

**Time and Date**

2.00 pm on Tuesday, 5th December, 2017

**Place**

Council House, Coventry

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**1. Apologies****2. Minutes of the Meeting held 10 October 2017** (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 Lockhart QC, 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. Proposed Amendment to the Constitution: Revocation of Hackney Carriage and Private Hire Driver's Licences** (Pages 13 - 22)

From the Meeting of the Cabinet Member, Policing and Equalities, 26 October 2017

**9. Draft Member/Officer Protocol** (Pages 23 - 38)

From the Meeting of the Cabinet Member, Policing and Equalities, 26 October 2017

**10. Youth Justice Plan** (Pages 39 - 114)

From the Cabinet, 31 October 2017

**11. Governance of the West Midlands Fire Service** (Pages 115 - 184)

From the Cabinet, 31 October 2017

**It is anticipated that the following matters will be referred as recommendations from the Cabinet, 28 November 2017. The reports are attached. The relevant recommendations will be circulated separately.**

12. **Medium Term Financial Strategy 2018-21** (Pages 185 - 200)
13. **Adoption of the new Coventry City Council Local Plan and City Centre Area Action Plan** (Pages 201 - 338)
14. **MiFriendly Cities - Successful Award of funds under EU Urban Innovative Actions Fund** (Pages 339 - 358)
15. **Indoor Pitch Facility at the Alan Higgs Centre** (Pages 359 - 372)
16. **Heritage Framework Agreement** (Pages 373 - 400)
17. **Coventry's Bid for UK City of Culture 2021 - Council Commitments** (Pages 401 - 416)
18. **City Centre South - Early Acquisition of Long Leasehold Property Interests** (Pages 417 - 432)
19. **National Battery Manufacturing Development Facility - Faraday Challenge** (Pages 433 - 444)

#### **Item(s) for Consideration**

20. **Question Time**
  - 20.1 Written Question – Booklet 1 (Pages 445 - 460)
  - 20.2 Oral Questions to Chairs of Scrutiny Boards/Chair of Scrutiny Co-ordination Committee
  - 20.3 Oral Questions to Chairs of other meetings
  - 20.4 Oral Questions to Representatives on Outside Bodies
  - 20.5 Oral Questions to Cabinet Members and Deputy Cabinet Members on any matter
21. **Statements**
22. **Debate**

To be moved by Councillor Abbott and seconded by Councillor Welsh:

“This Council calls upon the Government to pause the roll out of Universal Credit to allow for a full and comprehensive review of the impact that this system is having on claimants and their families.

We call upon Coventry’s 3 MPs to take this forward and support this motion in Parliament.”

## **Private Business**

**It is anticipated that the following matters will be referred as recommendations from the Cabinet, 28 November 2017. The reports are attached. The relevant recommendations will be circulated separately.**

23. **Heritage Framework Agreement** (Pages 461 - 484)  
(Listing Officer: J Grant, tel: 024 7683 3674)
24. **Coventry's Bid for UK City of Culture 2021 - Council Commitments**  
(Pages 485 - 498)  
(Listing Officer: D Nuttall, tel: 024 7683 2362)
25. **City Centre South - Early Acquisition of Long leasehold Property Interests** (Pages 499 - 510)  
(Listing Officer: D Cockroft, tel: 024 7683 3964)
26. **National Battery Manufacturing Development Facility - Faraday Challenge** (Pages 511 - 520)  
(Listing Officer: A Williams, tel: 024 7683 3731)

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Martin Yardley, Executive Director, Place, Council House Coventry

Monday, 27 November 2017

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, R Ali, A Andrews, R Auluck, R Bailey, S Bains, L Bigham, J Birdi, J Blundell (Deputy Chair), R Brown, K Caan, J Clifford, G Crookes, G Duggins, D Gannon, M Hammon, L Harvard, J Innes, B Kaur, L Kelly, D Kershaw, T Khan, A Khan, R Lakha, R Lancaster, M Lapsa, J Lepoidevin, A Lucas, P Male, K Maton, T Mayer, J McNicholas, C Miks, K Mulhall, J Mutton, M Mutton, J O'Boyle, G Ridley, E Ruane, T Sawdon, P Seaman, B Singh, R Singh, D Skinner, T Skipper (Chair), H Sweet, K Taylor, R Thay, C Thomas, S Walsh, D Welsh and G Williams

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

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language please contact us.

**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, 10 October 2017**

Members: Councillor T Skipper (Chair)

|                           |                         |
|---------------------------|-------------------------|
| Councillor F Abbott       | Councillor J Lepoidevin |
| Councillor N Akhtar       | Councillor A Lucas      |
| Councillor P Akhtar       | Councillor P Male       |
| Councillor R Ali          | Councillor K Maton      |
| Councillor Andrews        | Councillor T Mayer      |
| Councillor R Auluck       | Councillor J McNicholas |
| Councillor R Bailey       | Councillor C Miks       |
| Councillor S Bains        | Councillor K Mulhall    |
| Councillor J Birdi        | Councillor J Mutton     |
| Councillor R Brown        | Councillor M Mutton     |
| Councillor K Caan         | Councillor J O'Boyle    |
| Councillor Crookes        | Councillor G Ridley     |
| Councillor Duggins        | Councillor E Ruane      |
| Councillor D Gannon       | Councillor T Sawdon     |
| Councillor Hammon         | Councillor P Seaman     |
| Councillor L Harvard      | Councillor R Singh      |
| Councillor J Innes        | Councillor D Skinner    |
| Councillor B Kaur         | Councillor H Sweet      |
| Councillor<br>D Kershaw   | Councillor K Taylor     |
| Councillor T Khan         | Councillor R Thay       |
| Councillor A Khan         | Councillor C Thomas     |
| Councillor R Lakha        | Councillor S Walsh      |
| Councillor<br>R Lancaster | Councillor G Williams   |
| Councillor M Lapsa        |                         |

Honorary Aldermen J Gazey

Apologies: Councillor L Bigham, J Blundell, J Clifford, L Kelly and D Welsh

## **Public Business**

### **47. Minutes of the Meeting held on 5 September 2017**

The Minutes of the meeting held on 5 September, 2017 were agreed and signed as a true record.

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

**RESOLVED** that the press and public be excluded under Section 100(A)(4) of the Local Government Act 1972 relating to the private report detailed in Minute 58/17 below headed "Project CAP" on the grounds that the report involves the likely disclosure of information defined in Paragraph 3 of Schedule 12A of the Act, as it contains information relating to the financial

and business affairs of any particular proposed person (including the authority holding that information) and the amount of expenditure proposed to be incurred by the Council under a particular contract or the supply of goods or services. The public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

49. **Coventry Good Citizen Award**

On behalf of the City Council, the Lord Mayor and His Honour Judge Lockhart QC presented Albert Neale with the Good Citizen Award. His citation read:-

*“Albert Neale was born in Coventry and for many years has given outstanding service to the communities of the city. He has devoted his time and efforts to helping individuals and families in a variety of ways. Over the years Albert has embarked on many ventures, he has been a Parent and Governor at Walsgrave Church of England Primary School where he helped to organise many fund raising events including the school’s annual fete. He was a volunteer for the Duke of Edinburgh Award Scheme undertaking tasks which included assessing walking routes, driving, being the kit manager and supervisor for tent building. All of these supported young people to reach their goals within the scheme and helped them to become more independent.*

*Along with his passion for helping the younger generation, Albert has been the driving force for establishing the latest Foodbank distribution point at Walsgrave Baptist Church. This provides three-day emergency food parcels and support to local people and families in need; he has also been an active member and collector for other outlets. Albert has collected clothing and other items and delivered them to Coventry Charities including the Jesus Centre and Carriers of Hope.*

*Together with these charitable works Albert also found time to become a Coventry Ambassador spending time at the 2012 Olympics and the Jimmy Hill Commemorative Service.*

*Through his voluntary work he has shown tremendous commitment to the people of Coventry, his actions justly reflect his character and he is well deserved of this Good Citizen Award.”*

50. **Correspondence and Announcements of the Lord Mayor**

(a) **Congratulations on National Quality Award**

The Lord Mayor indicated that Coventry Haven Women’s Aid had been awarded the Women’s Aid National Quality Mark back in August, demonstrating that it provides a high quality of service to women and their children experiencing domestic violence in Coventry. These are national standards which measure the quality of specialist domestic violence services on a number of factors. Coventry Haven were particularly commended for the professional expertise and experience of staff and volunteers, accessibility of services, and the organisations engagement and partnership working with a number of strategic partnerships and alliances in the West Midlands Violence against Women and Girls sector

**(b) Feedback on Civic Visit to Kiel**

Further to Minute 33/17, the Lord Mayor reported that he had made a civic visit to Kiel to mark the 70<sup>th</sup> anniversary of friendship and 50<sup>th</sup> anniversary of twinning. At a specially convened meeting of Kiel City Council last month he had delivered an address and presented a Message from Coventry to mark the anniversary, which had been warmly received by the Council and its invited dignitaries

**(c) Local Democracy Week 2017**

The Lord Mayor indicated that, as part of Local Democracy Week, the City Council were hosting a series of events aimed at encouraging democratic engagement, especially amongst younger people. These included students from 5 schools attending an interactive and inspiring workshop about democracy, pupils from Limbrick Wood School shadowing the Lord Mayor for a day; and a Question Time event with a panel of Members and representatives from Coventry University.

Members were invited to pop along to any events and to show their support for Local Democracy Week 2017.

**51. Petitions**

**RESOLVED that the following petitions be referred to the appropriate City Council bodies/external organisations:-**

- (a) Request for safety measures to stop speeding traffic on Alderminster Road – 466 signatures, presented by Councillor Lepoidevin**
- (b) Request for Coventry City Council to use its influence to get Whitefriars to install anti-fire sprinklers in Alpha Hose, Stoke – 62 signatures, presented by Councillor Bains**
- (c) Request to refurbish pavements and road – Delaware Road – 18 signatures, presented by Councillor Taylor**

**52. Declarations of Interest**

The Lord Mayor, Councillor T Skipper, and Councillor R Auluck both declared disclosable pecuniary interest in the matter the subject of Minute 57 below relating to “Debates - Business Rates – Landlords of Student Accommodation”. Both the Lord Mayor and Councillor Auluck left the meeting for consideration of this item.

53. **Motion Without Notice - Chair of the Meeting**

In accordance with the Constitution, further to Minute 52 above, in light of the Lord Mayor's disclosable pecuniary interest in Minute 57 below and in the absence of the Deputy Lord Mayor, a Motion Without Notice was moved by Councillor M Mutton, seconded by Councillor S Walsh and carried that Councillor L Harvard be elected to the chair the meeting for the consideration of that item.

54. **Question Time**

Councillors provided written answers to the question set out in the Questions Booklet, together with oral responses to supplementary questions put to them at the meeting.

In the absence of Councillor L Bigham, Councillor G Crookes requested that the two questions submitted by him be deferred to the next Council meeting.

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

| <b>No</b> | <b>Questions asked by</b> | <b>Questions put to</b> | <b>Subject matter</b>  |
|-----------|---------------------------|-------------------------|--|
| 1         | Councillor Williams       | Councillor Gannon       | World Mental Health Day and the inclusion of Mental Health on the agenda for the Health and Social Care Scrutiny Board |
| 2         | Councillor Williams       | Councillor Maton        | Spending cuts to travel provision for vulnerable children  |
| 3         | Councillor Sawdon         | Councillor Innes        | Fines associated with the Whittle Arch bus gate  |
| 4         | Councillor Sawdon         | Councillor Innes        | Parking on grass verges on Kenilworth Road by staff and students from Warwick University                               |
| 5         | Councillor Sawdon         | Councillor Ali          | What the role of Deputy Cabinet Member for Public health and Sport involves  |
| 6         | Councillor Williams       | Councillor Innes        | The new "flash"  |



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**55. Statements**

The Leader of the Council, Councillor G Duggins, made a Statement in respect of “Progress on the Combines Authority”

Councillor G Ridley responded to the Statement.

**56. Motion Without Notice To Combine Debates and Suspend Time Limits for Speeches**

In accordance with the Constitution, Councillor M Mutton moved a Motion without Notice, which was seconded by Councillor S Walsh and carried, to combine the debates on the Motions as set out in items 10.1 and 10.2 on the agenda and to suspend the relevant paragraph of the Constitution relating to timing of speeches to enable:-

- a) The movers and seconders of both Motions to each speak for 5 minutes
- b) The movers of both Motions to sum up at the end of the debate for 5 minutes each

(A vote then to be taken on each Motion separately)

**57. Debates - Business Rates - Landlords of Student Accommodation**

Further to Minute 56 above, the following Motions were moved and seconded by the Councillors indicated:-

- (a) Moved by Councillor J Mutton, seconded by Councillor T Khan

“This Council believes that students are a very welcome part of our community and of our local economy, but often live in concentrated areas of the City in densely populated conditions. This has a big impact on services in those parts of the City.

Student households should continue to be exempt from Council Tax as students are, in the main, on low incomes or living on loans. Landlords of student accommodation are engaged in profit-making businesses and should therefore pay business rates for the demands that their tenants make on public services.

Council resolves to write to the Chancellor of the Exchequer, the Secretary of State for Communities and Local Government, the Chair and Vice Chairs of the Local Government Association and the three Coventry MPs to outline the contents of this motion and to request that Councils should be given powers to bring landlords of student properties within the scope of business rates in the same way that hotels, self-catering and holiday lets are within the scope of business rates.

Following such a change in legislation, Council also resolves to establish a working group chaired by the Cabinet Member for Finance and Resources with representatives of the Universities, Landlords and Student Unions to consider the operation of such a scheme in Coventry to ensure that it is designed in such a way so that it does not undermine the City's wider housing strategy and that the cost is not passed on to students."

(b) Moved by Councillor K Taylor, seconded by Councillor T Sawdon:-

"This Council recognises the contribution made to the city by its students and believes that students should continue to be exempt from council tax.

This Council notes the cessation of the Revenue Support grant in 2020 which presently compensates the Council for business rates which they do not receive from student accommodation.

This Council will ask Government to give local authorities additional powers to bring student landlords within the scope of business rates bringing them into line with hotels, self-catering and holiday lets."

**RESOLVED:-**

**(1) That the Motion as set out in (a) above be unanimously adopted**

**(2) That the Motion as set out in (b) above be unanimously adopted**

**NOTE:** In the absence of the Lord Mayor, Councillor Harvard chaired the meeting for consideration of this item.

**Private Business**

58. **Project CAP**

Further to Minute 63/17 of the Cabinet, the Council considered a report of the Deputy Chief Executive (Place), which set out the confidential proposals in relation to a commercial investment.

**RESOLVED that the Council:-**

- 1. Approve the use of its powers under Section 12 of the Local Government Act 2003 and Section 1 of the Localism Act 2011 to acquire the shares in the company as a commercial investment for the value up to the sum indicated in the report, subject to any adjustments detailed in the report.**
- 2. Approve the addition of the sum indicated in the report (or other figure as agreed under delegated authority) to the capital programme.**
- 3. Delegate authority to the Deputy Chief Executive (Place), Director of Finance and Corporate Services and Legal Services Manager, following**

**consultation with the Cabinet Member for Jobs and Regeneration and the Cabinet Member for Public Health and Sport, to agree detailed terms of the transaction with the company identified in the report.**

- 4. Delegate authority to the Deputy Chief Executive (Place), Director of Finance and Corporate Services and Legal Services Manager, following consultation with the Cabinet Member for Jobs and Regeneration and Cabinet Member for Public Health and Sport, to enter into the relevant legal agreements and associated documents necessary to complete the transaction.**
- 5. Approve the implementation of the governance structure and associated terms of reference for the Shareholder Panel and Board of Directors, as detailed in the report.**
- 6. Approve the appointment of the Leader, the Cabinet Member for Jobs and Regeneration, and the Cabinet Member for Public Health and Sport onto the Shareholder Panel to represent the Council as sole shareholder of the Company.**

(Meeting closed at 4.15 pm)

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**Council – 5<sup>th</sup> December 2017**

**Recommendation from Cabinet  
Member for Policing and  
Equalities  
26 October 2017**

**Coventry City Council**  
**Minutes of the Meeting of Cabinet Member for Policing and Equalities**  
**held at 3.00 pm on Thursday, 26 October 2017**

Present:

Members: Councillor A Khan

Employees (by Directorate):

People B Barrett, , G Haynes, H Shankster

Place G Carter, L Knight, L Stockin

Apologies: Councillor P Akhtar and A Andrews

## **RECOMMENDATION**

### **10. Proposed Amendment to the Constitution: Revocation of Hackney Carriage and Private Hire Driver's Licences**

The Cabinet Member considered a report of the Director of Finance and Corporate Services, which set out proposals for changes to the Hackney Carriage and Private Hire Licensing Scheme of Delegation, which forms part of Part 2M of Constitution to permit officers to revoke drivers' licences where public safety required it.

Under the current Scheme of Delegation, the Deputy Chief Executive (Place) and the Senior Licensing and Enforcement Officer have delegated powers to suspend a hackney carriage or private hire driver's licence where it was necessary that immediate steps be taken in the interests of public safety. Any such decisions were taken in consultation with the Chair of the Licensing and Regulatory Committee (or in his/her absence the Deputy Chair or in the absence of either, the City Solicitor). This provision had been used by officers to suspend a driver following allegations of impropriety or criminal behaviour and pending the Committee's decision on whether to revoke the licence.

However, case law had confirmed that the power to suspend a licence under Section 61 of the Local Government (Miscellaneous) Provisions 1976 was a final decision on the question of a person's fitness and propriety. It could not be used as an interim measure pending further investigations into a driver's conduct.

This meant that if officers believe that an allegation is so serious that the driver should not be allowed to drive pending an investigation, they could not suspend the licence. The only options were:-

- (a) To allow the driver to continue to drive pending the matter coming to Committee, which could be some time; or
- (b) Delegate power to officers to revoke a licence where public safety requires it. The driver would still have a right of appeal.

It was therefore proposed that the Hackney Carriage and Private Hire Licensing Scheme of Delegation be changed to permit officers to revoke drivers licenses where public safety required it.

The Cabinet Member noted that the proposed change had been considered by the Constitutional Advisory Panel at its meeting on 9<sup>th</sup> October 2017. The Panel recommended that the Cabinet Member approve the changes.

It was further noted that powers were delegated to officers under the licensing scheme of delegation by the Licensing and Regulatory Committee and that a report would be going to the next meeting of the Committee to ask it to agree the change. It was therefore recommended that the Cabinet Member approve the change, subject to the agreement of the Licensing and Regulatory Committee.

The Cabinet Member agreed to:-

1. Approve the proposed change to the Hackney Carriage and Private Hire Licensing Scheme Delegation, subject to the agreement of the Licensing and Regulatory Committee.
2. Recommend to the Licensing and Regulatory Committee that it approves the change in the Hackney Carriage and Private Hire Licensing Scheme of Delegation.

**RESOLVED that the Cabinet Member for Policing and Equalities recommend to Council that they agree to its being included in the Constitution.**

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Cabinet Member for Policing and Equalities  
Licensing and Regulatory Committee  
Council

26 October 2017  
14 November 2017  
5 December 2017

**Director Approving Submission of the report:**  
Director of Finance and Corporate Services

**Title:** Proposed Amendment to the Constitution: Revocation of Hackney Carriage and Private Hire Driver's Licences

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**Executive Summary:**

Under the current Scheme of Delegation to Officers, the Deputy Chief Executive, Place and the Senior Licensing and Enforcement Officer have delegated powers to suspend a hackney or private hire driver's licence where it is necessary that immediate steps be taken in the interests of public safety. Any such decisions are taken in consultation with the Chair of the Licensing and Regulatory Committee (or in his/her absence the Deputy Chair or in the absence of either, the City Solicitor). This provision has been used by officers to suspend a driver following serious allegations of impropriety or criminal behaviour and pending the Committee's decision whether to revoke the licence.

Case law has confirmed, however, that the power to suspend a licence under Section 61 of the Local Government (Miscellaneous) Provisions 1976 is a final decision on the question of a person's fitness and propriety. It cannot be used to as an interim measure pending further investigation into a driver's conduct.

This means that if officers believe that an allegation is so serious that the driver should not be allowed to drive pending an investigation, they cannot suspend the licence. The only options are:

- (a) To allow the driver to continue to drive pending the matter coming before the Committee, which could be some time; or
- (b) Delegate power to officers to revoke a licence where public safety requires it. The driver would still have a right of appeal.

This report recommends changes to the Hackney Carriage and Private Hire Licensing Scheme of Delegation, which forms part of Part 2M of the Constitution to permit officers to revoke drivers' licences where public safety requires it.

This proposed change was considered by the Constitutional Advisory Panel at its meeting on 9 October 2017. The Panel resolved to recommend to the Cabinet Member that the change be approved.

Powers are delegated to officers under the licensing scheme of delegation by the Licensing and Regulatory Committee. A report will therefore be going to the next meeting of that Committee to ask it to agree the change. The Cabinet Member is therefore asked to approve this change, subject to the agreement of the Licensing and Regulatory Committee.

Any change to the Constitution must be approved by full Council.

**Recommendations:**

Cabinet Member is recommended to:

- (1) Approve the proposed change to the Hackney Carriage and Private Hire Licensing Scheme of Delegation; and
- (2) Recommend to the Licensing and Regulatory Committee that it approves the change in the Hackney Carriage and Private Hire Licensing Scheme of Delegation; and
- (3) Recommend to full Council that they agree to its being included in the Constitution.

Licensing and Regulatory Committee is recommended to:

- (1) Approve the proposed change to the Hackney Carriage and Private Hire Licensing Scheme of Delegation; and
- (2) Recommend to full Council that they agree to its being included in the Constitution

Council is recommended to:

- (1) Agree that the change to the Hackney Carriage and Private Hire Licensing Scheme of Delegation be included in the Constitution

**Appendix 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?**

The report was considered and approved by the Constitutional Advisory Panel on 9 October 2017. The report will go to the next meeting of Licensing and Regulatory Committee.

**Will this report go to Council?**

Yes 5 December 2017



## **Report title: Proposed Amendment to the Constitution: Revocation of Hackney Carriage and Private Hire Driver's Licences**

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

- 1.1. Under the current Scheme of Delegation to Officers, the Deputy Chief Executive, Place and the Senior Licensing and Enforcement Officer have delegated powers to suspend a hackney or private hire driver's licence where it is necessary that immediate steps be taken in the interests of public safety. Any such decisions are taken in consultation with the Chair of the Licensing and Regulatory Committee (or in his/her absence the Deputy Chair or in the absence of either, the City Solicitor). This provision has been used by officers to suspend a driver following serious allegations of impropriety or criminal behaviour and pending the Committee's decision whether to revoke the licence.
- 1.2 Case law has confirmed, however, that the power to suspend a licence under Section 61 of the Local Government (Miscellaneous) Provisions 1976 is a final decision on the question of a person's fitness and propriety. It cannot be used to as an interim measure pending further investigation into a driver's conduct.
- 1.3 The Council therefore needs to consider how it is going to deal with urgent situations where a driver cannot be allowed to continue driving pending a full investigation into an allegation.

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

#### **2.1 Option 1: Do nothing (not recommended)**

If the Scheme of Delegation is left as it is, then officers could not suspend a licence where there are public safety concerns without running the risk that the suspension would be challenged, given the case law which clearly states that suspension is a final sanction, not an interim sanction. Otherwise, the driver would have to be allowed to continue driving pending a full investigation.

#### **2.2 Option 2: Amend the Hackney Carriage and Private Hire Licensing Scheme of Delegation (recommended)**

- 2.3 The current delegations to officers are set out below (at paragraph 6.6.66 of Part 2M of the Constitution):

##### *1.3 Suspension of Licence*

*To suspend where:*

*(a) A driver is disqualified from driving during the term of a licence issued by the City Council and the driver's DVLA licence will be restored during that term; or*

*(b) In the opinion of the Senior Licensing and Enforcement Officer in consultation with the Chair of the Licensing Committee (or in his/her absence the Deputy Chair or in the absence of either, the City Solicitor) it is necessary that immediate steps be taken to suspend a licence in the interests of public safety.*

##### *1.4 Revocation of Licence*

*To revoke where a driver is disqualified from driving during the term of a licence issued by the City Council and where the driver's DVLA licence will not be restored during that term.*

- 2.4 It is recommended that the Scheme of Delegation is amended as follows. Deleted text is scored through and new text is underlined:

### *1.3 Suspension of Licence*

*To suspend where:*

- (a) A driver is disqualified from driving during the term of a licence issued by the City Council and the driver's DVLA licence will be restored during that term; or*  
*(b) ~~In the opinion of the Senior Licensing and Enforcement Officer in consultation with the Chair of the Licensing Committee (or in his/her absence the Deputy Chair or in the absence of either, the City Solicitor) it is necessary that immediate steps be taken to suspend a licence in the interests of public safety.~~*

### *1.4 Revocation of Licence*

*To revoke where:*

- (a) a driver is disqualified from driving during the term of a licence issued by the City Council and where the driver's DVLA licence will not be restored during that term; or*  
*(b) In the opinion of the Senior Licensing and Enforcement Officer in consultation with the Chair of the Licensing Committee (or in his/her absence the Deputy Chair or in the absence of either, the City Solicitor) it is necessary that immediate steps be taken to revoke a licence in the interests of public safety.*

There will still be a requirement for the officer to consult with the Chair of the Committee in the event that revocation is required. Drivers will continue to have the right to appeal a decision to revoke and if, once the investigation is complete, it is considered that revocation was not justified, arrangements would have to be made to reissue the licence.

