |  |                                    |                          |   |
| <b>Names of approvers for submission: (officers and members)</b> |  |                                    |                          |   |
| Finance: Phil Helm   | Lead Accountant Business Partner               | Resources                          | 14.06.16                 | 14.06.16                                  |
| Legal: Julie Sprayson  | Principal Legal Executive                      | Resources Legal                    | 13.6.16                  | 13.6.16                                   |
| Governance: Suzanne Bennett                                      | Governance Services Team Leader                | Resources - Governance Services    | 14.06.16                 | 15.06.16                                  |
| Director: Martin Yardley   | Executive Director                             | Place                              | 21.06.16                 | 21.06.16                                  |
| Member: Councillor O'Boyle                                       | Cabinet Member for Jobs and Regeneration       |                                    | 21.06.16                 | 21.06.16                                  |
|  |  |                                    |                          |   |

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## Wyken WMC Rugby Sports Ground

|                      |               |                 |
|----------------------|---------------|-----------------|
| Scale 1:1250         | Drawn by:LPL  | Date:18/05/2016 |
| O.S. Ref. No:3680 NE | LPR- 94 -2016 | <b>Page 15</b>  |

Martin Yardley - Director of Place Directorate  
 Nigel Clews - Assistant Director Property Asset Management

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