## **2.5 Recommendation**

2.5.1 Cabinet Member is recommended to:

- (1) Approve the proposed change to the Hackney Carriage and Private Hire Licensing Scheme of Delegation; and
- (2) Recommend to the Licensing and Regulatory Committee that it approves the change in the Hackney Carriage and Private Hire Licensing Scheme of Delegation; and
- (3) Recommend to full Council that they agree to its being included in the Constitution.

2.5.2 Licensing and Regulatory Committee is recommended to:

- (1) Approve the proposed change to the Hackney Carriage and Private Hire Licensing Scheme of Delegation; and
- (2) Recommend to full Council that they agree to its being included in the Constitution

2.5.2 Council is recommended to:

- (1) Agree that the change to the Hackney Carriage and Private Hire Licensing Scheme of Delegation be included in the Constitution

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

None, as the change requested arises from a change in case law.

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

4.1 Not Applicable

### **5. Comments from Director of Finance and Corporate Services**

#### **5.1 Financial implications**

There are no specific financial implications arising from the recommendations within this report.

#### **5.2 Legal implications**

The change requested arises from case law which makes the current delegations to officers to suspend licences unsafe and liable to challenge. The change in delegation will allow officers to take decisions to protect the public quickly without having to wait until the Committee can consider the matter.

### **6. Other implications**

None

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

Not applicable.

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

The proposal seeks to address the current risk of the Council being challenged if officers continue to suspend licences on the ground of public safety.

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

The change will give officers the power to protect the public without having to wait until a scheduled Committee meeting.

#### **6.4 Equalities / EIA**

There are no public sector equality duties which are of relevance at this stage.

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

None

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

None at this stage

**Report author(s): Carol Bradford**

**Name and job title:** Corporate Governance Lawyer, Regulatory Team, Legal and Democratic Services

**Directorate:** Place Directorate

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| <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>   |  |                                    |                          |   |
| Suzanne Bennett  | Governance Services                      | Place                              | 29.9.17                  | 9.10.17                                   |
| <b>Names of approvers for submission:</b> (officers and members) |  |                                    |                          |   |
| Finance: Graham Clarke   |  | Place                              | 29.9.17                  | 29.9.17                                   |
| Legal: Julie Newman  | Legal Services Manager                   | Place                              | 29.9.17                  | 29.9.17                                   |
| Adrian West  | Members and Elections Team Manager       | Place                              | 29.9.17                  | 29.9.17                                   |
| Mick Coggins   | Senior Licensing and Enforcement Officer | Place                              | 28.9.17                  | 29.9.17                                   |
| Cllr A Khan  | Cabinet Member Policing and Equalities   |                                    |                          |   |



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**Council – 5<sup>th</sup> December 2017**  
**Recommendation from Cabinet**  
**Member for Policing and**  
**Equalities**  
**26 October 2017**

**Coventry City Council**  
**Minutes of the Meeting of Cabinet Member for Policing and Equalities**  
**held at 3.00 pm on Thursday, 26 October 2017**

Present:

Members: Councillor A Khan

Employees (by Directorate):

People B Barrett, , G Haynes, H Shankster

Place G Carter, L Knight, L Stockin

Apologies: Councillor P Akhtar and A Andrews

## **RECOMMENDATION**

### **9. Draft Member/Officer Protocol**

The Cabinet Member considered a report of the Deputy Chief Executive (Place), which set out the draft Member / Officer Protocol.

In 2016, the Acting Monitoring Officer conducted a review of governance arrangements at the City Council in the light of two critical public interest reports which were issued in respect of other councils. As a result of that review, officers identified that it would be of benefit for the Council to approve and adopt a Member / Officer Protocol. The purpose of the Protocol was to set out for both members and officers what was expected of them in their respective roles and what they could expect from each other.

The Cabinet Member noted that a draft Protocol was approved by the Ethics Committee on 14<sup>th</sup> September 2017. As the protocol would be included in the Council's Constitution, it was also considered by the Constitutional Advisory Panel on 9<sup>th</sup> October 2017. The Panel agreed to recommend the approval of the Protocol to the Cabinet Member, subject to an amendment to paragraph 8.2.2 of the Protocol. This amendment was highlighted in the Draft Protocol appended to the report.

The Cabinet Member approved the Draft Protocol as drafted, subject to the amendment of paragraph 8.2.2.

**RESOLVED that the Cabinet Member for Policing and Equalities recommends that the Council agree to its being included in the Constitution.**



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Cabinet Member for Policing and Equalities  
Council

26 October 2017  
5 December 2017

**Name of Cabinet Member:**

Cabinet Member for Policing and Equalities — Councillor Abdul Khan

**Director Approving Submission of the report:** Deputy Chief Executive Place

**Ward(s) affected:** All wards

**Title:** Draft Member/Officer Protocol

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**Is this a key decision?**

No

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**Executive Summary:**

In 2016 the Acting Monitoring Officer conducted a review of governance arrangements at the City Council in the light of two critical public interest reports which were issued in respect of other councils. As a result of that review, officers identified that it would be of benefit for the Council to approve and adopt a Member/Officer Protocol. The purpose of the Protocol is to set out for both members and officers what is expected of them in their respective roles and what they can expect from each other.

A draft Protocol was approved by Ethics Committee on 14 September 2017. As the Protocol would be included in the Constitution, it was considered by the Constitutional Advisory Panel on 9 October. The Panel agreed to recommend the approval of the Protocol to the Cabinet Member subject to an amendment to paragraph 8.2.2 of the Protocol. The suggested change is shown in the draft Protocol in the Appendix. The Panel also recommended that the contents of the Protocol should be publicised to both officers and members once approved.

This report brings forward the draft Member/Officer Protocol for the Cabinet Member to consider. If approved, it will need to be agreed by full Council.

**Recommendations:**

**Cabinet Member is recommended to:**

(1) Approve the draft protocol as drafted subject to the amendment of paragraph 8.2.2;  
and

(2) Recommend to full Council that they agree to its being included in the Constitution.

**Council is recommended to:**

(1) agree to the inclusion of the Member /Officer Protocol in the Constitution.

**List of Appendices included: Draft Member Officer Protocol**

**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?**

Constitutional Advisory Panel, 9 October 2017

**Will this report go to Council? Yes, 5 December 2017**

## **Report title: Draft Member/Officer Protocol**

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

- 1.1. In July 2016 the Ethics Committee considered reports that had been published in connection with two other councils which had raised concerns about, among other things, governance in those councils. In one case both councillors and officers were heavily criticised in terms of political interference in day-to-day management of some services, bullying and intimidation and involvement in matters where councillors and officer had interests. Some officers were also criticised for allowing themselves to be bullied and coerced, failing to report concerns and failing to secure adequate reporting of concerns.
- 1.2 In the other case a public interest report by external auditors was published into a number of matters of concern at another council. These included failures of governance in the management of major projects and in relation to member conduct. In particular the report concluded that members were too involved in operational matters in relation to major projects and inappropriate interventions by members in licensing matters. Officers were found not to have ensured that some council actions were legal, allowing decisions to be taken at too low a level or by members who did not have power to do so and blurring of member and officer roles.
- 1.3 The then Acting Monitoring Officer undertook a review of governance matters raised by these two reports to ensure that appropriate checks and balances are in place in Coventry. Many of the actions criticised in the two reports arise from a 'blurring of the lines' between Officers and Members, inappropriate behaviour by members towards Officers and a lack of arrangements in place to deal with such issues. Whilst there are no particular areas of concern in Coventry, the lack of any arrangements to deal with issues if they occurred could result in an erosion of ethical standards.
- 1.4 Such arrangements are typically set out in Member/Officer Relations Protocols and a Monitoring Officer Protocol. The Ethics Committee therefore requested officers to draft a Member/Officer Protocol and a Monitoring Officer Protocol for its consideration.
- 1.5 A Member/Officer Protocol is beneficial as it sets out for both members and officers what is expected of them in their respective roles and what they can expect from each other. While experienced councillors and officers may understand and appreciate the different roles that they have, newly elected members and recently appointed employees may find it helpful to have these roles explained in some detail. Understanding what is, and is not, expected of each other can assist in maintaining and improving excellent member/officer working relationships.

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

#### **Option 1: Consider and Approve the Draft Protocol (recommended)**

- 2.1 The draft Protocol is attached at the Appendix to this report. It has been drafted both to reflect current practices within the Council and best practice in other local authorities.
- 2.2 The Protocol offers guidance on some of the issues which most commonly arise in relation to Member/Officer relationships. It is partly a statement of current practice and convention. In some respects, however, it seeks to promote greater clarity and certainty. In particular, it covers the behaviour that is expected between Members and Officers. The Protocol gives

guidance only but it may be taken into account if there is a complaint about a Member or an Officer.

- 2.3 The Protocol clarifies the different but complementary roles of Officers and Members and sets what each can expect from the other. In addition it contains more detailed guidance on matters such as:
- Complaints
  - Member enquiries
  - Information and advice
  - Member briefings
  - Support services

Monitoring and periodic review of the Protocol is the responsibility of the Monitoring Officer.

- 2.4 The Ethics Committee approved the draft Protocol at its meeting on 14 September. The Protocol was considered by the Constitutional Advisory Panel on 9 October. The Panel approved the draft Protocol subject to an amendment to Paragraph 8.2.2. The suggested amendment is shown in the Appendix with text to be deleted struck through and new text in bold.
- 2.5 If the Cabinet Member is minded to approve the Protocol (with or without amendments), it would need to be considered by full Council before being incorporated into the Constitution.

#### **Option 2: Do nothing (not recommended)**

- 2.5 The Council is not required by law to have a Member Officer Protocol. If the Council so chose, it could decide not to pursue this matter. However, officers are strongly of the view that having a formal Protocol will assist both members and officers in understanding their respective roles and responsibilities and in setting clear standards which will help to maintain excellent working relationships.

#### **2.6 Recommendation**

Cabinet member is recommended to:

- (1) Approve the draft protocol as drafted subject to the amendment of paragraph 8.2.2; and
- (2) Recommend to full Council that they agree to its being included in the Constitution.

Council is recommended to:

- (1) agree to the inclusion of the Member /Officer Protocol in the Constitution.

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

The Draft Protocol has been approved by Ethics Committee and by the Constitutional Advisory Panel.

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

- 4.1 Not applicable

## **5. Comments from Director of Finance and Corporate Services**

### **5.1 Financial implications**

There are no specific financial implications arising from the recommendations within this report.

### **5.2 Legal implications**

There are no specific legal implications arising from this report, as there is no statutory obligation on the Council to have a Member Officer Protocol, although it is recommended as it assists both officers and members in understanding what is expected of them and what they can expect in return. The approval of a Member Officer Protocol assists in compliance for the Council as a whole, in its duty to promote high standards of ethical conduct

## **6. Other implications**

None

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

Not applicable

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

There is no direct risk to the organisation as a result of the contents of this report.

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

The Protocol, once approved, should help both members and officers understand what their respective roles and responsibilities are and set clear standards. While there are no particular areas of concern in Coventry, the Protocol should help to set standards for both officers and elected.

### **6.4 Equalities / EIA**

There are no public sector equality duties which are of relevance at this stage.

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

None

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

None at this stage

**Report author(s)**

**Name and job title:** Carol Bradford, Corporate Governance Lawyer, Regulatory Team, Legal and Democratic Services

**Directorate:** Place

**Tel and email contact:** 024 7683 3976 [carol.bradford@coventry.gov.uk](mailto:carol.bradford@coventry.gov.uk)

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| <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>   |  |                                    |                          |   |
| Suzanne Bennett  | Governance Services                    | Place                              | 29.9.17                  | 9.10.17                                   |
| <b>Names of approvers for submission:</b> (officers and members) |  |                                    |                          |   |
| Finance: Graham Clarke   |  | Place                              | 25.9.17                  | 26.9.17                                   |
| Legal: Julie Newman  | Legal Services Manager                 | Place                              | 25.9.17                  | 27.9.17                                   |
| Adrian West  | Members and Elections Team Manager     | Place                              | 25.9.17                  | 9.10.17                                   |
| Cllr A Khan  | Cabinet Member Policing and Equalities |                                    | 5.10.17                  | 5.10.17                                   |

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

## Appendix

### Draft Member Officer Protocol

#### 1. Status of this Code

- 1.1 This Protocol seeks to offer guidance on some of the issues which most commonly arise in relation to the relationships between Members and Officers.
- 1.2 The Protocol is partly a statement of current practice and convention. In some respects, however, it seeks to promote greater clarity and certainty. In particular, it covers the behaviour that is expected between Members and Officers.
- 1.3 The Protocol gives guidance only but it may be taken into account if there is a complaint about a Member or an Officer. Members must observe the Members' Code of Conduct. Any complaints received in relation to alleged breaches of the Code of Conduct will be considered initially by the Monitoring Officer. Officers are also obliged to comply with the Code of Conduct for Employees. Any complaints received about Officers behaviour or conduct will be considered by the relevant managers.

#### 2. Roles of Members and Officers

Officers and Members both serve the public but they have different roles. Officers are employees of the Council and are politically neutral. Their role is to advise Members and implement the policies of the Council to the best of their abilities. Members are office holders and will often belong to a political party. They are obliged to exercise their own judgement in respect of matters before them but may also legitimately pursue party political objectives. Employees are answerable to the Chief Executive, not to individual Members (whatever office they hold), but there should be good communication between senior officers and Members with special responsibility for their area of work.

#### 3. Expectations

##### 3.1 *What Members can expect from Officers:*

- (a) A commitment to the authority as a whole, not to any political group;
- (b) A working partnership;
- (c) An understanding of and support for respective roles, workloads and pressures;
- (d) Timely responses to enquiries and complaints in accordance with agreed standards: (see paragraph 7)
- (e) Professional advice, not influenced by political views or preference;

- (f) Regular up-to-date information on matters that can be reasonably considered appropriate and relevant to the Member's needs, having regard to any individual responsibilities that they have and positions that they hold;
- (g) Awareness and sensitivity to the political environment;
- (h) Respect and courtesy;
- (i) Training and development in order to carry out their roles effectively;
- (j) Not to have personal issues raised with them by Officers outside the agreed procedures;
- (k) Officers should not try to persuade individual Members to make a decision in their personal favour or raise things to do with their employment with individual Members. Nor should they approach individual Members with allegations about other Officers. They should use the Council's grievance, whistle blowing and disciplinary procedures instead; and
- (l) Compliance with the Employee Code of Conduct.

### 3.2 *What Officers can expect from Members:*

- (a) A working partnership;
- (b) An understanding of and support for respective roles, workloads and pressures;
- (c) Political policy direction and leadership;
- (d) Respect and courtesy;
- (e) Members should generally restrict their discussion on strategic or significant issues to more senior officers (that is the Chief Executive, Deputy Chief Executives, Directors or Heads of Service); Members should raise all queries on operational matters initially with Directors or Heads of Service who will ensure that Members receive a prompt response.
- (f) Members are encouraged to use regular briefings and/or normally make appointments before visiting Officers in order to try to avoid frequent unscheduled interruptions;
- (g) Members should not pressure Officers to work outside their normal hours or to do anything they are not allowed to do or that is not part of their normal work;
- (h) Not to be subject to bullying, harassment or intimidation. Members should have regard to the seniority and experience of Officers in determining what



constitutes a reasonable request. Members with special responsibilities should be particularly aware of this;

- (i) Members should not use their position or relationship with Officers to advance their personal interests or those of others or to influence decisions improperly;
- (j) Members should not make detrimental remarks about individual Officers during meetings, in public or to the media; and
- (k) Members should at all times comply with the Member Code of Conduct.

#### **4. Limitations on behaviour**

The distinct roles of Members and Officers necessarily impose limitations upon behaviour. By way of illustration and not as an exclusive list:

- (a) Personal relationships between individual Members and Officers can confuse the separate roles and get in the way of the proper discharge of the authority's functions. In this situation, others may feel that a particular Member or Officer may be treated more favourably.
- (b) Personal relationships should be avoided. Where they do exist the officer concerned must notify his or her manager.
- (c) The need to maintain the separate roles means that there are limits to the matters on which Members may seek the advice of Officers, both in relation to personal matters and party political issues;
- (d) Relationships with particular individuals or party groups should not be such as to create public suspicion that an employee favours that Member or group above others.

#### **5. Politeness and respect**

5.1 Members and Officers should show each other politeness and respect. Members have the right to challenge Officers' reports or actions, but they should avoid personal and/or public attacks; and ensure their criticism is fair and constructive.

5.2 Officers should not publicly criticise Council decisions even if they do not personally agree with those decisions.

#### **6. Complaints about Members or Officers**

6.1 If an Officer feels a Member is not treating them with politeness and respect, they should consider talking to the Member directly. If they do not feel they can talk to the Member or talking to the Member does not help, they should talk to their Head of Service or Director immediately. The manager approached will talk to the Member or

the Leader of their political group and may also tell other senior officers. The Officer will be told the outcome. Officers may also make a complaint alleging a breach of the Members' Code of Conduct.

6.2 If a Member feels an Officer is not treating them with politeness and respect, they should consider talking to the Officer directly. If they do not feel they can talk to the Officer or talking to the Officer does not help, they should talk to the Officer's Head of Service or Director immediately. If the problem continues the Head of Service or Director approached will consider whether to use the Council's disciplinary procedures.

## **7. Members' enquiries**

7.1 Officers should answer Members' enquiries, in whatever form, within five working days. If that is not possible, they should send a holding reply. Where a Senior Officer considers that the enquiry received is inappropriate, the Member should be advised of this and the reason or reasons why the enquiry is considered to be inappropriate. Members should contact a more senior officer in the event that a response is not received within this time. The Chief Executive may be asked to resolve any issues arising from unreasonable delays in responding to Members' enquiries.

### *Casework*

7.2 Where a Member is making an enquiry of Officers as part of their ward casework, Officers will normally assume that they have the implicit consent of an individual to disclose personal information about them to the Member but only where:

- the Member represents the ward in which the individual lives;
- the Member makes it clear that they are representing the individual in any request for their personal information to the local authority; and
- the information is necessary to respond to the individual's complaint.

In all other cases Officers may need to seek the explicit consent of the individual to share their personal data with the Member in order to comply with the Data Protection Act 1998.

7.3 Personal information about third parties (i.e. individuals who have not sought the Member's assistance) may only be shared with a Member where the law permits this. See also paragraphs 8.1.3 and 8.1.4 below.

## **8. Information and advice**

### *8.1 Requests for written information*

8.1.1 Members should be provided with adequate information about services or functions on which they may be called upon to make decisions or to scrutinise the decisions of others, or which affect their constituents. This information will normally be made routinely available by Officers in the form of reports, departmental plans etc.

Members are encouraged to make use of existing sources of information wherever possible.

- 8.1.2 Written information supplied to a Member regarding the implications of current Council policies or containing statistical information about Council services may be copied to the relevant Cabinet Member.
- 8.1.3 The Leader of the Council or Leader of any other political group may request the Chief Executive or the relevant Deputy Chief Executive, or other designated Officer to prepare reports on matters relating to the authority for consideration by the group. Such requests must be reasonable and should not seek confidential information in relation for instance to casework or personal details of applicants for services.
- 8.1.4 Wherever possible, such requests will be met. However, if the Officer considers that the cost of providing the information, or the nature of the request is unreasonable or inappropriate, the request will be referred to the Chief Executive for determination, where necessary in consultation with the Leaders of the political groups. Requests will also only be met where they comply with data protection or other legal requirements.
- 8.1.5 Officer reports to political groups should be limited to a statement of relevant facts, identification of options and the merits and demerits of such options for the authority. Reports should not deal with any political implications of the matter.

## 8.2 *Briefings*

- 8.2.1 In order for them to discharge their responsibilities Cabinet Members will be briefed by senior officers (Deputy Chief Executives, Directors or Heads of Service) on service issues, proposals and policy development either on an ad hoc or a regular basis, in accordance with the requirements of the Member involved.
- 8.2.2 The other political party groups may also have nominated ~~portfolio leads~~ **Shadow Cabinet Members** and, if those ~~leads~~ so request, the relevant senior officers will make themselves available to meet with them to brief them on service issues. The other political party groups should be aware that at times the amount of information that officers can share with them may be limited due to issues of confidentiality
- 8.2.3 The content of these informal briefing sessions shall remain confidential as between Officers and the political group concerned.

## 8.3 *News items*

When an event or development occurs in the city which has or will have a significant impact on the Council or city residents, the Chief Executive will ensure that the Leaders of all political groups are informed as soon as possible.

## 8.4 *Ward Members*

- 8.4.1 Senior officers should ensure that Ward Members are given information relevant to their ward where appropriate. As well as letting Ward Members know when there has been a significant incident in their ward, Ward Members should be notified about the following types of issue:

- Public consultation events affecting their wards;
- Proposed changes to services sited within their wards;
- Applications and proposals in their wards

8.4.2 Ward Members should be invited by Officers to public events, such as openings, festivals etc., in their wards regardless of political affiliation.

8.4.3 The Media and Communications Team will advise Cabinet Members of 'photo shoots' taking place. The team will aim to give 48 hours' notice of any photo shoot to the Cabinet Member.

8.4.4 If Officers organise a public meeting about a specific ward issue, all the Ward Members should be invited and given as much notice as possible.

8.4.5 If Officers undertake consultation about specific ward issues they should consult the Members for that ward at the start of the consultation.

8.4.6 Ward Members should be told in advance about anything which particularly affects their ward and which is potentially controversial.

#### 8.5 *Officer attendance at Group Meetings*

8.5.1 The Leader of the Council or Leader of any other political group may ask the Chief Executive or relevant Deputy Chief Executive to give or arrange a private briefing for the party group on a matter of relevance to the Council.

8.5.2 Any briefings offered to or requested by a party group will be offered to the other party groups.

8.5.3 While Officers may attend political group meetings at which individuals who are not elected Members may be present, Members need to understand that those Officers' ability to share confidential information with the Group may be limited. In particular Officers will not be able to share personal information with third parties present if to do so would cause the Council to breach the Data Protection Act 1998.

8.5.4 Decisions at group meetings are not Council or Cabinet decisions and party groups do not have any delegated authority to make formally binding decisions.

#### 8.6 *Advice for Members with special responsibilities*

8.6.1 The Lord Mayor, Cabinet Members and Committee Chairs can ask the Chief Executive, Deputy Chief Executives, Directors and Heads of Service for extra background information and advice on different courses of action.

8.6.2 Although these Members have additional responsibilities and different relationships because of their more frequent contact with Officers, these Members must still respect the impartiality of Officers. This includes not asking them to undertake work of a party political nature, or to do anything which would prejudice that impartiality.

8.6.3 The Leaders of minority political groups can ask the Chief Executive, Deputy Chief Executives, Directors or Heads of Service for background information or more details about items coming to the next meeting of a Committee or Cabinet. The

appropriate Chair or Cabinet Member will be entitled to receive the same information.

8.6.4 Party group Leaders can ask for advice on presenting their budget in a correct and accurate form. This will be given in confidence.

## **9. Members' briefings on agendas and reports**

### **9.1 *Briefings on agendas***

Deputy Chief Executives, Directors and Heads of Service will give briefings on full Council, Cabinet and Committee agendas to the Leader and Deputy Leader and Committee Chairs as appropriate.

### **9.2 *Consultation on agendas***

The Leader will be consulted on agendas for the Cabinet. Committee Chairs will be consulted on agendas for their Committees.

### **9.3 *Requests for reports***

9.3.1 Instructions for reports to come to Cabinet or Committees can only come from the Leader, Cabinet, a Cabinet Member in respect of the Cabinet and a Committee or a Committee Chair in respect of Committees. Cabinet Members may ask for reports to come to their Cabinet Member meetings.

9.3.2 Whilst Cabinet Members have political responsibility for drawing up proposals for consideration or for the agenda for a forthcoming meeting, it must be recognised that in some situations an Officer will be under a professional duty to submit a report. Similarly, senior officers will always be fully responsible for the contents of any report submitted in his/her name. This means that any such report will be amended only where the amendment reflects the professional judgement of the author of the report. Any issues arising between a Cabinet Member and a senior officer in this respect should be referred to the Chief Executive for resolution in conjunction with the Leader of the Council.

## **10. Support services to Members and Political Groups**

Support services should only be used for Council business. They should never be used for private purposes, for party political or campaigning activity.

## **11. Correspondence**

### **11.1 *Between Members and Officers***

If emails or letters between Officers and Members are copied to someone else, they should say so. Blind copies should not be sent. Members should not forward information received from an Officer to a constituent or member of the public if that information is expressed to be private or confidential.

### *11.2 Letters on behalf of the Council*

Letters on behalf of the Council will normally be sent by Officers rather than Members. The Leader or Committee Chairs may write some letters on behalf of the Council, for example representations to government ministers. Members must never send letters that create obligations or give instructions on behalf of the Council.

## **12. The Council as an Employer**

The Council as a whole employs its Officers. The appointment and dismissal of Officers and any disciplinary or grievance proceedings will be carried out in accordance with the Employment Procedure Rules and any other agreed policies and procedures.

## **13. Responsibility for this Code**

The Monitoring Officer has overall responsibility for this Protocol and will periodically review how it is working.

**Council – 5<sup>th</sup> December 2017**  
**Recommendation from Cabinet**  
**31<sup>st</sup> October 2017**

**Coventry City Council**  
**Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 31 October 2017**

Present:

Members:

Councillor G Duggins (Chair)  
Councillor A Khan (Deputy Chair)  
Councillor F Abbott  
Councillor L Bigham  
Councillor K Caan  
Councillor K Maton  
Councillor J Mutton  
Councillor J O'Boyle  
Councillor E Ruane

Deputy Cabinet Members:

Councillor R Ali  
Councillor B Kaur  
Councillor R Lakha  
Councillor C Thomas

Non-Voting Opposition Members:

Councillor A Andrews  
Councillor G Ridley

Other Members:

Councillor N Akhtar  
Councillor R Brown  
Councillor J Clifford  
Councillor M Mutton  
Councillor J McNicholas  
Councillor S Walsh

Employees (by Directorate):

Chief Executive's

M Reeves (Chief Executive), N Hart

People

G Quinton (Deputy Chief Executive (People)), J Gregg,  
G Kell, P Smith

Place

M Yardley (Deputy Chief Executive (Place)), B Hastie,  
J Newman, M Salmon

Apologies:

Councillor J Innes  
Councillor P Akhtar  
Councillor D Welsh

## Public Business

### 68. Youth Justice Plan

The Cabinet considered a report of the Deputy Chief Executive (People) that would also be considered at the meeting of the Council on 5<sup>th</sup> December 2017, which provided notification that The Coventry Youth Offending Service (CYOS) Youth Justice Plan 2017-2018, a copy of which was attached as an appendix to the report, had been agreed and signed off by its Statutory Partners, and sought Council endorsement of the Plan.

Youth Offending Teams were established under the Crime and Disorder Act 1998 (CDA). The functions assigned to the YOS included the duty upon the Local Authority under the Children Act 1989 to take all reasonable steps to encourage children not to commit offences. The Act imposed a duty on each Local Authority acting in co-operation with its Statutory Partners (Police, Health and Probation), to ensure that all youth justice services were available in their area to such an extent as it appropriate for the area.

The key tasks of the service were:

- Assessing and delivering interventions to the out-of-court-disposal cohort
- Management and delivery of community sentences
- Management and delivery of secure estate sentences and resettlement
- Servicing the Youth Court and Crown Courts (in terms of provision of a court team, bail & health assessments, provision of pre-sentence reports and stand down reports)
- Victim services
- Parenting services and management of Parenting Orders

The CDA legislation also imposed a duty to complete and submit a Youth Justice Plan each year. The Plan provided an overview of CYOS achievements against key indicators, plans and targets, and identified the key strategic actions for the next 12 months.

Statutory Partners (Police Health, Probation, and Local Authority, represented by the Director of Children Services) agreed and signed off the Plan at CYOS Statutory Board meeting on 31st July 2017.

The Cabinet agreed to recommend that the Council endorse the Youth Justice Plan.

**RESOLVED that the Council be recommended to endorse the Youth Justice Plan.**



Cabinet  
Council

31 October 2017  
5 December 2017

**Name of Cabinet Member:**

Cabinet Member for Children and Young People - Councillor E Ruane

**Director Approving Submission of the report:**

Deputy Chief Executive (People)

**Ward(s) affected:**

All Wards

**Title:**

**Youth Justice Plan**

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**Is this a key decision?**

No – Although the Plan covers all Wards of the City, it is not anticipated that the impact will be significant

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**Executive Summary:**

This report is being submitted as notification that The Coventry Youth Offending Service (CYOS) Youth Justice Plan has been agreed and signed off by its Statutory Partners, and to seek Council endorsement.

Youth Offending Teams (YOTS) were established under the Crime and Disorder Act 1998 (CDA). The functions assigned to the YOS include the duty upon the local authority under the Children Act 1989 to take all reasonable steps to encourage children not to commit offences. The Act imposed a duty on each Local Authority acting in cooperation with its Statutory Partners, (Police, Health and Probation) to ensure that all youth justice services are available in their area to such an extent as it appropriate for the area.

The key tasks of the service are:

- Assessing and delivering interventions to the out-of-court-disposal cohort
- Management and delivery of community sentences
- Management and delivery of secure estate sentences and resettlement
- Servicing the Youth Court and Crown Courts (in terms of provision of a court team , bail & health assessments, provision of pre-sentence reports and stand down reports)
- Victim services
- Parenting services and management of Parenting Orders

The CDA legislation also imposed a duty to complete and submit a Youth Justice Plan each year.

The Plan provides an overview of CYOS achievements against key indicators, plans and targets, and identifies the key strategic actions for the next 12 months.

Statutory Partners (Police Health, Probation, and Local Authority, represented by The Director of Children Services) agreed and signed off on the Plan at CYOS statutory Board meeting on the 31 of July 2017.

**Recommendations:**

The Cabinet is requested to:

- 1) Recommend that the Council endorse the Youth Justice Plan.

The Council is requested to:

- 1) Endorse the Youth Justice Plan.

**List of Appendices included:**

The Coventry Youth Offending Service Youth Justice Plan 2017-18

**Background papers:**

None

**Other useful documents**

None

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

No

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

No

**Will this report go to Council?**

Yes – 5th December 2017

## Report title: Youth Justice Plan

### 1. Context (or background)

1.1. The Youth Justice Plan (the Plan) is completed annually, agreed by CYOS Management Board members and submitted to The Youth Justice Board. The current Plan has secured Board sign off and Council's endorsement is being sought. If the plan is not submitted it breaches legislative requirements and places CYOS in breach of its Youth Justice Board (YJB) conditions of Grant agreement. This year 2017/18 the YJB grant is £494,173 .

1.2. CYOS is required to report against 3 national indicators

- Reducing the number of young people entering the youth justice system as First Time Entrants (FTEs)
- Reducing re-offending
- Reducing the use of custody for young people

### 1.3. During 2016/2017

1.3.1. The Service has experienced an increase in First Time Entrants (FTEs). These are young people who receive their first substantive criminal justice disposal, Youth Caution, Youth Conditional Caution or Court conviction. There has been an increase in non-diversion eligible cases. Locally, for example, there has been an increase in motoring offences 4.8% of total offences in 2015/16 Vs 10.9% in 2016/17. The FTE rate of increase has slowed in spite of an increasing number of high gravity offences for example Robbery which increased from 18 in 2015/16 to 28 in 2016/17.

1.3.2. Against the reoffending National Indicator counting rule, there has been an increase. It is very important to note that in real terms, the absolute number of offenders, re-offenders and re-offences continues to reduce. When compared to the previous counting period CYOS had 10 less young people go on to reoffend and 30 less offences committed. CYOS binary rate (the number of young people who re-offend) is lower than its family group members and higher against the re-offences rate (the average number of re-offences).

1.3.3. The use of custody fell to record low rates at 0.55 as a rate per 1000 of the 10-17 year old population. When compared to the previous counting period there were 2 less custodial episodes and 3 less young people entering custody. The services 16/17 custody rate is below that of the family group average 0.55 vs 0.68.

1.3.4. Remand use declined sharply, with the number of bed nights used falling from 650 last year to 413. A significant fall of 36%.

1.3.5. An independent service user survey undertaken by her Majesty's Inspectorate of Probation identified that 98% of respondents said that CYOS took their views seriously all of the time or most of the time, 100% said that the YOT worker did enough to help them take part in their order and 77% said they were a lot less likely to reoffend.

1.3.6. CYOS received the Restorative Justice Councils, Restorative Services Quality Mark, at the time of writing the Youth Justice Plan, approximately 30 YOTS had secured the quality mark.

- 1.3.7. CYOS was inspected by Her Majesty's Inspectorate of Probation for England and Wales (HMIP) during June 2016. They stated in their summary that "overall CYOS was performing well in most areas of practice" There were areas of practice that required further scrutiny and additional workshops and audit followed. CYOS have recently entered in to another peer audit arrangement with two other YOTS to secure external oversight and quality assurance.
- 1.3.8. The Youth Justice Board (YJB) congratulated Coventry YOS "for a good short quality screening report; engaging young people and assessment of offending behaviour a real strength".
- 1.3.9. The service has extended the range of CYOS partners who benefit from reparative activities outcomes and unpaid work services from CYOS young people. One of the new partners is Sowe Valley where young people pick up litter and undertake conservation work such as clearing ivy off trees.

#### 1.4. **Our Priorities for 2017/2018 Include**

- 1.4.1. **Work at a city wide level to raise awareness of the dangers and implications of knife crime and other weapons.** The service is working with Streetdoctors a national award-winning charity, which uses volunteer doctors to deliver face-to-face sessions with young people. It is anticipated that the intervention will equip young people with practical skills to save lives, change attitudes and reduce the likelihood of violence.
- 1.4.2. **Sustain the range of out of court disposals.** There is a risk that the funding from Coventry's Police and Crime Board, which primarily supports Enhanced Community Resolutions, will not be available going forward. The West Midlands Police Crime Commissioner has expressed an intent to deliver responses at a regional level, and it is not yet clear which types of activities he will choose to support. CYOS will work with other youth offending teams within the West Midlands footprint to provide evidence-based arguments to seek to ensure continued funding of local priority practice areas.
- 1.4.3. **The service will continue to focus on the number of Looked After Children (LAC) entering the criminal justice system.** Current developments include scrutiny of decisions made at placements in the context of whether the correct restorative approach has been applied and ongoing support and training to partners in restorative approaches This will seek to ensure that restorative capacity, particularly as new local placements come into effect, is consistent and that young people within those placements are not disadvantaged as a consequence.
- 1.4.4. **CYOS will increase the number of accredited interventions available within the service,** in particular increasing the number of accredited options for Attendance Centre participants. It is anticipated that 12 of the 25 available interventions will be accredited this year.
- 1.4.5. **Maintain a focus on engaging young people who are at risk of entering custody for breach alone.** Current engagement activities have succeeded in reducing this cohort but further multi agency activities need to contribute to facilitating engagement with a hard to reach group of vulnerable young people. This links closely to other priorities to improve outcomes for LAC and those who go missing.
- 1.4.6. **Maintain a strong focus on Prevent responsibilities.** This will include additional training for staff, supporting the 2017/18 Prevent delivery action plan. Any additional responsibilities that may emerge from that plan will be included in CYOS Action plan.

1.4.7. **Strengthen the capacity and skill set of professionals to undertake the role of Appropriate Adult.** CYOS will continue to deliver training in-house and across children services and has committed to a training programme for this current year. This activity should support other priorities such as adherence to the provision of PACE accommodation.

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

2.1. Completion and submission of this plan is compulsory under CDA legislation. Therefore, it is recommended that the Council endorse the Youth Justice Plan.

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

3.1. All statutory Partners are consulted under a statutory duty imposed by CDA. All Management Board members are consulted and contribute, although only statutory partner's co-operation is required.

### **3.2. Statutory Members are represented by:**

- Director Of Children's Services
- Strategic lead Childrens Services
- Chief Superintendent, Police Commander for Coventry, West Midlands Police
- Head of Probation, Staffordshire & West Midlands Probation Trust
- Joint Commissioning Manager Coventry and Rugby Clinical Commissioning Group & Coventry City Council
- Head of Specialist Health Services for Children and Young People

### **3.3. Other members include:**

- Head of Environment Services Street Scene and Regulatory Services
- Manager - Prospects
- Chair of The Magistrates Youth Panel
- Advisory Teacher Coventry Virtual School

All Members above agreed the Plan.

3.4. Whilst service users are not consulted on the content and format of the Plan, service user feedback is sought and considered across areas of CYOS practice.

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

4.1. YJB grant conditions state that receipt of the 2nd payment is conditional on submission of a strategic plan. The YJB recognise that local political processes do not necessarily tie in with submission dates and therefore they accept a draft plan which had to be submitted earlier this year, by the 31 July.

## **5. Comments from the Director of Finance and Corporate Services**

### **5.1. Financial implications**

Grant funding from YJB may be withheld/withdrawn if the plan is not submitted in line with CDA legislation requirements. The YJB grant for this year (2017/18) to CYOS is £494,173.

## 5.2. Legal implications

Section 40 Crime and Disorder Act 1998 places a duty on the local authority, after consultation with the relevant bodies, to formulate and implement for each year a Youth Justice Plan setting out how Youth Justice Services in the area are to be provided and funded and how the YOS teams established are to be composed and funded, how they will operate and what functions they are to carry out.

## 6. Other implications

### 6.1. How will this contribute to the Council Plan ([www.coventry.gov.uk/councilplan/](http://www.coventry.gov.uk/councilplan/))?

#### **Primarily activities support;**

- Protecting our most vulnerable people
- Improve health and well being
- Make communities safer
- Improving educational outcomes
- Reducing the impact of poverty

#### **Activity within The Youth Justice Plan is aligned locally to plans which include;**

- Local Police and Crime Board
- Local Policing Plan
- Coventry Sustainable Communities Strategy

### 6.2. How is risk being managed?

Risk to YJB grant, has been managed by consulting with partners in a timely manner to facilitate sign off and submission of the draft plan (grant requirement). The report is also submitted now for endorsement in line with statutory duties and good practice requirements.

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

The plan presents a balanced budget and no immediate implications for other groups. The Plan details the risks going forward in to 2018/19.

### 6.4. Equalities/Equality Impact Assessments (EIA)

Legislative changes, such as pre court disposal options have been subject to substantial EIA activity under Ministry of Justice and Youth Justice Board. No adverse impact has been identified

This is not a new activity.

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

None

### 6.6. Implications for partner organisations?

Partners have all participated in agreement and sign off the Plan and there are no implication arising post sign off.

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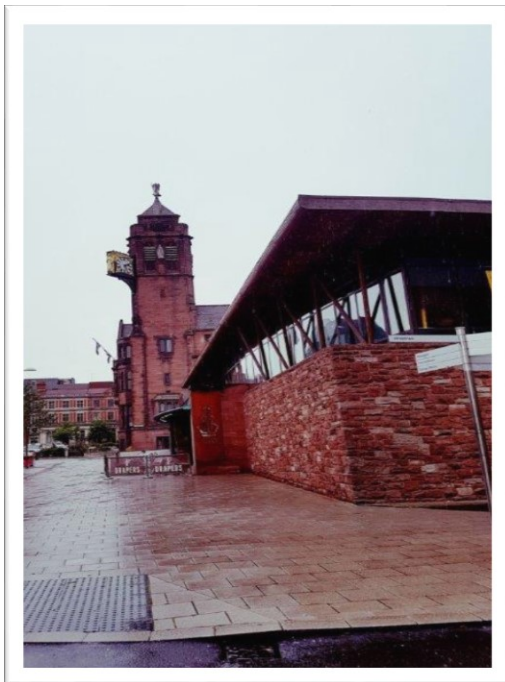
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# Coventry Youth Offending Service Youth Justice Plan 2017 - 18



Photography courtesy of a CYOS Young Person

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## Youth Justice Plan 2017 – 2018

### 1. Executive Summary

It has been an eventful year with developments in Public Sector Reform through the Combined Authority activity (including the commencement of activity to devolve Youth Justice), the release of the Charlie Taylor Review into The Youth Justice System and the subsequent government response paper to name but a few.

The service welcomes the government's intent, as expressed in their response to the Charlie Taylor Review of the Youth Justice System to retain ring fenced grants for the provision of Youth Justice Services. Their intention for greater flexibility to local areas with regard to delivery models and the retention of a national set of performance standards for all those working within the community and custody are also welcomed.

In addition to this CYOS has also completed a restructure, a site move, transition to AssetPlus Assessments and the introduction of new rating/judgments and practice models.

In the midst of multiple transitions The Coventry Youth Offending Service (CYOS) was subject to a Short Quality Screening by her Majesty's Inspectorate of Probation (HMIP). The service had not been subject to a HMIP inspection for a number of years and welcomed external scrutiny and their subsequent summary which was that **“overall CYOS was performing well in most areas of practice”**.

**Youth Justice Board** - Tweet following CYOS June 2016 HMIP Short Quality Screening Inspection

“Well done to Coventry YOS for a good SQS report: engaging young people & assessment of offending behavior 'a real strength' ”

There were some areas that required additional focus and these have been subject to action planning and evaluation. This year's plan continues the focus on the embedding of practice improvements post SQS, reflecting learning from local audit activity and from HMIP thematic reports.

The dynamic landscape did not prevent the delivery of good quality services, in particular high quality services to victims. This was evidenced by the awarding of The Restorative Justice Quality Assurance Mark to CYOS by The Restorative Justice Council (RJC).

The service and its partners have secured good outcomes for the city's residents, victims and service users and this is evidenced both by direct feedback and aggregated performance data against national indicators.

“The latest performance data is very encouraging, showing fewer young people are committing fewer offences which reduces both the cost of crime and impact on victims across Coventry”

Partnership Adviser Central Business Area

Youth Justice Board for England and Wales

Youth Offending Teams (YOTS) have been subject to substantial resource reductions both from The YJB and locally from some partners over the last few years. Following the services HMIP SQS in June 2016 further post reductions occurred as a consequence of YJB Grant budget reductions.

Previous years experienced reducing demand on the service across some areas of practice. The introduction of Out of Court Disposals (OCD) under The Legal Aid Sentencing and Punishment of Offenders Act 2013 provided the opportunity to deliver brief targeted intervention which in many cases ensured that young people did not enter the formal criminal justice system (CJS) where the period of order would exceed that of the majority of OCD .Other demand reductions were secured for example through falling numbers of First Time Entrants (FTEs).

There is no longer a pattern of falling demand and while not experiencing significant changes in the number of orders offending patterns have changed .For example reductions in lower gravity offences such as Criminal Damage and the increase in high gravity offences such as Robbery, which means that there has been an increase in the number of orders that the service manages at any one time. Higher gravity offences usually result in longer sentences. This can also has an impact on the level of contact the service has with young people as contact levels are determined by YJB National Standards based on the level of risk that the young person presents, the higher the risk the higher the contact levels.

The consultants who undertook an independent review to inform future delivery options for CYOS acknowledged that there was” potential for reduced capacity to impact on the quality of services provided” as a consequence of the staffing reductions. Those reductions occurred in quarter 4 of 2016/17 and the impact will be closely monitored by CYOS Board to ensure that any potential negative impact is quickly responded to.

Coventry Children’s Services are implementing a redesign and have improved their performance, under Ofsted Inspection, moving from an “inadequate “judgment to “requires improvement “. The redesign is intended to increase the pace of improvement. The better outcomes for families anticipated as consequence of the redesign, given the commonality of families with whom we engage, may offset any detriment from recent CYOS post reductions.

## **Headlines from 2016/17 include:**

### **National Indicator-First Time Entrants (FTE) into the Youth Justice System (YJS)**

- While there has been an increase in FTEs locally there has also been an increase in “non - eligible” cases locally. For example an increase in motoring offences which was 4.8 % of total offences in 2015/16 and 10.9% in 2016/17.
- When FTE figures are considered by calendar year the service sits slightly above the family group average: 449vs 415 (rates per 100,000).
- The rate of increase has also slowed in spite of an increasing number of high gravity offences for example Robbery which increased from 18 in 2015/16 to 28 in 2016/17.

### **National Indicator re-offending**

- While the rate against the counting rule has increased, in real terms, the absolute number of offenders, reoffenders and re-offenses continues to reduce.
- When compared to the previous counting period CYOS had 10 less young people go on to reoffend and 30 less offences committed.
- CYOS has secured a year on year reduction, for example when compared to the March 2012 cohort we now have 166 less re-offences and 66 less re-offenders.
- The most recent national data evidences that less young people reoffend in Coventry when compared to our family group members 39% V 40.7 %. Those who do reoffend commit a slightly higher number of re-offenses than our comparator groups 1.45 V 1.29.
- It important to note that the increase of vehicle crime/motoring offences, the second largest reoffending category, has a disproportionate negative impact of this indicator. Most young people will have been charged with multiple motoring offences stemming out of one incident.

### **National Indicator Custody**

- The use of custody fell to record low rates for the city this year at 0.55 as a rate per 1000 of the 10-17 year old population.
- 14 people entered custody (16 episodes) v 17 people (18 episodes) in the previous counting period.
- Remand use has declined sharply with the number of bed nights used falling from 650 last year to 413 this counting period. A significant fall of 36%.
- The services 16/17 custody rate is below that of the Family Group Average: 0.55 vs 0.68.

## CYOS has also:

- Received positive voice of the child feedback from HMIP young person's e survey.

Out of 53 respondents 98% said that CYOS took their views seriously all of the time or most of the time

100% of 17 respondents said that the YOT worker did enough to help them take part in their order

77% said that they were a lot less likely to reoffend

- Enhanced the quality of our Probation "transition" performance report to CYOS Board in line with recommendations in the HMIP Thematic Transition Arrangements – A follow up inspection report. The service is in the process of agreeing a protocol across areas for transition management.
- Received the Restorative Justice Councils Restorative Services Quality Mark, at the time of writing, only approximately 30 YOTS have secured the quality mark.

"....please accept my overflowing congratulations! You really do deserve the recognition...please forward my congratulations to all the managers and practitioners for getting this acclaim. Be proud, all of you, as it is no mean feat and follows a huge amount of hard work..."

Head of Central Business Area, Youth Justice Board for England and Wales commenting on CYOS's receipt of the quality mark

- CJS partners in Coventry secured a young adults in court pilot, supported by T2A Transition to Adulthood and the Centre for Justice Innovation. There is a growing consensus that a chronological split between jurisdictions based on Edwardian evidence and established through the Children Act 1908 no longer reflects contemporary understanding. The pilot, which has a go live date in October 2017 will trial and test new approaches to young adults in court. It seeks to ensure that there will be key principles within a young adult court process which reflects developmental maturity ensuring that young people understand and engage in the process, that the participants understand the process and recognise procedural fairness as a consequence.
- Delivered or accessed a broad range of training which has included Desistance, Safeguarding training, including Child Abuse, Images and Grooming, Reflective and Analytical Thinking and Signs of Safety (SOS). Most recently case managers completed training in the "Chimp Paradox". Put in a nutshell this is an approach in which the irrational, emotional side of a personality is depicted as a chimp. Enabling young people to recognise

different strands to their thinking and having personal strategies to respond it is anticipated that this may assist them to become less anxious and impulsive.

- The service has been assessed by external consultants, as part of the service 2016/17 redesign.

“... overall good performing service when compared with regional, national and family group comparators ..... Coventry YOS is a well-organised service.... There have been considerable successes in reducing youth offending in Coventry over the last 5 years. While these reductions reflect wider regional and national trends they also highlight the way that local youth justice partners have worked together in Coventry to effectively target and intervene with young people and families at greatest risk “

- Increased our range of interventions to meet a diversity of need. This has included working with new programme partners such as Street Doctors, The Dogs Trust and Friends of Sowe Valley.
- Submitted a joint funding bid, Children’s and Young Peoples Mental Health Services Transformation Programme, A collaborative Commissioning Network Proposal NHS England Funding. The bid is for two clinicians to work across the Coventry and Warwickshire Local Transformation Plan area. This will enable existing Youth Justice Mental Health Teams to increase their capacity and service offer. This would meet NHSE aims of: Joining up the clinical pathway between secure provision and community settings, improving the mental health support provided to children and young people who have been in contact with NHS England Health & Justice directly commissioned services. The outcome of the bid has not yet been confirmed.
- Maintained an Enhanced Community Resolution intervention with the support of the Coventry Police and Crime Board. This allows young people who have committed a low level offence to receive assessment, support and where necessary control without recourse to the formal criminal justice system.
- Supported the Prevent agenda, locally branded as “Our families our future”, through on going engagement with Channel Panel. In addition the schools panels established across the city have Prevent as a standing agenda item and CYOS are represented in this activity.

## 2. Introduction to the Annual Youth Justice Plan

Youth Offending Teams were established under the Crime and Disorder Act 1998 with the principal aim being to prevent offending by children and young persons. The Act imposed a duty on each local authority with its statutory partners, Police, Health and Probation to ensure that adequate Youth Justice Services are available in their area.

### **The key tasks of the service are:**

- Assessing and delivering interventions to the out-of-court-disposal cohort
- Management and delivery of community sentences
- Management and delivery of secure estate sentences and resettlement
- Servicing the Youth Court and Crown Courts (in terms of provision of a court team, Bail & Health Assessments, provision of Pre-Sentence Reports and Stand down Reports)
- Parenting services and management of Parenting Orders
- Victim services

The legislation also imposed a duty to complete and submit a Youth Justice Plan each year. This plan provides an overview of achievements against key indicators, plans and targets and will identify the key strategic actions for the next 12 months. The Plan is also subject to Coventry City Council Cabinet endorsement.

Detailed performance analysis, against the three National Indicators, Reducing the number of First time entrants (FTE ) Reducing Reoffending and Reducing the use of Custody sits in the YJB Community Division Quarterly Reviews and within reports to CYOS management and will continue to inform strategic objectives.

Additionally, analysis and performance against locally retained indicators, from the original national set, is contained in quarterly performance reports to CYOS Management Board. CYOS continue to analyse performance against the suitability of Accommodation and engagement in Education, Training and Employment (ETE).

Detailed financial data is presented to the Board and within documents that underpin the YJB grant conditions. Appendix 2 provides the headline funding streams, and indicates a projected budget for 2016\17. There is a requirement for all youth offending teams to include in their annual plan, details of how the services propose to use the YJB Grant. This can be found in appendix 3.

Budgets are monitored and reported quarterly to the CYOS Management Board and the YJB.



### 3. Priorities for the next year 2017-18

#### National Indicator - First Time Entrants

- **Work at a city wide level to raise awareness of the dangers and implications of knife crime**

The service has entered into a partnership with Street Doctors, a national award winning charity which uses volunteer doctors to deliver face to face sessions with young people. It is anticipated that the intervention will equip young people with practical skills to save lives, change attitudes and reduce the likelihood of violence. The service is working in partnership with two schools to pilot this approach and will monitor impact. The service has also engaged the Youth Service and Rainsbrook Secure Training Centre which means the local pilot addresses early prevention, those in CJS community and custody. Engagement with the Police School Panels and the Mentors in Violence Prevention approach should support this priority. This type of crime increases young people's vulnerability and pulls young people up into the formal criminal justice system. It is anticipated that this activity supports reduction in both FTES and the use of custody.

- **Sustain a range of out of court disposals (OCCD)**

The local Police and Crime Board (PCC) has maintained its funding for this area of practice for 2017 -18. The West Midlands Police Crime Commissioner has expressed an intent in his Police and Crime Plan 2016-2020, to deliver responses at a regional level. This presents a funding risk. CYOS will continue to monitor both the impact of this activity and evidence the complexity of the cohort to demonstrate the value of intervening early to reduce demand on services downstream and improving outcomes for young people. Discussions are taking place regarding the regionalisation of PCC funding and CYOS with its partners and YOTS HOSs will need to ensure that it provides the PCC with evidenced based arguments to ensure continued funding.

- **CYOS will continue to focus on the number of Looked After Children (LAC) entering the criminal justice system**

The service has led on a working group including LA commissioning, Police and representatives from residential providers. Current developments include scrutiny of decisions made at placements in the context of "has the correct restorative approach been applied". This also supports Children's Services Improvement Plan and the Child Centred Policing National Action Plan 2016-2018 which commits to a force protocol to prevent the criminalisation of children in care. CYOS has provided training to partners in restorative approaches and will continue to focus on building restorative capacity as the new local placements redesign is implemented. The service is currently supporting the development of the new external residential specification to ensure restorative approaches are contractually embedded.

- **Seek to respond to the emerging causal factors behind the increase FTEs**

This will include further analysis of point of entry data, action planning responses with partners particularly around the broader issues of Road Traffic Act offences to determine appropriate education and communication strategies. In addition the service will maintain ongoing quality assurance of decision making rationales tested locally and continue to engage with The West Midlands Police, force wide, Scrutiny Panel activity. Findings will be disseminated to partners for consideration of a response.

### **National Indicator - Reducing Reoffending**

- **Enhance Attendance Centre delivery**

The service has already delivered a broad range of activities including first aid, sport, healthy lifestyles and pottery. CYOS will increase the number of AQA Accredited sessions available to meet diversity of need. It is anticipated that 12 of the 25 available interventions will be accredited within 2017/18. New workshops will also include safety awareness delivered by The West Midlands Fire Service.

The below quote is taken from a letter written by young person to the Magistrates when the service was asking the court to revoke his order for good progress.

“To whom this may concern

I apologise for my absence as I feel I cannot have any more time off school. I feel that you would be delighted to hear that the youth offending service feel they cannot reform or rehabilitate me anymore, as I have not broken the law since my incident last time. The youth offending service have seen a dramatic improvement in my behaviour and I feel I do not need to carry on with my sentence and therefore have it revoked.

I feel that this has been a reality check and a wake-up call for me to change my ways, and have changed into the best person I can be. The youth offending team has helped me incredibly and I feel that they no longer need to help me.

Since I've been working with the youth offending team there is been a noticeable improvement in my academic grades and I feel they will continue to improve.

I hope you'll make the right decision”

**The Magistrates, in recognition of the young person's progress, revoked the order**

- **Build on the learning secured through achieving the Restorative Service Quality Mark**

The service will consider how it can make better use of service user evaluation to further support practitioners in enhancing their own practice. There will also be activity to secure individual accreditation for a number of staff. The impact of restorative approaches has a strong national evidence base in terms of impact on both victim and offender and the service will seek to evidence the impact of this area of practice on reoffending rates.

CYOS strengths as identified in The Restorative Justice Council Final Report by Jim Simon

“Senior leaders have a good understanding of restorative practice.... and how it can support the service in improving victim engagement and reducing reoffending...partners were positive about the effectiveness of communication ...practitioners and volunteers demonstrated a clear commitment to working restoratively...service users ( victims) were extremely positive about the restorative service team stating that they were professional, supportive and empathetic

- **Enhance the re-offending response across agency’s (LAC)**

The service utilises a live tracker and the most recent available data identified that LAC young people committed 15% of the re-offences. This reinforced the need for LAC young people to remain a priority group. All young people who reoffend are reviewed to determine adaptations to their intervention plans in addition to this a specific tiered response process is being agreed for all looked after children who reoffend. This will assist in ensuring that the causal factors are addressed quickly and planning and interventions will change quickly and not be bound by usual planning frameworks timescales (i.e. pre-planned LAC reviews and placement planning).

- **Build on intervention options to meet a diversity of need**

We will continue to consider new programmes and partners. New programmes for this year include “which Way” which targets males and aims to reduce vulnerability to CSE, gang involvement and organised crime. CYOS have received training in the “Chimp paradox “model and will be able use the metacards to help young people achieve a better understanding of their emotional responses to events and learn management techniques.

New partners for this year include Street Doctors and the Dogs Trust. The Trust Programme enables young people to draw comparisons between themselves and the dogs and they consider how the dog is feeling, and how this changes and escalates as the dog becomes more wound up and aggressive. The group then compares that with their own behaviour and identify their personal anger signs, enabling them to have an opportunity to stop before they lose control.

There is the opportunity to access The Dogs Trust Open Awards accredited programme Level 1 Award in Skills for Further Learning and Employment.



Artwork completed by CYOS young people as part of a Dogs Trust activity.

### **National Indicator Reducing Custody**

- **Utilise alternatives to custody to ensure that custody is only used as last resort**

While CYOS have achieved year on year reductions in the use of custody, the pattern of offence types that is emerging means that there is a possibility that the direction of travel will be reversed. CYOS will review its alternative to custody provision and promote programmes with sentencers outside of the court arena.

The feedback below is from a young person who successfully completed an Intensive Supervision and Surveillance Requirement. This young person is currently completing a sports course with a view to doing a level 3 sports apprenticeship and has not reoffended.

“I loved my time here. It’s helped me a lot, changed my whole life around. Helping me through my teenage years”

- **Extend current “lessons learnt “activity**

CYOS currently provides a lessons learnt report to CYOS Management Board for all FTES to custody. Going forward all custodial episodes will be discussed at service staffing meetings so that lessons learnt and experience can be utilised to inform practice.

- **Maintain a focus on “engaging” young people who are at risk of entering custody for breach alone**

CYOS has reduced the number of young people experiencing custody for breach alone as a consequence of its long term “Reducing the use of the secure estate strategy”. There remains a small cohort where further consideration of enhancement of resource is required in order to secure engagement. While the service has seen a positive impact via Operational Managers chairing Engagement Panels the attendance is usually young person, their family member and case managers. CYOS will seek to ensure that all relevant representatives are contributing to the panels including schools, social workers and key workers with all participants taking responsibility for actions to improve engagement.

### **Local indicators and drivers**

- **Understand , challenge and improve education ,training and employment performance**

Performance against this local indicator has been fairly static across the last three years. Further analysis is required to understand and challenge the causal factors underpinning this. This will include additional performance reporting to CYOS Board including exclusion activity, identification of providers, escalation pathways and identification of LAC young people within the cohort. This will enable the Board to consider its response. The service will also include the timeliness of provision of school reports to inform the preparation of Pre-Sentence Reports for court. Regional activity to develop a “distance travelled “evaluation of education has not yet produced a standardised approach. This will continue to be under the scrutiny of YOS West Midlands HOS. It is also the services intent to build on relationships of NEET resource providers such as Positive Youth Foundation (PYF), Ambition Coventry. The embedded Prospects worker will build on presentations from those providers to case managers to ensure timely referral and engagement as appropriate.

- **Reduce Child Exploitation**

Working with key partners CYOS will support the development of strategy and action plan that reflects the levels of child exploitation from peer through to criminal gang level. Activities will include review of screening tools, referral pathways and impact. Partners from Safeguarding, Police, and Childrens Social Care are engaged in this activity. New resources to CYOS this year include “which Way” which targets young males who may be at risk of “exploitation” and this will be introduced and reviewed this year.

- **CYOS will deliver, with partners, the cities CSE action plan thereby reducing the risk of CSE**

CYOS now has a CSE champion who attends regular “champions” events and then provides in-house workshops and briefings to staff. Recent workshops have included Sexting (youth produced sexual imagery) and the sharing of a CSE media Apps Library. This details logos and descriptors to assist case managers identify risks and educate young people. This programme will continue across the year. The service recognises the risk to its service users of becoming victims of CSE, as well as perpetrators, and will continue to deliver preventative programs targeting each cohort. It also recognises that some young people will be present in both cohorts. CYOS engages fully both in terms of representation at key groups and in the identification of risk and appropriate interventions, the development of which has been informed by for example Child Exploitation and Online Protection Centre (CEOPS) training.

- **Maintain a strong focus on our Prevent responsibilities**

CYOS will refresh staffs awareness of Prevent and the referral process via additional WRAP training workshops. The service will also participate in a self-assessment framework which is currently being developed as part of the Prevent Delivery Action Plan 2016/17. On the release of the 2017/18 plan, which is currently awaiting a threat and risk assessment from the Counter Terrorism Unit (CTU), CYOS action plan will be updated to reflect any new priorities and responsibilities. The service will remain a part of the local Channel Panel activities.

- **Implement learning from the Children’s Safeguarding Board audit in to “children who go missing” practice across services**

The findings of the audit activity being undertaken in June 2017 will be considered and acted upon. CYOS has already worked closely with the “Missing Team” to ensure that there is a notification process and cross agency discussion. When notified return home interviews (RHI) are received and reflected in safety and well-being planning and where appropriate CYOS contact appointments are utilised by the missing team for RHI.

- **Strengthen the capacity and skill set of professionals to undertake the role of Appropriate Adult**

CYOS will continue to deliver training in house and across Children’s Services and has committed to a training programme for this current year which includes new Route 21 workers and residential staff.

- **Monitor and report the adherence to provision of PACE accommodation**

The service will continue to proactively engage with partners to ensure that the LAs responsibilities under PACE and the Children Act 1989 38(6) are met. CYOS offer training, liaise with professionals to support delivery against the act and report to CYOS Board specifically on compliance rates. CYOS will also be working at a regional level to agree the detail that sits behind the concordat, for example agreed definition of “practicable”. This activity will be progressed through the regional HOS meetings.

- **Staff development will remain a priority**

CYOS makes good use of the Children's Services Learning and Development Portfolio and Safeguarding Board training opportunities. In addition we have benefited from the support of Children's Services Principal Social Worker (PSW) who has introduced a number of events to develop staff. In addition to this there will be a YOS specific event in October led by the PSW which will include Signs of Safety training.

- **Continued development of health Services**

The service, with partners, has submitted a bid for two clinicians to work across the Coventry and Warwickshire Local Transformation Plan area. This will enable existing Youth Justice Mental Health Teams to increase their capacity and service offer. The proposal also meets two of the local priorities for transforming children and young people's mental health services, within the Coventry and Warwickshire CAHMS Local Transformation Plan Refresh, 2016. These are reducing waiting times for access to mental health and emotional wellbeing services and develop support for vulnerable young people with mental health and emotional wellbeing needs. The outcome of the bid has not yet been confirmed.

- **Enhance the support to address young people's substance, alcohol misuse needs, "Risky Behaviours"**

Last year's data identified that there had been a small increase in the number of young people being convicted of a "drug" offence (4.5% of total offending v 6.1%). This coupled with the strong link between alcohol, drugs, crime and CSE means that this is an important intervention area. The CYOS Board performance report will be enhanced to demonstrate the impact of the current provider's activity in terms of reducing risk across the three domains. In addition CYOS are represented at strategic and operational level in the current Coventry City Council public Health Department commissioning exercise for a single holistic "risky behavioural change" service. The service will be expected to support children and young people to adopt sustainable safe/r substance misuse, sexual health and poor/cohesive relationship behaviours. This will ensure that the complex needs of those young people in the offending cohort will be met by the new provider.

## 4. City & Youth Crime Profile

Coventry is home to 345,385 people, and has a rapidly growing population; it was the ninth (out of 348) fastest-growing Local Authority area in England and Wales between 2014 and 2015, and the third fastest-growing outside Greater London, showing an increase of 2.36% compared to the England and Wales average of 0.83%. This growth was firstly driven by international migration, which added 6,601 people to the city's population, and secondly by local births, which exceeded deaths by 1,718.

The city also has a relatively young population, with 23% aged 18 and under compared to the national average of 22.5%, and a highly diverse one; 21.6% of the city's resident population are estimated to be of non-British nationality, compared to the England and Wales average of 9% (*ONS Local Area Migration Indicators, August 2016*).

CYOS continues to provide services in a challenging environment, which includes:

High levels of child poverty – after housing costs, 31% of Coventry children live in poverty compared to the national position of 28% (*Child Poverty Map of the UK, Campaign to End Child Poverty, November 2016*).

- Slightly higher numbers of looked-after children than its statistical neighbours – 620 as of 7<sup>th</sup> July 2017.

### Youth Offences Profile

- In 2016/17, CYOS was aware of 583 offences which were punished with a substantive disposal (i.e. one that forms part of a person's criminal record) and a further 289 which were punished by Community Resolution. This means that the number of offences with a substantive outcome has increased slightly, up by 16 from the 567 seen in 2015/16, while the number where a CR was issued has declined more sharply, down 68 from 357.
- The three most common categories of offence subjected to a substantive outcome were Violence Against The Person (31%), Motoring Offences (16%) and Criminal Damage (13%). Violence was also the largest category last year, and has maintained a similar proportion of the offences, up 1% from 30%; Motoring Offences are sharply up – last year it was the seventh largest category at just 7%. Meanwhile, Criminal Damage has declined as a proportion, down from by 4% from 17%.
- The most common categories punished by CR were Theft and Handling (34%), Violence Against The Person (34%) and Criminal Damage (13%). Compared to last year, Theft and Violence have swapped ranks, with both increasing as proportions but Theft more so than Violence; Criminal Damage remains the third largest group, but has shrunk by 7% as a proportion.
- The number of Robbery offences rose to 28, compared with 16 in the previous year.



## Disposals Profile

- Overall, there were 609 disposals this year, down from 660 in the previous year; by far the most used was the non-substantive Community Resolution, used on 280 occasions. Along with the Youth Caution (68 issued) and the Youth Conditional Caution (33 issued) they make up the out-of-court disposals, which account for 381 of the total, or 63% - down from 66% in 2015/16.
- We started 338 disposal-based interventions in 2016-17; 86 were for the Enhanced Community Resolution, and 83 were for the Youth Caution or Youth Conditional Caution, meaning 169 (50.1%) were out-of-court.

## Reoffender Tracking

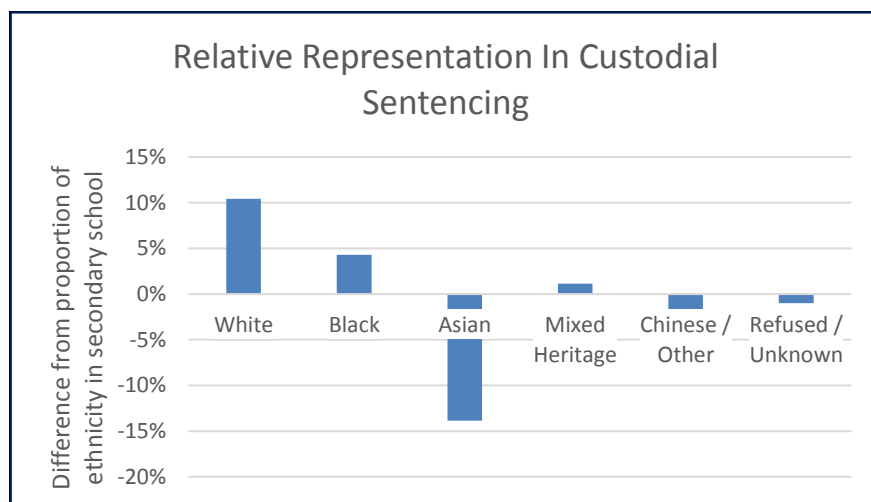
- We have tracked the reoffending of 99 young people whose original penalty was imposed between October 2015 and March 2016; in all cases, the 12 month monitoring period for reoffending has now expired.
- 41 of these young people have reoffended, giving a binary reoffending rate of 41.4%; this is above the 37.5% rate seen in the most recent YJB-released data (for young people originally penalised between July 2014 and June 2015).
- The young people reoffending committed a total of 140 further offences within their 12-month period, giving a frequency reoffending rate of 1.41; as with the binary rate, this is higher than the most recent YJB rate for the city, which was 1.22.
- 16 of the reoffenders have committed a more serious further offence, by the YJB offence gravity scale, including 9 cases where the most serious new offence scored a 6 or higher – the equivalent of Robbery, Domestic Burglary, or Inflicting Grievous Bodily Harm.
- In terms of the most serious further offence, the most common type was Violence Against The Person, with 10 of 41 (24%) falling into this category.
- The nine most frequent reoffenders account for 65 subsequent offences between them; the most prolific individual reoffender in the group has 13.
- Reoffending rates among young people who had had Social Care involvement were significantly higher than among those who had not; of 11 children in the group who were Looked After at the time of their original conviction, 8 reoffended, committing a total of 19 further offences; as a group, this would give them a binary rate of 72.7% and a frequency rate of 1.73.

## Demographics of our Young People

- Of the 151 young people open to YOS at the end of the year, 130 (86%) were male; this is slightly down from the 90% seen in the snapshot at the end of the previous year.



There is a large over-representation of White young people in the group, and a large Asian under-representation, with the Black proportion being roughly the same in both groups.



CYOS monitors ethnicity outcomes for its young people using YJB ethnicity classifications. When custody is analysed the white groups disproportionality reduces (77% v's 72%) when we look at custody with black groups disproportionality increasing slightly (11% v's 14%). The Asian group as a percentage of those open to YOS decreases in its under-representation (3% v's 7%).

- 66% of the group open to YOS were aged 16 or over.

- 23 (15%) of the group were currently Looked After, and a further 17 (11%) had been Looked After in the past; besides them, one (1%) had an active Child Protection Plan, and another 17 (11%) had previously had CP Plans, meaning that overall, 58 (38%) of the young people open to YOS had had Social Care involvement at least the Child Protection level.

## **5. Use of resources, budgets and value for money**

### **Budget 2016/17**

CYOS funding consists of the City Council budget, YJB Good Practice Grant, statutory partner and Police and crime board contribute into the pooled budget. Last year the reduction in the YJB grant necessitated a review, subsequent service restructure and the deletion of a number of posts to ensure a balanced position going forward. We also experienced a reduction in cash contribution from both Health and NPS (as part of NPS national transformation reductions, final phase). Please see Appendix 2 for the Partner Contribution pooled budget.

CYOS have Coventry PCC Board funding for this financial year but impact of the anticipated regionalisation of this fund will not be known until November 2017 at the earliest.

The service starts 2017/18 with no reductions. That said there is early indications that there is increasing complex demands on the service. The CYOS Board will need to continue its focus both on the level of funding and the demand for services.

Reductions both in terms of financial funding and staffing levels has been a continuing pattern until 2017/18 which has seen all partners sustaining current funding levels for this financial year.

CYOS have maintained compliance with the minimum staffing levels as set out by the Crime and Disorder Act 1998. Please see appendix 4.

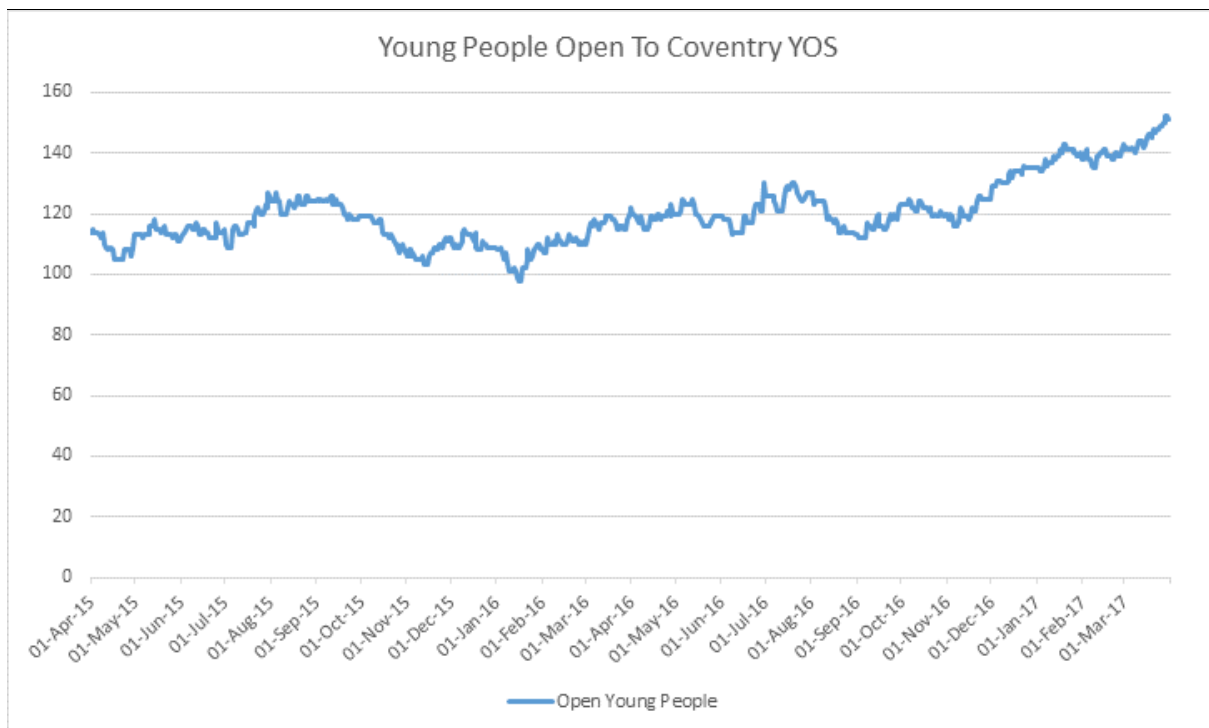
### **Financial challenges include:**

- Resource reduction against a pattern of increasing demands on the service. These include an increase in the number of young people open in both the pre court and post court areas, an increase in the demand for Appropriate Adults in excess of 100% over the last two years (41 v 87). In addition to this there is a YJB requirement to apply the substantial Assetplus assessment framework to pre court Youth Cautions and Youth Conditional Caution's from July 2017. Team resilience is being maintained but will be an issue if overall demands on the service increases further.

Further funding reductions or increased demand on the Service for example loss of PCC Funding increase the risk of

- Further increase in FTE and re-offending
- Risk of adverse HMIP and Ofsted inspections
- Risk of increased number of victims

- Risk of increased use of custody, including remand and associated risk of increased LAC numbers and costs which are shouldered by the Local Authority
- Negative outcomes for young people



The above graph demonstrates the work demand across the periods of staffing and resource reductions

- While this year’s funding structure remains static the number of young people who have multiple vulnerabilities and high resource needs remains high and this is evidenced by the volume of young people referred to our clinical nurse specialist, a higher number of young people becoming FTEs at the court point of entry and the volume of young people who have had previous or current social care involvement.
- Early 2017/18 custodial activity is higher than previous counting periods. This is likely to be a reflection of the increase in robberies and violent crime, and the reduction in lower gravity offences such as criminal damage and public order. In addition to being an adverse outcome for young people it also increases demands on the service.
- The funding formula for remands takes into account previous usage so that the funding received by the LA has reduced year-on-year as the service has secured substantial reductions in bed night usage. This presents a risk and does not reward good performance.
- Understanding the impact of Coventry City Councils Children’s Services redesign in terms of connected families (those with whom multiple services are engaged) and the range of support services that can be accessed for this cohort post implementation of the redesign in the transition phase.

- The potential “regionalisation” of PCC funded activities means there is a significant threat of a funding reduction for 2018/19. The indication is that there will be a regional CSP who will allocate funding. Representations by The West Midlands’ Reducing Reoffending Steering Group (on which YOS and YJB are represented) are being made to seek to negotiate “core” funding coming directly to YOT’s from the Office of the Police and Crime Commissioner (OPCC). The regional HOS group will also advocate for this.

### **Invest to save**

It is beholden on the service to demonstrate that the areas in which its finances are invested are productive. This means improving outcomes for young people, victims, the Coventry community and demonstrating value for money to partners.

Performance against National Indicators demonstrates a good return based on there being less offences, less re-offences, reduced use of custody and remands. It has been said that YOTS are a victim of their own success and have experienced significant reductions in funding as a consequence of continued improved performance. There has been a reduction in YOTS budgets/ grants and in remand funding. The Remand funding formula has a direct correlation between reduced usage and a reduction in funding each year.

The service continues to invest resources in key areas which underpin effective practice namely;

- Training. CYOS is committed to maintaining an effective workforce and makes good use of training provided by Children’s services and the Safeguarding Board. A new relationship with the PSW has been established and this will result in specific YOS workshops going forward and support for maintaining social workers HCPC registration. The service continues to enter in to training consortia arrangements with other YOTS and also delivers an internal range of training events. Partners such as Health have ensured that there is access to “expert” training and this has been expanded to include CJS partners such as Magistrates.
- Technology support has meant that the service can be fully agile and some benefits can be gained from an increase in video conferencing for court, with safeguards as to when this is appropriate (in-line with YJB guidance).
- Pre court activity has identified complex issues and the number of mental health referrals generated from this cohort is higher than was originally anticipated. This area of activity has provided early assessment and should reduce demand on services downstream in the long term.

The financial value of a non-formal CJS disposal such as an Enhanced Community Resolution is evidenced by the low re offending rate. The ECR live tracker October 2015 cohort identified that there were 160 offenders, 24 reoffenders (exactly 15% binary) and 51 re-offenses (0.32 frequency).

## 6. Structures and Governance

The management board is chaired by the Police Commander for Coventry.

The board discharges its duties by

- Requiring the head of service to report and account for performance against YJB and local indicators, health outcomes and the management of risk
- Oversight of budget and staffing structures to ensure that the service is adequately resourced
- Commissioning (internally) specific projects, research and evaluation of aspects of service delivery
- Quality assurance, oversight and monitoring of plans including those which emerge from community safeguarding and public protection incidents
- Scrutiny of compliance with YJB grant conditions including timeliness of data submission and connectivity via Management Board meetings and access to YJB reports
- Monitoring and sign off of the annual Youth Justice Plan

### **Management Board**

In line with the requirements of the Crime and Disorder Act (1998) and revised guidance from the YJB for YOT partnerships, CYOS has the appropriate agencies, represented on its Management Board.

Alongside the key Statutory Partners, CYOS also benefit from the attendance of the chair of the Youth Court Bench, Senior Advisors from Education and Looked after Children Services for the City Council, Prospects, and a Community Safety Office from the Community Safety Team. The Board is well supported by the Head of West Midlands area for the YJB and Partnership Advisor.

**Partner agency representation on the Board at a senior level ensures that CYOS maintains links with the key local strategic groups for example:**

The People Directorate Senior Management Team

- Local Safeguarding Children's Board (LSCB) and associated theme groups, Quality Assurance Sub- Group and Business Group

- Children's Services Improvement Board
- The Local Police and Crime Board (formerly Community Safety Partnership)
- Coventry Health and Wellbeing Board

**Additionally, CYOS managers participate in the governance boards and operational groups of a number of partners and city activities, including:**

- Criminal Justice Liaison and Diversion Strategic and Operational Group
- Coventry Harm Reduction Partnership and the Domestic Violence Operational Group
- The CSE strategic Subgroup of the Local safeguarding Children's Board and Senior Management Group for on-going Police CSE investigations
- Safeguarding Board Sub-Committee for quality assurance
- Coventry Offender Management Group (COMG)
- Strengthening Families Strategic Board and operational group
- Channel Panel (PREVENT)
- Drug & Alcohol Steering Group
- The Multi Systemic Therapy Steering Group (project which is targeted at young people on the cusp of care or custody)
- Early Help Strategy Group

### **Planning**

Service Planning is influenced locally at both strategic and operational levels and aligned to plans which include:

- Coventry Sustainable Communities Strategy (The Next 20 Years)
- The Police and Crime Commissioners Plan for the West Midlands 2016-2020
- The Coventry Local Policing Plan
- The Coventry Police and Crime Plan 2017-2020 ( draft)
- The Coventry Prevent Delivery Group , Prevent Delivery Plan 2016/17 ( 2017/18 awaiting CTU risk assessment)
- The Coventry Harm Reduction and Vulnerability Strategy (2016-2018) and Partnership Plans

- The Local Safeguarding Children's Board Plan and the Missing and CSE Delivery and Action Plan
- The Children's Services Improvement Plan
- The Coventry Drug and Alcohol Strategy 2017-2020
- Strengthening Families Strategy and Outcomes
- DVA Response Plan
- The Overarching Connecting Communities Project Plan for the City Council (Transformation).
- The Coventry Cybercrime Strategy

## **7. Partnership Arrangements**

**The Local Authority is represented by the Director of Children's Services who sits on the Board and the relationship has proven effective in:**

- Providing a direct link into the Senior Management Team in that division, as well as The Local Safeguarding Children's Board, the Health and Well Being Board, and the People Directorate Senior Management Board.
- Ensuring that CYOS are informed and engaged as appropriate in regional combined authority activity.
- Responding to PACE Act transfer resource issues across service areas to enable compliance with the PACE ACT responsibilities and delivery in accordance with the West Midlands concordat on children in custody.
- Connectivity between services ensures that CYOS are represented on a number of Strategic and Operational Groups, meetings and Boards. This includes the Children's Social Care Improvement Board, Strengthening Families, Early Help Board, Multi Systemic Therapy Steering Group, the Multi Agency Safeguarding Hub (MASH). CYOS is represented on the CSE/Missing/ DVA Groups and there are good links between CYOS and the Youth Service Manager and staff who deliver this support.
- Ensuring appropriate cross service focus for example activities to reduce the disproportionate representation of the LAC population in the CJS. The CSC improvement board plan contains actions to direct and monitor activities to redress this.



**West Midlands Police** are represented by Coventry's Local Police Commander as Chair of the CYOS Board. CYOS also have a named Inspector and Sergeant to support the Integrated Offender Management activity and Out of Court Disposals. This relationship has proved to be effective in ensuring:

- Effective collaboration on areas of joint work for example, supporting restorative justice developments within the residential setting in Coventry. This has included ensuring appropriate responses to Police call outs and an essential role in delivering and monitoring restorative approaches. The Police have been a key partner in assisting CYOS to secure the restorative justice quality assurance mark.
- Creating effective leadership and governance arrangements locally for example to manage the threat that digital crime poses and appropriate engagement with services who are able to provide support and expertise. CYOS alongside other partners are part of the local cybercrime operational group.
- Support for integrated offender management developments and resources to tackle the most challenging offender behaviours.
- Championing CYOS at boards for example supporting the funding of CYOS pre court enhanced community resolution activity via the local Police and crime boards.
- Early engagement of CYOS in developmental activity both at a West Midlands level and locally. The West Midlands Police representative from the PSR Youth Justice steering group attends all the YOTS heads of service meetings to engage in consultation with stakeholders. Additionally they also sat alongside the HOS at the PCC inquiry in to youth justice that took place earlier this year which acknowledged the good outcomes that have been achieved by the YJB and YOTS.
- The relationship between the local Police Command Unit (LPU), CYOS and the other LPUs within the West Midlands area remains strong, there are meetings between regional YOS heads of service and the Assistant Chief Constable for the West Midlands and consultation events at a regional level.

**Coventry and Rugby Clinical Commissioning Group (CCG)** is represented on the CYOS Management Board by the Joint Commissioner for Children. CYOS continues to benefit from hosting two health staff, 1.6 FTEs) which includes one Clinical Nurse Specialist. Clinical supervision is offered via CAMHS and their work directly benefits the wider health agenda. This relationship has proven effective in that:

- It ensures that activity to support the themes, vision and objectives of Future in mind (FIM) - Promoting, protecting and improving our children and young people's mental health and wellbeing DoH NHS England are being undertaken by the service.
- Representation at the CCG Children's Matrix Group which provides opportunities to demonstrate the value of the health resource within CYOS.
- In June 2016 there was an independent review for the purpose of identifying delivery options for CYOS as part of a redesign. It commended the quality of the health performance report.

...an excellent quarterly health summary which provides valuable information to the Management Board on both activity and impact..."

- Ensured that the staff levels have been maintained and the range of resources available has continued to increase.
- Support for “outreach” engagement model at prevention (ECR), early intervention court and custodial levels. This is in line with the government’s response paper to Charlie Taylor Review of the Youth Justice System. Additionally it has a role in addressing the “treatment gap” (FIM key themes promoting resilience, prevention and early intervention, care for the most vulnerable). It also supports the government’s aspiration that by 2020 “in every part of the country children and young people having timely access to clinically effective mental health support when they need it and improved care for children”
- A training programme for staff delivered by “health experts in their fields” across a range of subject areas.
- Evidence of impact on young people, through the use of CHI, Honesca and Strengths and Difficulties assessments.

**Coventry, Solihull and Warwickshire National Probation Service** are represented on the Management Board by the Head of the Midlands Division who is also the deputy chair of CYOS Board.

This relationship has proved effective in:

- Transition planning, A joint protocol between Coventry, Solihull and Warwickshire is due to be signed off. There are locally identified leads at operational manager level in both services who ensure that young people’s needs are a primary factor in determining when a transfer occurs. Local arrangements have been agreed that enable young people to access the most appropriate interventions from youth and adult provision irrelevant of the agency of the case holder.
- Improving performance reporting to CYOS Board across transition processes including the collection of post impact transfer data such as reoffending and breach.
- Cross disciplinary knowledge and expertise.
- Threshold analysis between NPS and CRCs allocation as a part of transition management ensuring appropriate destinations.
- Local arrangements have been agreed that enable young people to access the most appropriate interventions from youth and adult provision irrelevant of the agency of the case holder.

The young person was subject to a 4 year custodial sentence for Robbery. In line with the agreed transitional guidelines, as he was turning 18 prior to his licence expiry date, consideration for transfer occurred. A three way transitional meeting with the young person was completed

The CYOS probation officer maintained links with his NPC probation officer. When it became apparent that the young person was finding it difficult to settle in Probation it was agreed that the CYOS officer would continue to see the young person alongside his new officer to additionally support the transition. As part of planning, to support him secure his CSCS construction card and employment, it was agreed that he would continue to work with the Prospects officer in CYOS so this could be completed, as the waiting list at Probation was lengthy.

He has since gone on to complete his CSCS card, his engagement is better with NPS, he has had no periods of breach and is now in employment.

The young person explained the transitional period and the approach taken was helpful. (Although not in those specific words)

## **Other Partners**

CYOS remains engaged with a variety of key partners who sit across the continuum of activity with young people from early intervention through to the secure estate, transition into adult services and exit from services.

The service is engaged in both national, regional and local activity to ensure that it meets its statutory requirements and objectives.

There is appropriate representation in all local offending, prevention and safeguarding forums. This includes representation at Strengthening Families Board, a member of the Coventry Offender Management Group, which coordinates and evaluates delivery across both the adult and juvenile populations, Safeguarding Board Quality Assurance Subcommittee and the local Police and Crime Boards.

The service ensures it is engaged in key areas of practice, for example being represented at the DVA Operational Group, having identified champions for areas such as child sexual exploitation and DVA, attendance at MARAC, missing activity and attendance at Channel Panel.

CYOS is working with The School Panels and engaged with the Mentor's Violence Prevention (MVP) activity, two staff members attended the training event funded by the Schools. MVP originated in America and is a hugely successful peer to peer mentoring programme based around the psychology of the bystander theory. It aims to empower young people to safely intervene and challenge behaviours that they would usually stand by to watch. Over the next 12 months, it is anticipated we may start to see the benefit of this approach combined with interventions from other new related partners such as Street Doctors.

The services, substance and alcohol misuse service is commissioned and monitored by the LA from a voluntary sector provider, Compass. They are a national provider of services addressing problem drug and alcohol use to help young people break the cycle of their dependency, and live stable and productive drug free lives. This year there is additional focus on providing evidence of impact of their interventions to CYOS Board and this activity features in the action plan. There is also commissioning activity underway to ensure the new model for tackling “risky behaviours” targets the appropriate cohort, meets their needs and evidences this. The service is heavily represented in this activity, both at strategic and operational level, to ensure that the vulnerabilities within our specific group of young people are recognised within the service specification to ensure timely responses to identified need.

This year we have seen an extension of the interventions available for our service users through partnership with the West Midlands Fire Service. In addition to one-to-one interventions for young people who have committed offences of arson, or where there are concerns about fire setting, accredited CPR training is now available which will be delivered at the Attendance Centre.

In 2016 Prospects Services were awarded the contract to deliver targeted services to support young people 16 -19 in education or training. This has resulted in the service continuing to benefit from the embedding of a Prospects Advisor within the team. Over the next 12 months there will be a strengthening of this relationship to ensure young people are in receipt of appropriate provision with a particular emphasis on those who are exiting custody. Exploration of mentor services available through Ambition Coventry is ongoing, and it is anticipated this resource can be used to support the most challenging and disengaged young people.

The service has maintained its good relationships with the Special Education Needs Service and Coventry Virtual School Team which is supported by their representation on CYOS Board.

CYOS continues to maintain relationships with multiple partners in order to provide both reparative and unpaid work opportunities. These include:

- Lunt Roman Fort
- Sowe Valley ( Friends of Sowe Valley)
- Coventry food bank
- One-to-one direct repair projects
- The Dogs Trust



**Sowe Valley – Before & after Ivy removal**

The range of providers enables that young people's diversity of need to be met. The Sowe Valley project provides education and enhances a local resource via litter picks, path clearance and tree maintenance (removal of ivy).

One young person, due to a serious medical condition, is unable to do some of the more physical placements has been making "snuffle blankets" for The Dogs Trust as an indirect community reparation.

CYOS has the Chair of the magistrate's bench as a non-statutory representative on The Statutory Board. There is also a direct feedback process specific to the quality of Pre-Sentence Reports which is completed at each sentencing exercise board by the magistrates. The current aggregated score is 17.6 out of 20.

The Bench was merged with Warwickshire and as a consequence the service has strengthened its relationship with Warwickshire YOS. The two services provide joint presentations to the magistrates and where appropriate standardise practice. This approach is mirrored across the West Midlands YOTS with shared task and finish activities to benefit from economies of scale for example training, shared learning and where appropriate shared procedures and quality assurance tools. Currently the regional performance group is engaged in the development of Asset Plus quality assurance tool.

## 8. Challenges and Opportunities

The West Midlands combined authority activity includes a specific work stream which will review youth justice. Coventry will seek to influence this development through appropriate local authority officer representation, through West Midlands Heads of Service (YOT activity) and through timely engagement with the project lead for offending, criminal justice and the devolution of youth justice. This has already occurred both at CYOS Management Board and internal CYOS management levels within this service. This has provided an opportunity to understand the process, to focus discussion and understand key milestones. It also provides an influence point which provides an opportunity to inform the new model(s). Coventry is fortunate to have senior representation both at the top of this process through Chief executive engagement, the Director of Children's Services sitting on the PSR Youth Justice Steering Group Key and a previous West Midlands YOS HOS as lead in the Offending Criminal Justice and Youth Justice PSR team.

It is anticipated the added value of regional working will assist with greater devolved funding, shared learning, workforce development, economies of scale and support the development of new effective models which should go some way to offsetting the reductions in YOT funding.

The Taylor review recognised the children who remain in the youth justice system are those whom display the most challenging and ingrained behaviour and have the most complex needs. It highlighted education must be central to an effective youth justice system and that the initial response by the Police and other agencies to crimes committed by children need reconsideration. The public sector reform, under the combined authority, provide an opportunity to consider many of those recommendations, and it is easy to identify some areas where economies of scale can be easily achieved. These would include activities, under PACE, remand and potentially sentenced custody. To have local resources for local young people would not only provide a potential saving but could also best serve local people and their families and fund the testing of new approaches.

Early intervention and prevention provides an opportunity for radical changes in delivery models, thereby providing an opportunity to reduce the levels of criminalisation of young people. It will be interesting to see if devolution will facilitate a shift towards the "problem solving approach advocated for by Lord Carlisle (A Parliamentary enquiry into the operation and effectiveness of the youth courts system 2013).

The government's response paper Charlie Taylor's review of the youth justice system retains the ring fencing of grants for the provision of youth justice services within local authority funding. This has provided an opportunity for the learning and effective practice contained within YOTS to be utilised, at least in the short term, in recognition of the significant impact that the YJB and YOTS have had. For example, the number of FTEs fell by 82% between 2007 and 2015. The use of custody has declined dramatically in the same period by 67%, and locally year on year reductions against this National Indicator have been achieved.

While there are some variances in the recommendations within the two reports Charlie Taylor's key recommendation of putting education at the heart of youth custody and improving the provision of healthcare to tackle factors that increase the risk of offending are welcomed.

The potential loss of local PCC funding is of concern as the PCC has specifically stated that from 2018/ 19 he will explore responses to issues "more effectively/ efficiently at regional

level". Good use of advocacy via the YOTS HOS regional group will be key in seeking to ensure regional funding still supports key activities that are a priority within the PCC plan. There is a strong victim focus in his 2016/2020 plan and this may be an area that YOTS can seek to standardise financial support. The recent awarding of the RJC Quality Assurance Mark to this service should provide excellent evidence of both ability and quality of practice in this area.

The service has identified that there are changes in offending patterns as violence against the person has increased, Robbery has seen a significant increase and lower gravity offences such as Criminal Damage have declined. This does present a challenge in terms of the impact on victims, the risk the young people expose themselves to and the resulting increased contact levels required from the service under national standards. This combined with recent staffing reductions means there could be a risk to outcomes, as acknowledged during the recent restructure. The service will report any detriment directly to CYOS Board.

The anticipated benefits of further improvements within Children's Services and PSR activity will contribute towards reducing this risk.

## Appendices

### Appendix 1 – Action plan

| INDICATOR                  | ACTION   | TIMESCALE                              | LEAD  | OUTCOMES   | RELATED PLANS/<br>PAPERS/SOURCE<br>DOCUMENTS   |
|----------------------------|--|--|---|--|--|
| <b>FIRST TIME ENTRANTS</b> |  |  |   |  |  |
| 1.                         | Ensure that restorative processes are part of commissioning arrangements for non-LA care settings                          | Q2                                     | CCC<br>Commissioning<br>Sally Giles<br>(Priya Dady) | Reduce the number of first time entrants from the LAC population         | Improvement Board priority (2016/17)<br><br>YJB practice notes for Youth Offending partnerships                        |
|                            | Inform the development of the External Residential Specification and Payment Mechanism                                     | Q2                                     | CYOS<br>Georgina Kell                               | Longer term - Reduce the disproportionality of the LAC population in CJS | Coventry Children and Young People plan measure 10<br><br>Child Centred Policing National Action Plan 2016-2018        |
|                            | Maintain scrutiny of restorative approaches across LA and private sector accommodation, where not already in place         | Three monthly review & tasking meeting | CYOS<br>Matthew Haynes                              | Young people experience fewer placement breakdowns                       | Restorative Justice Action Plan MOJ (November 20014 - March 2018) Principal 1 Equal Access<br>Principal 2 Good Quality |
|                            | Report findings to CYOS Board, as part of RJ Performance Report  | Quarterly                              | CYOS<br>Georgina Kell                               |  | PCC Plan 2016 – 2020 Key theme-supporting victims of crime   |
|                            | Managers to attend scrutiny and development group (Police, CSC, LAC, YOS, commissioning, residential unit representatives) | Three monthly review & tasking meeting | Matthew Haynes                                      | Victim feedback informs service developments                             |  |



|    |   |   |                                     |  |   |
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|    | Redevelop current victim feedback/evaluation framework to ensure that aggregated data/ impact indicator information can be responded to in service developments | Q3  | CYOS<br>Georgina Kell               |  | Restorative Justice Council<br>CYOS Restorative Service<br>Quality Mark report<br>recommendation  |
|    | RJ Accreditation of individual CYOS and partner staff   | Q4  | CYOS<br>Matthew<br>Haynes           |  |   |
| 2. | Street Doctors Programme development<br><br>Deliver 2 workshops at targeted schools   | Q1  | CYOS Tom<br>McSweeney               | Increased awareness of the dangers of knife crime both in terms of injury but also in terms of CJS | PCC Plan 2016-2020 Key theme-<br>Protecting from harm, developing understanding of violence and delivery of interventions that reduce harm<br><br>Coventry Children and Young People plan Work stream 3 – stay safe |
|    | Deliver 2 workshops Youth Service   | Q3  | Youth Service<br>Nigel<br>Patterson |  |   |
|    | Deliver 2 workshops CYOS young people   | Q2  | CYOS Tom<br>McSweeney               | Long term impact, if pilot extended, reduced levels of knife crime & young people are safer        |   |
|    | Deliver 1 workshop Rainsbrook secure training centre  | Q3  | CYOS Tom<br>McSweeney               |  |   |
|    | Partner evaluation event and report   | Q3  | CYOS Tom<br>McSweeney               |  |   |
| 3. | Data reports/ analysis identifying trends to be produced for CYOS Management Board from the “live” Reoffending local tracker                                    | In line with<br>CYOS<br>Management<br>Board | CCC Data<br>Team Dave<br>Woodhouse  | Partners to respond quickly to emerging trends targeting preventative measures/                    | Coventry Children and Young People plan measure 10  |

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|    | Live tracker substantive item update to CYOS Board  | Q3                              | Dave Woodhouse   | messages. Less victims, reduced FTE                     |   |
| 4. | CYOS maintain engagement with the city Police School Panels. To be used as a conduit for sharing CYOS intelligence regarding emerging patterns of behaviour | Attendance each term at a Panel | CYOS Eve Aspley  | Timely prevention activity, reduced FTE and reoffending | Coventry Children and Young People plan Work stream 3 – stay safe |
|    | CYOS education lead to attend MVP multi agency training event   | Q1                              | CYOS Eve Linstead  | Young people are safer                                  |   |
|    | CYOS Data reports available   |                                 | CCC Date Team Dave Woodhouse   | Co-ordinated citywide harm reduction activity           |   |
|    | Knife crime report to be available for presentation to Panel, consideration to be given to extension of Street Doctors programme                            | Q3                              | Racheal Davenport<br>Co-ordinator<br>Coventry Schools and Police Panels & Mentors in Violence Prevention (MVP) |   |   |

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|    | Explore how the Mentor's in violence Prevention (MVP) activity can support the broader prevention activity as part of a comprehensive intervention programme to meet diversity of need and risk levels | Q3   | Racheal Davenport,<br>CYOS<br>Georgina Kell<br>& Eve Linstead |   |  |
| 5. | CYOS to support the West Midlands Regional Scrutiny activity, both in terms of providing information and attendance at the eastern scrutiny Panel (Coventry, Solihull, Birmingham East)                | Eastern Scrutiny Panel July 2017. Subsequent dates to be confirmed | CYOS<br>Georgina Kell   | Integrity of OOCB maintained<br>"even handed justice"<br><br>Young people are safer | ACPO OOCB Guidance and Gravity matrix YJB OOCB Guidance and National Standards   |
| 6. | Strengthening families( SF)<br><br>Attendance at new Steering Board<br><br>Agree key CYOS activities to support the new agreed priorities  | Commence Q2<br><br>Q2  | CYOS<br>Georgina Kell   | Impact of FTE's<br>Young people are safer   | HMIP thematic " The contribution of Youth Offending Teams to the work of the Troubled Families Programme " January 2015<br><br>Supporting Coventry Early Help Strategy delivery objective specific to SF |
| 7. | Analysis report FTEs;<br>Point of entry , gravity scores, ethnicity, thresholds  | Q2   | CCC Data Team Dave Woodhouse                                  |   |  |
|    | Action planning and implementation   | Q3   | CYOS<br>Georgina Kell   |   |  |

| REOFFENDING |   |                   |                                     |  |  |
|-------------|---|-------------------|-------------------------------------|--|--|
| 8.          | Secure Young Adults in Court<br>T2A Centre for Youth Justice<br>Innovation Pilot, Maturation of<br>young people bespoke court<br>approach to the 18-24 year old<br>cohort |                   | WMP<br>Inspector<br>Osbourne        | Young adults are<br>able to<br>understand and<br>participate in their<br>CJS experience,<br>procedural<br>fairness   | T2A, CJI proposal paper 2016   |
|             | Delivery due to commence  | September<br>2017 | CYOS Adrian<br>Seymour              |  |  |
|             | Partner Evaluation Report   | TBC               | Partner Report<br>Adrian<br>Seymour |  |  |
| 9.          | Which Way -<br><br>Introduction to resource<br>Workshop   | Q2                | CYOS Tom<br>McSweeney               | Participants<br>develop a better<br>understanding of<br>What exploitation<br>is?<br>What peer abuse<br>is/<br>What consent is?<br>How some people<br>gain power and<br>control over<br>others- young<br>people are safer | Coventry Children and Young<br>People plan Work stream 3 – stay<br>safe  |
|             | Evaluation of impact workshop   | Q4                | CYOS Tom<br>McSweeney               |  |  |
| 10.         | Referral Orders<br><br>All managers to observe Panels   | Q2                | CYOS<br>Operation<br>Managers       |  | Referral Orders - do they achieve<br>their potential? An inspection by<br>HM Inspectorate of Probation<br>2016 |

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|     | Analysis of reports against contracts to ensure that the contract is not a direct reflection of the case managers interpretation but rather an agreement between the young person and the “community” | Q3                       | CYOS<br>Matthew<br>Haynes                                | Contracts reflect an agreement between the community and the young person, parent/careers |  |
|     | Audit cases to identify when the panel report is first shared with the young person and family/ career. This must be in advance of the meeting itself   | Q3                       | CYOS<br>Matthew<br>Haynes                                | Service user voice is heard   |  |
|     | Action plan if required   |                          | CYOS<br>Georgina Kell                                    | Engagement  |  |
| 11. | Performance report from COMPASS available to CYOS management Board. Aggregated impact data to be provided   | In line with Board dates | CYOS Adrian Seymour<br><br>Compass<br>Beckie<br>Richards | Impact of substance and alcohol misuse interventions demonstrated                         | Coventry Drug and Alcohol Strategy 2017 - 2020<br><br>Alcohol and Drug Implementation Plan |
| 12. | CYOS to engage in the re commissioning of “Risky Behaviours “ service   |                          |  |   | Coventry Drug and Alcohol Strategy 2017 - 2020   |
|     | Attendance at steering group  | Dates agreed             | CYOS<br>Georgina Kell                                    |   | Alcohol and Drug Implementation Plan   |
|     | Attendance at Operational Group   | Q3                       | CYOS Adrain Seymour                                      | Delivery model responds to identified needs   |  |

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|     | Specification agreed   |  | Jane Craig   |   |   |
| 13. | Compass end of intervention impact reports to be provided to case managers in all cases  | Review / end of intervention                       | CYOS Adrian Seymour<br>Compass Beckie Richards                       | Planning across the 3 domains of risk reflects Compass findings   | Coventry Drug and Alcohol Strategy 2017 - 2020<br><br>Alcohol and Drug Implementation Plan  |
|     | Compass performance report to be incorporated in to CYOS Management Performance report to include aggregated impact data and volume indicators                   | Q3   | CYOS Adrian Seymour  |   |   |
|     | Review meeting (CYOS & Compass)  | Each Q3  | CYOS Adrian Seymour<br>CYOS Georgina Kell<br>Compass Beckie Richards |   |   |
| 14. | Desistance<br><br>Interviews – children and young people who have not reoffended for 12 months   | Interview completed October 2017                   | CYOS Tom McSweeney   | Identify from “desisters” what worked from their perspective to improve practice<br><br>Young people’s voices are heard | Desistance and young people An inspection by HM Inspectorate of Probation (thematic)<br><br>AssetPlus Guidance, Assessment and planning foundation training YJB |
|     | Lessons learnt workshop (young people interviews) and discussion forum with practitioners on the success/ barriers re theory/model delivery as part of AssetPlus | Dissemination of “learning” workshop November 2017 | CYOS Tom McSweeney   |   |   |

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|     | Case worker/key worker stability   | Tracking - order ending each Q report - available for Board | BSC Sue Mair  | Practitioners are able to utilise young people's perspective to enhance practice/ engagement/ desistance                               |  |
| 15. | Attendance Centre<br>Programme accreditation<br>3 programmes<br>3 programmes   | Q3<br>Q4  | CYOS Dawn Gibson                                      | Increased range Accredited learning opportunities available to meet a diversity of need  |  |
| 16. | Live tracker to be utilised to identify any patterns of reoffending that should be taken in to account in delivery model | At each cohort completion point                             | CCC Data Team David Woodhouse                         | Service responds in a timely manner to emerging trends<br><br>Any changes in risk across the three domains is immediately responded to |  |
|     | Changes to delivery model as appropriate   | As applicable   | CYOS Georgina Kell                                    |  |  |
|     | Reoffenders are discussed at Case Planning meetings, plans/ interventions amended  | Q2  | CYOS Adrian Seymour                                   |  |  |
|     | A specific process is agreed and applied in terms of multi-agency tiered response to LAC reoffending                     | Q3  | CYOS Georgina Kell<br>CSC Mat Clayton and Amrit Bilku |  |  |

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| 17. | Missing, carried over. While improvement in notifications to CYOS has occurred it has not achieved 100% as evidenced by internal audit and a recent Safeguarding Board audit<br><br>Youth Service to notify CYOS of all CYOS open missing young people | Q1                                      | Youth Service<br>Brian Mason | RHI information incorporated into CYOS Safeguarding and wellbeing assessments and planning          | Dfe Statutory guidance on children who run away or go missing from home or care 2014 Safeguarding Board priority |
|     | Test impact of information exchange between CYOS and Youth Service specific to missing episodes  | Q3                                      | CYOS Adrian Seymour          | Young people are interviewed at the earliest opportunity  |  |
| 18. | Case audit activity to continue across practice areas identified via SQS (management) across Safeguarding and well-being planning judgments and interventions, Diversity in planning   | Two per worker per Q                    | CYOS<br>Georgina Kell        | AssetPlus Safeguarding and well-being judgements consistently applied in line with new YJB guidance | HMIP SQS 2016<br><br>HMIP InfoPath tool methodology and guidance   |
|     | Peer and self-audit activity across Safeguarding and well-being planning judgments and interventions, Diversity in planning  | Starting 22<br><br>Two per worker per Q | CYOS Adrian Seymour          | Diversity evidenced in assessments is reflected fully in planning Interventions                     |  |



|         |   |                              |  |  |  |
|---------|---|------------------------------|--|--|--|
|         |   |                              | Kirsty Baker                           | Low – medium thresholds appropriate in all cases. Controls are explicit and active | YJB Assessment and Planning Foundation Training and Assetplus guidance   |
| 19.     | Monitor transitions against Coventry, Warks, and Solihull Transition NPC. CRC protocol 2017 |                              | Kirsty Baker<br>CYOS<br>Matthew Haynes | Transitions occur based on service user need with appropriate services sustained   | HMIP Thematic Transitions An Inspection of the Transition Arrangements from Youth to Adult Services in the Criminal Justice System (2012)<br><br>Coventry, Warks, Solihull Transition NPC. CRC protocol 2017 |
|         | Impact report as to CYOS Management Board   | Each Q                       | CYOS<br>Georgina Kell                  |  |  |
| CUSTODY |   |                              |  |  |  |
| 20.     | Lessons learnt reports for all custody cases, practitioner workshops                        | Each Q as required           | CYOS Case holder and line manager      |  |  |
| 21.     | PACE - Monitor performance against statutory responsibilities (Open and Secure beds)        | Each Q                       | CYOS<br>Matthew Haynes                 | Young people are safer<br><br>LA responsibilities for PACE transfer discharged     | Concordat National Police Chiefs Council (NPCC) National Strategy for Police Custody   |
|         | Report to CYOS Strategic lead where duty not met<br><br>Report to CYOS Board                | As appropriate<br><br>Each Q | CYOS<br>Georgina Kell                  |  |  |

|     |   |                        |   |  |   |
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|     | Training Events as required for professionals<br><br>Training event Route 21 and residential staff  | Q2                     | CYOS<br>Matthew Haynes  | Key staff and carers understand and deliver against AA guidance  |   |
| 22. | Review of alternative to custody provision<br><br>Findings and action plan  | Q2<br><br>Q3           | CYOS Tom McSweeney  | Custody is only used as a last resort  | United Nations Convention on the Rights of the Child.   |
|     | Dissemination to Magistrates  | Q3                     | CYOS Adrain Seymour   |  |   |
| 23. | To provide all young people who require a Pre-Sentence Report a timely health assessment to provide context to the court to inform sentencing<br><br>To develop the collaboration between case managers and health practitioners in the development of holistic PSRs Training<br><br>Quality assure | Q1<br><br>Q2<br><br>Q3 | CYOS Health specialist Kelly Mogano<br><br>CYOS Health specialist Kelly Mogano<br><br>CYOS Operation Manager Adrian Seymour | Courts are provided with sufficient high quality information to enable them to take full account of their statutory responsibilities under welfare | Future in mind (FIM) - Promoting, protecting and improving our children and young people's mental health and wellbeing DoH NHS England<br><br>Sentencing Children and Young People Sentencing Councils Definitive Guideline effective from 1 June 2017<br><br>Gov response to CTR |
| 24. | CJLD<br><br>Information exchange pathway agreed   | Q2                     | CYOS Health specialist Kelly Mogano   |  |   |

|     |   |  |                                     |  |               |
|-----|---|--|-------------------------------------|--|---------------|
|     | Audit against notifications and CJLDP statistics for YPS assessed   | Q4   | CYOS Health specialist Kelly Mogano |  |               |
|     | Report findings to CJLD steering group  |  | CYOS Georgina Kell                  |  |               |
| 25. | On-going - Pre-sentence reports quality Assurance;<br><br>Magistrates feedback – collate an aggregated report, identify any actions required            | reported to monthly management meeting for discussion and action | CYOS Adrian Seymour                 | Magistrates have confidence in CYOS PSR Recommendation   | HMIP SQS 2016 |
|     | Internal gatekeeping by Operation Managers - identify any actions required on individual reports and identify and respond to any patterns of deficiency | As required individually   | CYOS Operation managers             | CYOS is responsive to consultation feedback - “you said we did”<br><br>All PSRS are satisfactory or higher |               |

| OTHER LOCAL DRIVERS INDICATORS                 |   |   |  |   |  |
|--|---|---|--|---|--|
| 26.<br>PSR -<br>devolution of<br>Youth Justice | Engagement events with CYOS Board and CYOS staff  | Attendance at CYOS May Board 2017           | PSR Project lead Claire Dhammi               | CYOS is in a strong position to influence CA delivery model   | West Midlands Combined Authority Devolution agreement<br><br>PSR Youth Justice Devolution milestones |
|  | PSR Project lead for Offending Criminal Justice and Youth Justice PSR Team attendance at appropriate forums | CYOS Practitioner consultation April 2017   | PSR project lead Claire Dhammi               |   |  |
|  |   | Other dates to be determined as appropriate | CYOS Georgina Kell                           | Better outcomes for young people  |  |
| 27.<br>Training/<br>development                | Practitioner development day Including Signs Of Safety & Engagement   | Q3  | Principal Social worker Lee Pardy Mclaughlan | Staff are able to use model to inform reflective practice and to support safety & well-being planning | Child Sexual Exploitation Audit Action Plan , Coventry Safeguarding Children Board                   |
| 28.  | HCPC and Professional Social Work Accreditation Pathway and staff development plan staff development plan   | Q4  | Principal Social worker Lee Pardy Mclaughlan |   |  |
| 29.  | DVRIM<br><br>All staff who have not already completed training  | Q4  | CYOS Georgina Kell                           | Improves safety and well-being planning   |  |
| 30.  | Prevent<br><br>Refresh training WRAP  | Q3  | CYOS Matthew Haynes                          | Staff are able to identify vulnerability capacity and   |  |

|                            |  |                        |   |   |   |
|----------------------------|--|------------------------|---|---|---|
|                            |  |                        |   | intent and utilise referral procedure<br>Staff are aware of new learning and developments   |   |
| 31.<br>Health & well being | Proactive response to data collection;<br>Health specialist undertakes home visits<br>Health specialist utilises post intervention national standard appointments<br><br>Increased service user impact data available to Board | Q1<br><br><br>Q3       | CYOS Health specialist<br>Michaela Wickham - Hills    | Increased engagement, service user impact assessments, evidenced based interventions  | Future in mind (FIM) - Promoting, protecting and improving our children and young people's mental health and wellbeing DoH NHS England (2.10, 8.3)  |
| 32.<br>Health & well being | Meeting with CJLD<br><br>Process agreed and implemented<br><br>Review process  | Q1<br><br>Q2<br><br>Q3 | CYOS Health specialist Kelly Mogano<br><br>CJLD Lead. | CJLD and CYOS have effective communication pathway in place which ensures each partner has appropriate and timely access to each other's health assessments | Future in mind (FIM) - Promoting, protecting and improving our children and young people's mental health and wellbeing DoH NHS England ( 5.16, 6.3, 6.9)<br>Government response to CTR p15                |
| 33.<br>Health & well being | Multi-disciplinary training needs consultation<br><br>Agreed training programme and commencing of delivery<br><br>Minimum 4 training events  | Q1<br><br>Q2<br><br>Q4 | CYOS Health specialist<br>Michaela Wickham - Hills    | Professionals who work with children and young people are trained in child development and mental health and understand what can be done to                 | Future in mind (FIM) - Promoting, protecting and improving our children and young people's mental health and wellbeing DoH NHS England ( 6.7, 8.3, 8.8,8.9)<br><br>Health and Wellbeing Strategy 2016/ 19 |

|                     |   |   |  |  |  |
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|                     |   |   |  | provide help and support those who need it   |  |
| 34.<br>Safeguarding | Cyber-crime, Utilising Get Safe on Line and CEOPS resources develop interventions that target different age ranges resource. Building on last year's CYOS delivery to residential homes, resources to be shared with them | Q4  | WMP Hinesh Mehta<br><br>CYOS Dawn Gibson | Young people are aware of the on line issues and have information that they can use to "stay safe"<br><br>Young people can describe safe methods of social media<br><br>Young people can describe the impact of cyber bullying on others<br><br>Parents are able to apply security measures to home technology | Coventry Cybercrime Strategy (West Midlands Police)<br><br>Child Sexual Exploitation Audit Action Plan , Coventry Safeguarding Children Board<br><br>Coventry Children and Young People plan<br>Work stream 3 – stay safe<br><br>Serious and Organised Crime Local Profile 2017 Coventry Recommendations 9,21 & 22 |
|                     | Workshops to parents as required  |   | CYOS Dawn Gibson                         |  |  |
| 35.<br>CSE          | Deliver against CSE Action Plan<br><br>All Service Managers to read and brief the strategy and delivery Plan to teams , direct staff to toolkit   | TBC- subject to external updates being completed<br><br>As required | CYOS Georgina Kell                       | CYOS are familiar with new developments and are able to screen and intervene as appropriate  | Child Sexual Exploitation Audit Action Plan, Coventry Safeguarding Children Board<br><br>Recommendation 1 the strategy, delivery plan and toolkits are reviewed and revised to reflect the findings of this report.  |

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|  | Update CYOS procedures in line with changes to citywide procedures   |     | CYOS Adrian Seymour                          | Young people are safer | <p>Recommendation 2 there are robust processes for managing low and medium risk cases, ensuring that specific risk reduction strategies result in positive outcomes for all children at risk of or experiencing CSE</p> <p>Recommendation 3 prevention element of the strategy should be strengthened to ensure that all professionals are able to implement interventions that reduce risk. For example, healthy relationships and improving resilience</p> <p>Recommendation 4 all CSE responses focus on the needs and views of the child, ensuring that the relational model used for high risk cases is reflected at all levels of CSE risk.</p> <p>Recommendation 5 partnership ensure the effectiveness of support and the impact on the lives of the children concerned is measured and recorded and informs multiagency screening process</p> <p>Serious and Organised Crime Local Profile 2017 Coventry Recommendations 8,9,12 &amp; 13</p> |
|  | Programme of CYOS CSE “champion” briefings to staff group to continue  |     | CYOS Nick Jeffries                           |                        |   |
|  | Audit on cases to ensure that CSE screening has occurred in line with guidance , where appropriate risk reduction strategies are reflected in safety and well-being assessments and intervention plans | Q3  | As above to form audit team                  |                        |   |
|  | PIF and cascade down to staff  | TBC | Principal Social Worker Lee Pardy McLaughlin |                        |   |

|                     |   |           |  |   |   |
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|                     | Deliver “ Healthy life styles”<br>Intervention as required  | On demand | CYOS Dawn<br>Gibson  | Young people<br>can demonstrate<br>knowledge of<br>methods of<br>saying safe<br>(Social Media)<br>Can identify<br>services they can<br>access   | Coventry Violence against<br>Women and Girls– 2016-2020<br>which includes DVA , sexual<br>violence and exploitation Health<br>and Wellbeing Strategy 2016/ 19<br>Work stream 3 Stay safe  |
| 36.<br>Safeguarding | Retained - DVA Dash, monitor<br>levels of completion and<br>outcomes  | Each Q    | CYOS Adrian<br>Seymour   | Staff are able to<br>signpost young<br>people to<br>appropriate<br>services. Staff are<br>able to manage<br>conversations<br>appropriately<br>Increased<br>awareness of<br>indicators | Coventry Violence against<br>Women and Girls– 2016-2020”<br>which includes DVA , sexual<br>violence and exploitation Health<br>and Wellbeing Strategy 2016/ 19<br>Work stream 3 Stay safe |
| 37.                 | CYOS will regularly meet with<br>Prospects (quarterly) and will<br>review; Performance (CYOS)<br>general NEET cohort<br>New developments<br>Action planning | Quarterly | CYOS<br>Matthew<br>Haynes<br>Prospects<br>Karen Allen<br>Jas Nagra | Consistent<br>performance<br>against local<br>indictor<br><br>Young people<br>have an<br>appropriate ETE<br>provision based<br>on diversity of<br>need                                |   |



|                  |   |    |                     |   |   |
|------------------|---|----|---------------------|---|---|
| 38.<br>Education | Improve the quality of the ETE Report to CYOS Board       | Q3 | CYOS Eve Linstead   | CYOS Board can consider appropriate actions to support performance. All young people have an appropriate timely ETE | Review of the Youth Justice System in England & Wales by Charlie Taylor provision |
| 39.              | Report to CYOS Board on NEET provision, flag resource gap | Q3 | Prospects Jas Nagra | CYOS Board can consider appropriate actions to support performance. All young people have an appropriate timely ETE | Review of the Youth Justice System in England & Wales by Charlie Taylor provision |

## Appendix 2 – Budget

**Table 1: Partner contributions to the youth offending partnership pooled budget 2017-18**

| Agency   | Staffing costs (£) | Payments in kind – revenue (£) | Other delegated funds (£) | Total (£)        |
|--|--------------------|--------------------------------|---------------------------|------------------|
| Local authority <sup>1</sup>   | 417,653            | 0                              | 341,665                   | <b>759,318</b>   |
| Police Service   | 51,771             | 0                              | 20,064                    | <b>71,835</b>    |
| National Probation Service   | 49,775             | 0                              | 5,000                     | <b>54,775</b>    |
| Health Service <sup>4</sup>  | 64,006             | 0                              | 13,309                    | <b>77,315</b>    |
| Police and crime commissioner <sup>2</sup>   | 51,688             | 0                              | 33,312                    | <b>85,000</b>    |
| Welsh Government   | 0                  | 0                              | 0                         | <b>0</b>         |
| YJB Youth Justice Grant (YRO Unpaid Work Order is included in this grant) <sup>5</sup> | 436,854            | 0                              | 57,319                    | <b>494,173</b>   |
| Other <sup>3</sup>   | 0                  | 0                              | 0                         | <b>0</b>         |
| <b>Total</b>   | <b>1,071,747</b>   | <b>0</b>                       | <b>470,669</b>            | <b>1,542,416</b> |

<sup>1</sup>For multi-authority YOTs, the totality of local authority contributions should be described as one figure.

<sup>2</sup>Any money from the Police and crime commissioner that has been routed through a local crime reduction partnership should be included here.

<sup>3</sup> It should be noted that the ‘Other’ category is for additional funding that the YOT can use for any general youth justice activities. Accordingly, funding such as the YJB Grant for Junior Attendance Centres should not be included as there is an expectation that these streams must be used for the delivery of services as intended, only when this has been achieved can any surplus be reinvested within wider YOT service delivery.

<sup>4</sup>£64k staffing costs for the health resource is not paid to YOS direct, but funds posts in health via health contracts.

<sup>5</sup> Includes estimated budget for Sessional Staff costs.

### **Appendix 3 – Spend against YJB Grant**

#### **2017/18 YJB Youth Justice Grant funding**

|  | <b><u>Budget</u></b> | <b><u>Forecast outturn</u></b> | <b><u>Forecast Over(Under)<br/>spend</u></b> | <b><u>Comments</u></b>                          |
|--|----------------------|--------------------------------|--|---|
| <b><u>Youth Justice Grant budget</u></b> |                      |                                |  |   |
| - Salaries                               | £436,854             | £436,854                       | £0   | Includes £12K Allocation for Sessional Salaries |
| - Activity costs                         | £29,237              | £29,237                        | £0   |   |
| - Overheads                              | £28,082              | £28,082                        | £0   |   |
| - Equipment                              | £0                   | £0                             | £0   |   |
| <b>Total - Youth Justice Grant</b>       | <b>£494,173</b>      | <b>£494,173</b>                | <b>£0</b>                                    |   |

**Appendix 4 – Staffing Information****Staffing Information****YOS Staff Ethnic Origin including Sessional Workers and Volunteers**

| Ethnic Origin        | White British | White Other | Indian   | African  | Dual Heritage | Black Other | Asian    | Unknown  | Total     |
|----------------------|---------------|-------------|----------|----------|---------------|-------------|----------|----------|-----------|
| Strategic Manager    | 1             |             |          |          |               |             |          |          | 1         |
| Operational Managers | 3             |             |          |          |               |             |          |          | 3         |
| Practitioners        | 22            |             | 2        |          |               | 3           |          |          | 27        |
| Administration       | 4             |             | 2        |          |               |             |          |          | 6         |
| Sessional Workers    | 5             |             | 3        | 2        |               |             | 1        | 1        | 12        |
| Volunteers           | 6             | 6           |          |          | 2             |             | 3        | 1        | 18        |
| <b>Total</b>         | <b>41</b>     | <b>6</b>    | <b>7</b> | <b>2</b> | <b>2</b>      | <b>3</b>    | <b>4</b> | <b>2</b> | <b>67</b> |

### YOS Staffing contract type including Gender

| Ethnicity               | Managers Strategic |          | Managers Operational |          | Practitioners |           | Administrative |          | Sessional |          | Student  |          | Volunteer |           | Total     |           |
|-------------------------|--------------------|----------|----------------------|----------|---------------|-----------|----------------|----------|-----------|----------|----------|----------|-----------|-----------|-----------|-----------|
|                         | M                  | F        | M                    | F        | M             | F         | M              | F        | M         | F        | M        | F        | M         | F         | M         | F         |
| White British           |                    | 1        | 3                    |          | 3             | 14        | 1              | 3        |           | 6        |          |          | 4         | 14        | 11        | 38        |
| White Irish             |                    |          |                      |          |               |           |                |          |           |          |          |          |           |           | 0         | 0         |
| Other White             |                    |          |                      |          |               |           |                |          |           |          |          |          |           |           | 0         | 0         |
| White & Black Caribbean |                    |          |                      |          |               |           |                |          |           |          |          |          |           |           | 0         | 0         |
| White & Black African   |                    |          |                      |          |               |           |                |          |           |          |          |          |           |           | 0         | 0         |
| White & Asian           |                    |          |                      |          |               |           |                |          |           |          |          |          |           |           | 0         | 0         |
| Other Mixed             |                    |          |                      |          |               |           |                |          |           |          |          |          |           |           | 0         | 0         |
| Indian                  |                    |          |                      |          |               | 2         |                | 2        | 1         | 1        |          |          | 1         | 3         | 2         | 8         |
| Pakistani               |                    |          |                      |          |               |           |                |          |           |          |          |          |           |           | 0         | 0         |
| Bangladeshi             |                    |          |                      |          |               |           |                |          |           |          |          |          |           |           | 0         | 0         |
| Other Asian             |                    |          |                      |          |               |           |                |          |           |          |          |          |           |           | 0         | 0         |
| Caribbean               |                    |          |                      |          | 2             |           |                |          |           |          |          |          |           |           | 2         | 0         |
| African                 |                    |          |                      |          |               |           |                |          | 2         |          |          |          |           |           | 2         | 0         |
| Other Black             |                    |          |                      |          |               | 1         |                |          | 1         |          |          |          |           | 1         | 1         | 2         |
| Chinese                 |                    |          |                      |          |               |           |                |          |           |          |          |          |           |           | 0         | 0         |
| Any other ethnic group  |                    |          |                      |          |               |           |                |          |           |          |          |          |           |           | 0         | 0         |
| Not known               |                    |          |                      |          |               |           |                |          |           |          |          |          |           |           | 0         | 0         |
| <b>Total</b>            | <b>0</b>           | <b>1</b> | <b>3</b>             | <b>0</b> | <b>5</b>      | <b>17</b> | <b>1</b>       | <b>5</b> | <b>4</b>  | <b>7</b> | <b>0</b> | <b>0</b> | <b>5</b>  | <b>18</b> | <b>18</b> | <b>48</b> |
| * Welsh Speakers        |                    |          |                      |          |               |           |                |          |           |          |          |          |           |           | 0         | 0         |

\* Welsh YOTs only

## Appendix 5 – Performance Information

First Time Entrants

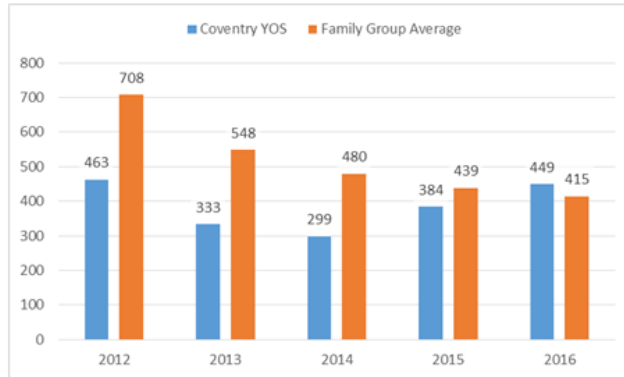


Table 1: FTEs per 100,000 of the 10-17 year old population, Coventry YOS 2012-16 (calendar years)

Reoffending

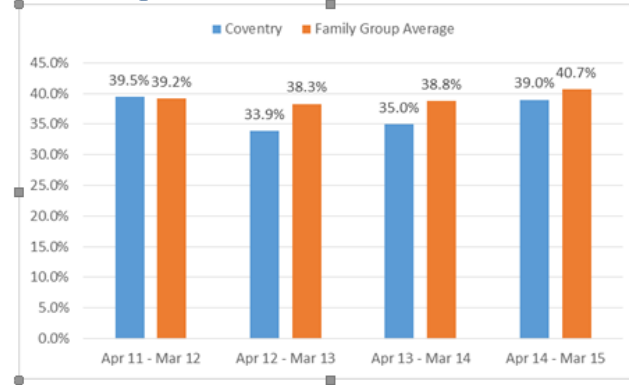


Table 2: Young offenders reoffending within a year, Coventry YOS 2011-15

Use of Custody

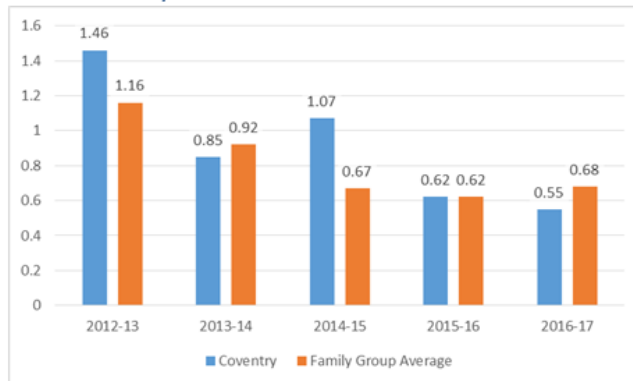


Table 3: Custodial sentences as a rate per 1,000 of the 10-17 year old population, Coventry YOS

Use of Remand

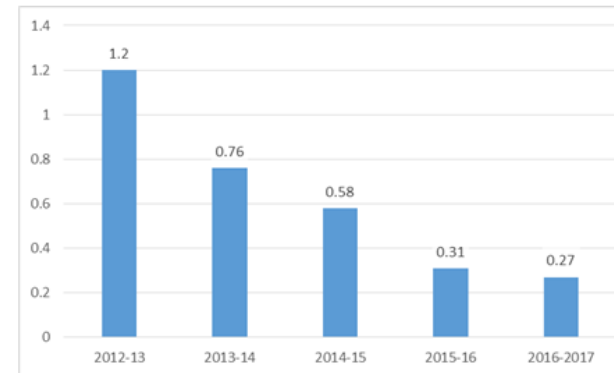


Table 4: New remand episodes per 1,000 of the 10-17 year old population, Coventry YOS

### Custody and Remand

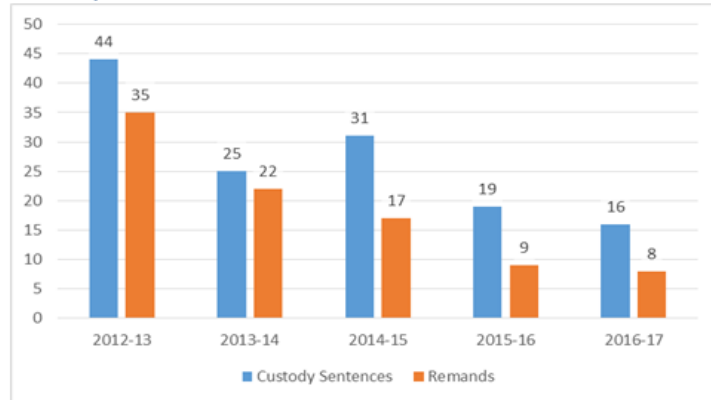


Table 5: New episodes of custody and remand, Coventry YOS 2012-17

### Accommodation

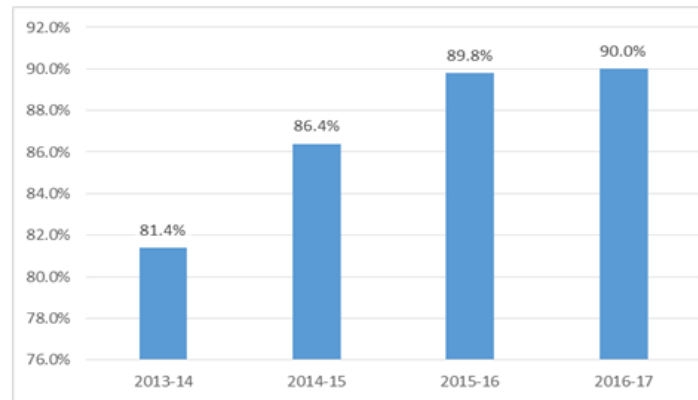


Table 6: Suitable accommodation, Coventry YOS 2013-17

### Education, Training and Employment

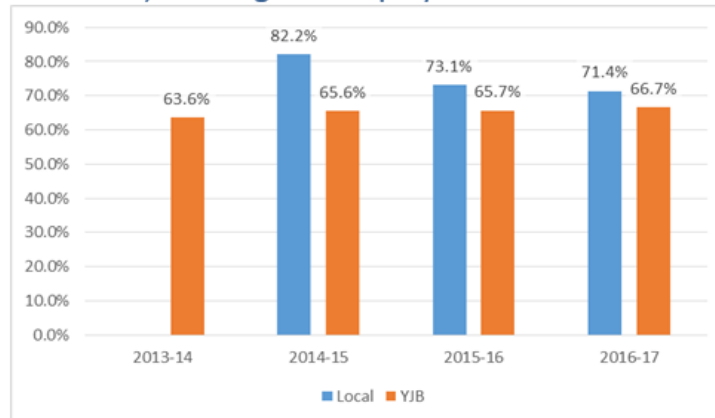


Table 7: Engagement in suitable ETE by local assessment and by former YJB national standard, 2013-17

Disposals

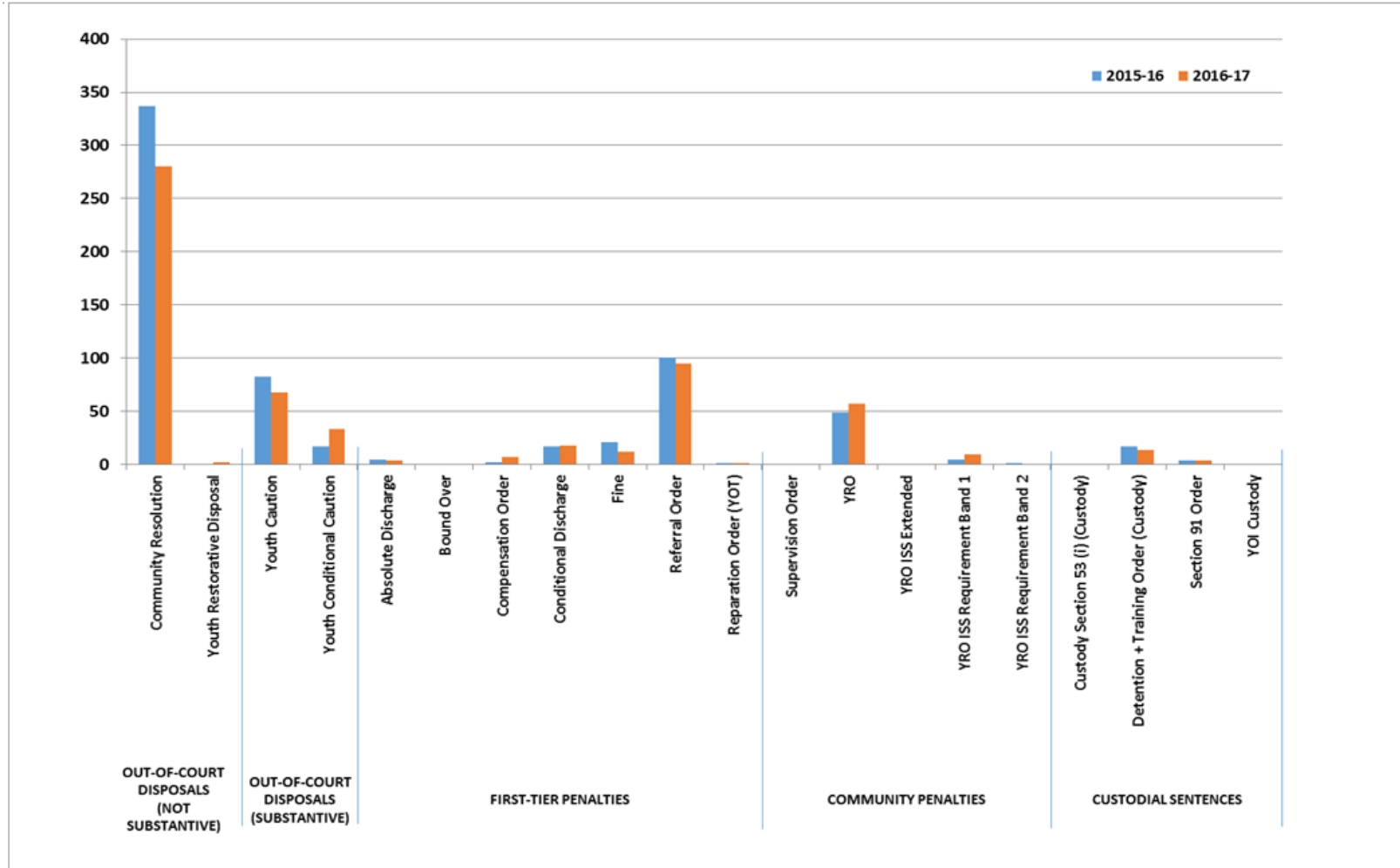


Table 8: Disposals, Coventry YOS 2016 & 2017 Financial Years



## Offences

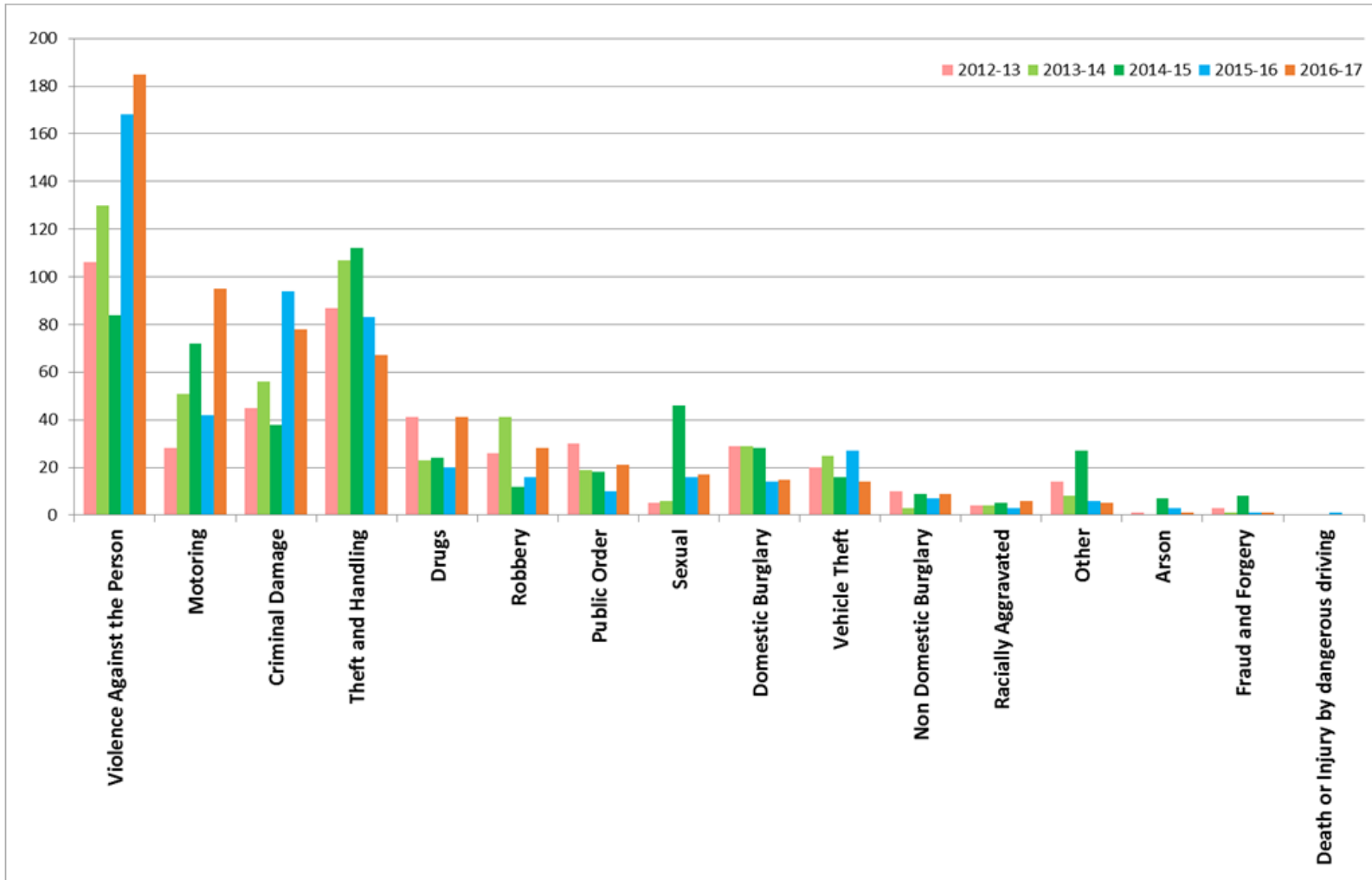
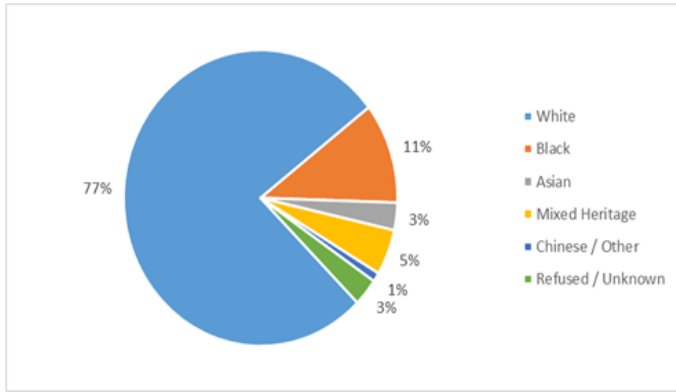


Table 8: Offences by offence type, Coventry YOS 2013-2017



**Ethnicity**

Table 10: Ethnic profile of young people with proven offences, Coventry YOS 2016-17

**Gender**

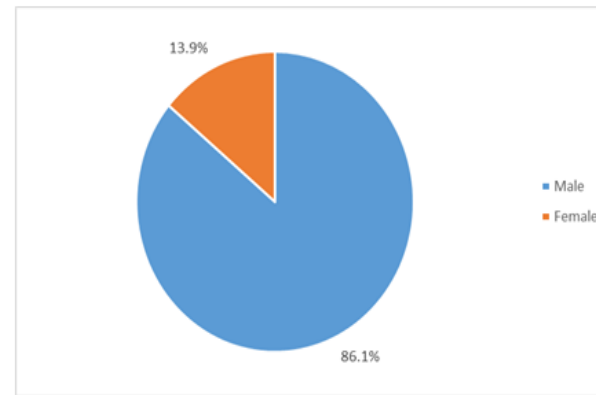


Table 11: Gender profile of young people with proven offences, Coventry YOS 2016-17

**Age**

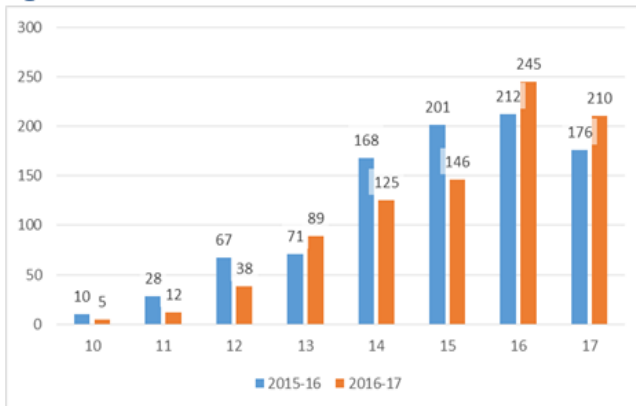
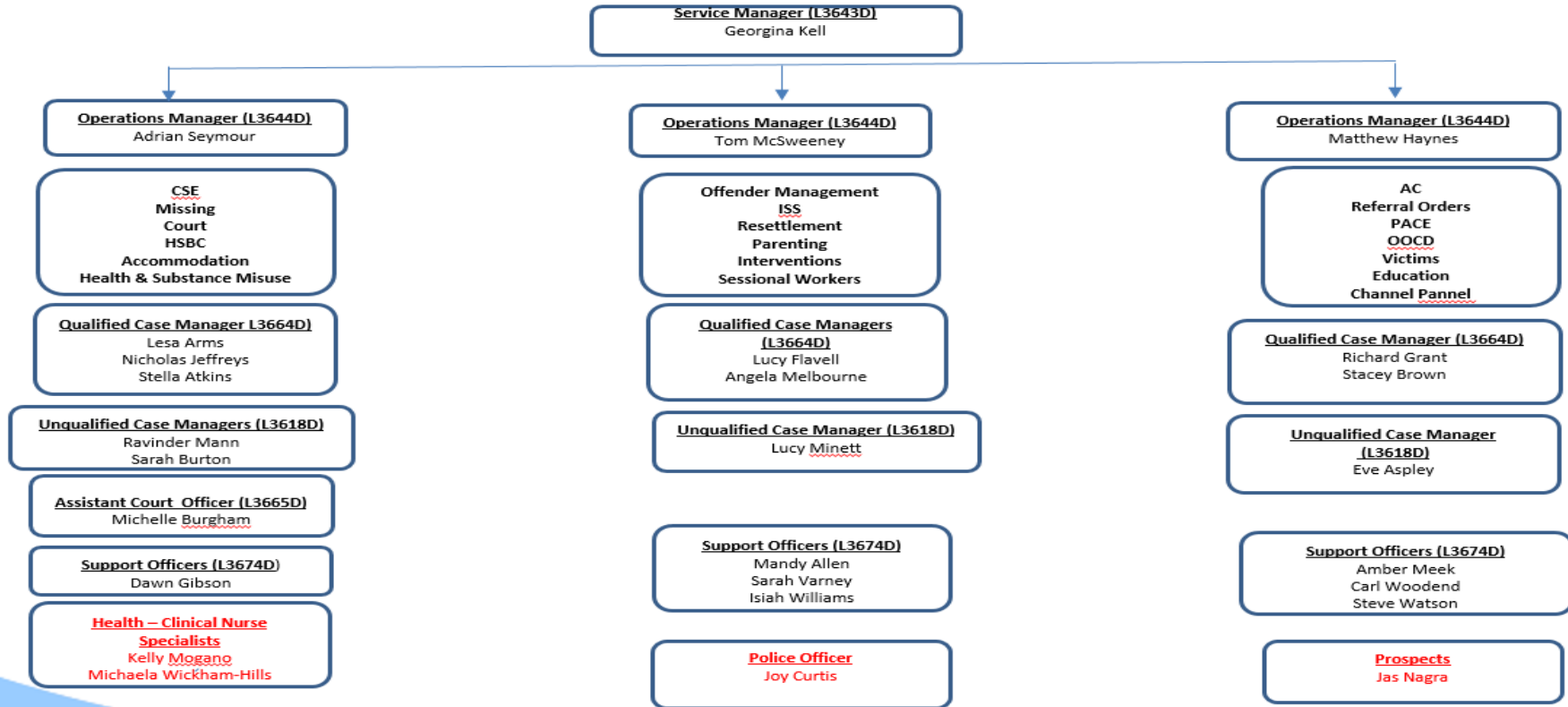


Table 12: Ages of young people at offence date, per proven offence, excluding breaches – Coventry YOS 2016-17

□

# Appendix 6 – CYOS Organisation Employee Structure 2017

CYOS Organisation Employee Structure (February 2017)



## **Appendix 7 – Management Board Membership**

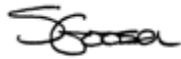
| Name   | Title   |
|--|---|
| <b>Acting Chief Superintendent Sharon Goosen</b><br><br><b>Chairperson</b> | West Midlands Police. Chief Superintendent Police Commander for Coventry  |
| <b>Anne Brennan</b>  | Senior Advisor 11 – 25 years old - Adviser/Secondary Lead (Education Standards and Improvement Team, Coventry City Council) |
| <b>Matthew Gilks</b>   | Director of Commissioning, NHS Coventry and Rugby Clinical Commissioning Group  |
| <b>John Gregg</b>  | Director of Children’s Services for Coventry  |
| <b>Valerie Elliott</b><br><br><b>(observer)</b>                            | Deputy Chair of Youth Panel   |
| <b>Jim Horgan</b>  | Advisory Teacher<br><br>Coventry Virtual School (formerly LACES), Coventry City Council                                     |
| <b>David McNally</b>   | Partnership Adviser – Midlands, Youth Justice Board for England and Wales   |
| <b>Liam Nagle</b>  | Community Safety Officer, Coventry City Council   |
| <b>Andy Wade</b>   | Head of Coventry, Solihull & Warwickshire National Probation Service   Midlands Division                                    |
| <b>Karen James</b>   | Head of Specialist Health Services for Children and Young People  |
| <b>Jane Brooks</b>   | Strategic Lead for Health & Protection – Children’s Services  |

**Appendix 8 – Management Board sign off page**



..... (Signature)

**John Gregg** - Director of Children's Services for Coventry



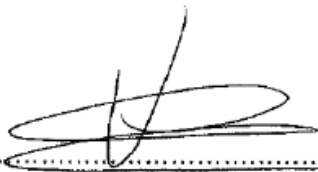
..... (Signature)

**Sharon Goosen** - Acting Chief Superintendent Police Commander for Coventry, West Midlands Police.



..... (Signature)

**Andrew Wade** - Head of Coventry, Solihull & Warwickshire National Probation Service | Midlands Division



..... (Signature)

**Karen James** - Head of Specialist Health Services for Children and Young People



..... (Signature)

**Matthew Gilks** - Director of Commissioning, NHS Coventry and Rugby Clinical Commissioning Group

## **Appendix 9 – Glossary of Terms and Abbreviations**

|       |   |
|-------|---|
| CAF   | Common Assessment Framework                   |
| CAMHS | Children and Adolescent Mental Health Service |
| CBO's | Criminal Behaviour Orders                     |
| CBT   | Cognitive behaviour Therapy                   |
| CDQR  | Community Division Quarterly Review           |
| CHAT  | Comprehensive Health Assessment Tool          |
| CIN   | Child in Need                                 |
| CJS   | Criminal Justice System                       |
| CP    | Child Protection                              |
| CR    | Community Resolution                          |
| CSE   | Child Sexual Exploitation                     |
| COMG  | Coventry Offender Management Group            |
| CYOS  | Coventry Youth Offending Service              |
| DVA   | Domestic Violence and Abuse                   |

|       |  |
|-------|--|
| ECR   | Enhanced Community Resolution                        |
| EHC   | Education Health + Care Plans                        |
| EIP   | Early Intervention Strategy + Plan                   |
| ETE   | Education, Training and Employment                   |
| FTE   | First Time Entrants (to the Criminal Justice System) |
| HMIP  | Her Majesty's Inspectorate of Probation              |
| HOS   | Head of Service                                      |
| IOM   | Integrated Offender Management                       |
| IYSS  | Integrated Youth Support Service                     |
| JAC   | Junior Attendance Centre                             |
| LAC   | Looked After Children                                |
| LGA   | Local Government Association                         |
| LSCB  | Local Safeguarding Children Board                    |
| MAPPA | Multi-Agency Public Protection Arrangements          |

|          |  |
|----------|--|
| MASH     | Multi-Agency Safeguarding Hub            |
| MoJ      | Ministry of Justice                      |
| MST      | Multi-Systemic Therapy                   |
| NEET     | Not in Education, Training or Employment |
| OOCD     | Out-of-Court Disposal                    |
| PACE     | Police and Criminal Evidence             |
| PBR      | Payment by Results                       |
| PCC      | Police and Crime Commissioner            |
| PNC      | Police National Computer                 |
| PPRC     | People Posing Risk to Children           |
| RJ       | Restorative Justice                      |
| SEN      | Special Educational Needs                |
| STC      | Secure Training Centre                   |
| T2 Adult | Transition to Adulthood Programme        |
| YJB      | Youth Justice Board                      |



YJS

Youth Justice System

YODOC

Youth One Day One Conversation

YOI

Youth Offending Institute

YOT

Youth Offending Team



**Abstract - Drawing courtesy of a CYOS Young Person – ring road under a bridge**



**Abstract - Drawing courtesy of a CYOS Young Person – Swanswell Pool**

**Council – 5<sup>th</sup> December 2017**  
**Recommendation from Cabinet**  
**31<sup>st</sup> October 2017**

**Coventry City Council**  
**Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 31 October 2017**

Present:

Members:

Councillor G Duggins (Chair)  
Councillor A Khan (Deputy Chair)  
Councillor F Abbott  
Councillor L Bigham  
Councillor K Caan  
Councillor K Maton  
Councillor J Mutton  
Councillor J O'Boyle  
Councillor E Ruane

Deputy Cabinet Members:

Councillor R Ali  
Councillor B Kaur  
Councillor R Lakha  
Councillor C Thomas

Non-Voting Opposition Members:

Councillor A Andrews  
Councillor G Ridley

Other Members:

Councillor N Akhtar  
Councillor R Brown  
Councillor J Clifford  
Councillor M Mutton  
Councillor J McNicholas  
Councillor S Walsh

Employees (by Directorate):

Chief Executive's

M Reeves (Chief Executive), N Hart

People

G Quinton (Deputy Chief Executive (People)), J Gregg,  
G Kell, P Smith

Place

M Yardley (Deputy Chief Executive (Place)), B Hastie,  
J Newman, M Salmon

Apologies:

Councillor J Innes  
Councillor P Akhtar  
Councillor D Welsh

## **Public Business**

### **69. Governance of the West Midlands Fire Service**

The Cabinet considered a report of the Chief Executive that would also be considered by the Council at its meeting on 5<sup>th</sup> December 2017, which consulted constituent authorities on the now prepared Governance review and scheme for the proposed governance model of the West Midlands Fire Service (under the Mayoral West Midlands Combined Authority) prior to going out for formal public consultation.

The Governance Review, detailed in Appendix A to the report, provided a review of existing governance arrangements and functions, this included the proposed new model under the Mayoral combined authority.

The Scheme, set out in Appendix B to the report, detailed the roles, accountabilities, and powers required by each individual /body in the proposed governance model.

Following constituent authority consultation on the Governance Review and Scheme, the Scheme must enter a formal public consultation in adherence to Section 112 of the Local Democracy, Economic Development and Construction Act 2009.

The Government would use these documents and the results of the consultation to approve the model and create an order to amend existing legislation, in order to confer the necessary powers on the Mayoral West Midland Combined Authority to carry out the functions currently exercised by the West Midlands Fire and Rescue Authority.

The timetable for the proposals, set out in a table in the report, indicated that the WMFRA functions would finally transfer to the WMCA in November/ December 2018. Work was currently underway to implement a Reformed Fire Authority as an interim measure until WMFRA functions were transferred to and assumed by the Mayoral Combined Authority.

The Cabinet:

- 1) Agreed that proposed arrangements for West Midlands Fire Service should include the West Midland Combined Authority Fire Service budget being ring fenced for Fire Service functions.
- 2) Approved the prepared Governance Review and Scheme.
- 3) Agreed to move forward to public consultation for the scheme and proposed governance model.
- 4) Delegated authority as required to the Chief Executive to make minor amendments to the Governance Review and Scheme on completion of the Local Authority approval process and prior to public consultation.

- 5) Recommended that the Council approve recommendations 1, 2 and 3 above at its Council meeting on 5th December 2017.
- 6) Agreed to support/lead on the public consultation in the City of Coventry region on behalf of the West Midlands Combined Authority.
- 7) Noted the timeline of governance route to Mayoral West Midlands Combined Authority.

**RESOLVED that the Council be recommended to:**

- 1) Approve the prepared Governance Review and Scheme.**
- 2) Agree to move forward to public consultation for the scheme and proposed governance model.**
- 3) Delegate authority as required to the Chief Executive to make minor amendments to the Governance Review and Scheme on completion of the Local Authority approval process and prior to public consultation.**

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Cabinet  
Council

31<sup>st</sup> October 2017  
5<sup>th</sup> December 2017

**Name of Cabinet Member:**

Cabinet Member for Policy and Leadership (Leader of the Council) - Councillor G Duggins

**Director Approving Submission of the report:**

Chief Executive

**Ward(s) affected:**

All

**Title:**

Governance of the West Midlands Fire Service

---

**Is this a key decision?**

Yes - Approval is being sought to agree significant changes to the model and governance arrangements of the West Midlands Fire Service

---

**Executive Summary:**

The purpose of this report is to consult constituent authorities on the now prepared Governance review (Appendix A) and scheme (Appendix B) for the proposed governance model of the West Midlands Fire Service (under the Mayoral West Midlands Combined Authority) prior to going out for formal public consultation.

**Recommendations:**

Cabinet is recommended to:

1. Agree that proposed arrangements for West Midlands Fire Service should include the WMCA Fire Service budget being ring fenced for Fire Service functions.
2. Approve the prepared governance review and scheme.
3. Agree to move forward to public consultation for the scheme and proposed governance model.
4. Delegate authority as required to the Chief Executive to make minor amendments to the Governance review and Scheme on completion of the Local Authority approval process and prior to public consultation.
5. Recommend Council approve recommendations 1, 2 and 3 at full Council meeting on 5<sup>th</sup> December 2017.

6. Support/lead on the public consultation in the City of Coventry region on behalf of the WMCA.
7. Note the timeline of governance route to Mayoral West Midlands Combined Authority.

Council is recommended to:

1. Approve the prepared governance review and scheme.
2. Agree to move forward to public consultation for the scheme and proposed governance model.
3. Delegate authority as required to the Chief Executive to make minor amendments to the Governance review and Scheme on completion of the Local Authority approval process and prior to public consultation.

**List of Appendices included:**

Appendix A – Governance Review  
Appendix B - Scheme

**Background papers:**

None

**Other useful documents**

WMFRA report: 'Route Map to Mayoral Governance' (20 February 2017)  
WMFRA Report - Future Governance Working Group (20 February 2017)  
Future Governance Working Group Report (February 2017)  
West Midlands Combined Authority (WMCA) report (3 March 2017)  
WMFRA report – 'Route map to Mayoral West Midlands, Combined Authority Governance - a Reformed Fire Authority (RFA) and decision (10 April 2017)

WMCA Board Report - 8 September - Mayoral WMCA Governance of WMFS  
<https://governance.wmca.org.uk/documents/s617/Report.pdf>

**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 - 5<sup>th</sup> December 2017



**Report title:** Governance of the West Midlands Fire Service

**1.0 Purpose**

1.1 The purpose of this report is to consult constituent authorities on the now prepared Governance review (Appendix A) and scheme (Appendix B) for the proposed governance model of the West Midlands Fire Service (under the Mayoral West Midlands Combined Authority) prior to going out for formal public consultation.

**1.2 Background**

1.3 In response to the Policing and Crime Bill (2016) consultation, the West Midlands Fire and Rescue Authority (WMFRA) set out a direction seeking the future sustainability of services under a Mayoral WMCA model of governance.

1.4 In recognising the need for an independent review of the possible future governance options, WMFRA commissioned an appraisal panel in April 2016. The Groups outcomes and conclusions are detailed in the attached Governance Review (Appendix A).

1.5 The outcomes of the group were then built upon through a public consultation undertaken during December 2016 to January 2017, seeking public and partner opinion regarding the future strategy to deliver risk-based services across the West Midlands. A Reformed Fire Authority (RFA) and Mayoral Combined Authority were identified as the 'desirable' options for the future governance of West Midlands Fire Service (WMFS).

1.6 Accepting the findings of both the Group and the public consultation, considering these against the Strategy of WMFS, the priorities of the WMCA and the expectations of government, the route to future Mayoral WMCA governance was agreed by WMFRA on the 20 February 2017.

1.7 The WMCA supported the WMFRA's broad proposal for the transfer of its functions to the Mayoral Combined Authority on 3rd March 2017.

1.8 Alongside this, work is underway to implement a RFA as an interim measure until WMFRA functions are transferred to and assumed by the Mayoral Combined Authority.

1.9 On the 8 September 2017 the WMCA board noted the timeline for the mayoral governance route and approved the development of a governance review and scheme, for Mayoral Combined Authority governance of WMFS pursuant to Sections 111 and 112 (1d) of Local Democracy, Economic Development and Construction Act 2009. The Scheme is detailed in Appendix B. The timeline referred to here is provided in this report in paragraph 3.1.

- 1.10 The benefits of the Mayoral WMCA governance model provides huge opportunities for the joint transformation of public services to West Midlands communities, providing value for money in the delivery of public safety. These opportunities have been detailed in the Governance Review.
- 1.11 The Governance Review in Appendix A provides a review of existing governance arrangements and functions, this includes the proposed new model under the Mayoral combined authority.
- 1.12 The Scheme detailed in Appendix B details the roles, accountabilities, and powers required by each individual /body in the proposed governance model.
- 1.13 Following constituent authority consultation on the Governance Review and Scheme, the Scheme must enter a formal public consultation in adherence to section 112 Local Democracy, Economic Development and Construction Act 2009.
- 1.14 The Government will use these documents and the results of the consultation to approve the model and create an order to amend existing legislation, in order to confer the necessary powers on the Mayoral WMCA to carry out the functions currently exercised by the WMFRA.

## **2.0 Options considered and recommended proposal**

- 2.1 The route to future Mayoral WMCA governance was agreed by WMFRA on the 20 February 2017 and full details are listed within the Governance Review.
- 2.2 At the WMCA meeting on 8 September it was agreed that there was a requirement for all constituent authorities to approve the content of the review and scheme, pursuant to section 112 Local Democracy, Economic Development and Construction Act 2009.
- 2.3 The City Council could not approve the scheme as drafted and refer the matter back to WMFRA and/or WMCA for consideration; this is not recommended as it will impact upon the timeline as outlined below. The recommendations proposed allow minor amendments to be made, if considered necessary, by delegated authority to the Chief Executive.

## **3 Result of consultation undertaken**

WMFRA has undertaken discussions with stakeholders, the proposal is to enter into a period of public consultation.

#### 4 Timetable of implementing this decision

Timeline (indicative) for this journey:

| Details   | Date                          |
|---|-------------------------------|
| WMCA approve the Governance Review and for a Scheme to be developed.  | 8 September 2017              |
| Development of governance review and scheme, which will consider the business case for the change in governance.  | September 2017                |
| Constituent Authority approval of content of governance review and scheme.  | October - November 2017       |
| WMCA approval of content of Governance Review and Scheme.   | 8 December 2017               |
| Consultation of proposals set out in the scheme on behalf of the Secretary of State (6 weeks minimum)   | January – February 2018       |
| Analyse consultation responses locally  | March 2018                    |
| Governance Review, Scheme and analysis of consultation reviewed by Secretary of State (4-12 weeks)  | April 2018                    |
| Government development of Order detailing changes required in legislation to abolish WMFRA and amend legislation to enable future Mayoral WMCA governance | May – June 2018               |
| Constituent Authority/ CA approval of detail of Order   | July - September 2018         |
| Order amended where needed locally enters Parliamentary Process   | September - October July 2018 |
| Secretary of State approves Order   | November 2018                 |
| WMFRA functions transfer to the WMCA  | November/ December 2018       |

#### 5 Comments from Director of Finance and Corporate Services

##### 5.1 Financial implications

- 5.1.1 The cost of this governance route has and will continue to be met from within existing approved budgets which have largely been delivered through WMFS. Support has also been provided by the WMCA and local authority Legal Services.
- 5.1.2 Future reports will detail any additional costs that will need to be met.
- 5.1.3 The financial implications for local authorities would be those arising from any resources allocated to supporting the public consultation.

##### 5.2 Legal implications

- 5.2.1 The legal implications and process for devolving powers to the WMCA are set out above in this report.

- 5.2.2 The proposals in this report will meet the government's expectations that all Fire and Rescue Services consider one of the alternative routes leading to reform.
- 5.2.3 WMFRA have been consulting with the legal heads of service from all seven constituent local authorities for advice and guidance.
- 5.2.4 All relevant legislation pertaining to this governance route has been detailed in the Governance Review and Scheme.
- 5.2.5 By progressing down this route it is envisaged that the Secretary of State will provide the constituent authorities with the ability to approve the final order transferring the governance of WMFS to the WMCA but this is not a statutory requirement. The statutory requirement is to have due regard to the Scheme as submitted.
- 5.2.6 Clarification on potential impact of any liability and risk that WMCA inherits is being sought.

## **6.0 Other implications**

### **6.1 How will this contribute to achievements of the Council's plan?**

No significant impact is identified from the proposals

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

The proposal is for WMFS to join the Combined Authority as a statutory organisation and its members would be required to manage the risks associated with its activities.

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

The impact on the City Council will include a change in the governance arrangements as outlined in the attached scheme and review that will alter the current committee arrangements.

## **6.4 Equalities implications**

- 6.4.1 There are no direct equalities implication at this stage, however participants from all the equality strands will be invited to comment during the consultation process. Once consultation has been completed an equality impact assessment will be undertaken in line with the City's equalities procedures.
- 6.4.2 It is a requirement of the Secretary of State's consultation process that the consultation responses 'reflect the identities and interests of local communities' in the West Midlands (Local Democracy, Economic Development and Construction Act 2009 section 111 3a).

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

6.5.1 There are no environmental implications currently.

## 6.6 Implications for partner organisations

6.6.1 The proposals require partnership working and agreement with the other local authorities

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| <b>Names of approvers for submission:</b><br>(Officers and Members) |  |                             |                   |                                    |
| Barry Hastie  | Director of Finance and Corporate Services                         | Place                       | 17.10.17          | 23.10.17                           |
| Martin Reeves   | Chief Executive  | Chief Executives            | 17.10.17          | 23.10.17                           |
| Councillor G Duggins  | Leader of the Council and Cabinet Member for Policy and Leadership | -                           | 17.10.17          | 23.10.17                           |

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### Review of Governance and Functions of the WMCA (Annex A)

This review is a subsequent review to the WMCA governance review and scheme. The review deals with:

- The transfer of functions and governance arrangements in relation to the exercise of fire and rescue functions in the West Midlands, and
- Overview of the governance arrangements

#### 1. EXISTING ARRANGEMENTS:

##### Existing Fire and Rescue Arrangements:

1.1 West Midlands Fire and Rescue Service (the Service) provides prevention, protection and response services to the 7 metropolitan councils in the West Midlands. These core services are prescribed under legislation, assurance for which is provided through the West Midlands Fire and Rescue Authority (the Authority). The Authority is accountable to the public for the services provided to local communities. The most pertinent service delivery legislative provisions are as follows:

- The Fire and Rescue Services Act 2004
- The Fire and Rescue Services (Emergencies) (England) Order 2007
- The Regulatory Reform (Fire Safety Order) 2005
- The Civil Contingencies Act 2004

Further detail of these legislative provisions is provided in Appendix 1.

The Fire and Rescue Service is a unique public body that plans for risk not demand. Appendix 2 delivers the understanding behind this and how it meets that risk through its prevention, protection and response services. This review will demonstrate the reliance and value these services add beyond local level delivery, with consideration given to regional, national and specialist international capabilities and interventions.

- 1.2 In addition to providing services to the West Midlands, given that the Service shares approximately 53 km of border with Hereford & Worcester FRS, 90km with Staffordshire FRS and 113km with Warwickshire FRS, it provides services to the region in the form of over-the-border mobilisations into neighbouring FRS's and vice versa where required. This is catered for under s13 of the Fire and Rescue Services Act 2004 and is termed Section 13 Mutual Assistance Agreements.
- 1.3 Further, the Service provides significant support to the national resilience arrangements. This is supplemented by supporting the United Kingdom in its International Search and Rescue (ISAR) capability, having supported numerous interventions to some of the world's largest and most devastating disasters, including earthquakes in Haiti, Japan and Nepal.
- 1.4 The Authority as it stands was legally established as a joint authority by the Local Government Act 1985. This Act stipulated the requirement to appoint 27 members to the Authority and the number of Members appointed from each of the 7 West Midlands Metropolitan councils.
- 1.5 Currently, members are drawn made up according to the following political ratio:
- 17 Labour
  - 8 Conservative
  - 1 Liberal Democrat
  - 1 UKIP
- 1.6 The Authority undertakes the following strategic and statutory duties
- It is accountable to the community for the services provided through the Integrated Risk Management Plan (IRMP) and the service's rolling 3-year corporate strategy, 'The Plan'.
  - It approves the budget for the delivery of these services and the setting of the precept for council tax.
  - It employs all WMFS staff and owns all properties, rights and liabilities.
  - It has ultimate accountability for decision making, however, the Authority delegates many decisions to its sub-committees such as Scrutiny and Audit and day to day operational control to the Chief Fire Officer (CFO) on matters "*concerned with maintaining operational effectiveness and the deployment of resources both physical and employees*".



1.7 The CFO is the designated Head of Paid Service as required by the Local Government and Housing Act 1989 and is responsible for the management and development of all staff, land and resources to enable and ensure the delivery of services, including the exercise of all the powers of the Authority as an enforcement authority under relevant legislation. Accordingly, the CFO is accountable to the Authority. The operational independence of the CFO is secured by virtue of the skills, knowledge and experience required to deliver on the legislative prescriptions with clear lines of demarcation between Authority and the CFO detailed in the Authority's [Constitution](#), agreed to by the Authority.

1.8 Whilst there is plenty of legislation that all public bodies are required to be compliant with, those detailed below are deemed to be most pertinent to informing the governance arrangements and the responsibilities placed upon the Authority:

- Local Government Act 1985
- Local Government and Housing Act 1989
- The Local Government Act 1972

Further detail with respect to the legislative responsibilities and a more detailed breakdown of current roles and responsibilities of the Authority is provided in Appendices 3 and 4.

1.9 The Authority has a number of sub-committees. These can be broadly divided into those that convene regularly and those that are convened upon requirement:

- Appeals Committee (convenes upon requirement)

The Appeals Committee operates as a quasi-judicial body in determining appeals relating to pensions and superannuation matters. This Committee convenes upon requirement and hears and decides upon: -

- Appeals under the Firefighters Pensions Scheme, New Firefighters Pensions Scheme and the Firefighters Compensation Scheme.
- Appeals under the Local Government Superannuation Regulations.

- Appointments Committee (convenes upon requirement)

The Appointments Committee convenes upon requirement to make appointments of the Chief Fire Officer, Deputy Chief Fire Officer and Assistant Chief Fire Officer.

- Audit Committee

The Audit Committee is a key component of the Authority's corporate governance and includes an independent Member to provide independent assurance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards. Its purpose is to provide independent assurance to the Members of the adequacy of the risk management framework and the internal control environment. It provides independent review of the governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.

- Executive Committee

The Executive Committee deals with all matters of an urgent nature which in the opinion of the Clerk/Monitoring Officer, cannot reasonably be delayed until the next ordinary meeting of the Authority or appropriate committee. It considers recommendations from the Scrutiny Committee in respect of completed reviews and to respond to the Scrutiny Committee on what action it proposes to take. It also approves transactions that exceed delegated authority.

- Policy Planning Forum - proportionality not applied

The Policy Planning Forum comprises all elected members and independent members of the Authority. The Forum is not a decision making body, but provides a forum for discussion of important issues affecting the Service prior to formal submission and discussion with members via the Committee framework as appropriate. It is a successful feature of the Authority's governance arrangements used as a particularly effective way of engaging Members and officers on key issues faced by the Authority. The Forum also acts as a vehicle to provide training to members.

- Scrutiny Committee

The Scrutiny Committee supports the Authority in achieving its strategic objectives and ensuring that its policy and budgetary framework is followed and developed to reflect the changing needs and demands in meeting its statutory obligations.

The main purpose of the scrutiny function is to:-

- i) Inform policy development
- ii) Hold officers and the Service to account
- ii) Hold the Authority to account
- iv) Conduct reviews into specific issues.

In carrying out its role the Committee may look at both operational and strategic issues.

- Joint Consultative Panel - proportionality not applied

The Panel comprises elected members of the Authority and recognised elected officials of the Trade Unions/Representative Bodies. The Panel establishes regular methods of consultation between the Authority, management and its employees as part of the employee relationship framework to consider and make recommendations to the Authority or the Chief Fire Officer as appropriate on:

- any problems which may arise
- any relevant matter referred to it by the Service or by the relevant employee organisation
- the application of the terms and conditions of service for employees
- matters referred to it by the Joint Consultative Committee, including failure to consult and failure to agree as defined in the constitution of the Joint Consultative Committee.

The Panel also discharges such other functions that are specifically assigned to it.

- Standards Committee (convenes upon requirement)

The Standards Committee convenes upon requirement and investigates allegations of breach of the member Code of Conduct and will make decisions on allegations made.

1.10 In addition to providing the accountability detailed above the Authority also represents the Service through strategic relationships and engagements in order to support the delivery of The Plan:

- s41 principles of local accountability – The lead s41 members represent the Authority at each of the 7 constituent councils providing the opportunity for two-way engagement.
- The Local Government Association (LGA) – the Chair is a member of the Fire Services Management Committee (FSMC) and the Fire Commission. The Chair is also supported by the Vice Chair at the latter. The Chair is also a member of the National Joint Council Employers panel and supports the engagement between the employers and the workforce at a national level through dialogue with the Employees panel, which consists of representative bodies.
- The Authority is an observer of the WMCA and through representation by the Chair the Authority is able to contribute to the regions key strategic priorities.

- Regional Chief Fire Officers and Chairs Fire Service Engagement – the Chair represents the Authority in discussions with regional Fire and Rescue Authorities and Warwickshire County Council to support the Service around key initiatives such as collaboration. This discussion incorporates Staffordshire FRA, Hereford and Worcester FRA, Shropshire FRA and Warwickshire County Council.
- The Staffordshire & West Midlands Joint Fire Control Governance Board – The Chair represents the Authority at the board as a Co-Chair. The Board oversees governance arrangements of the joint fire control.
- Local engagement with representative bodies and staff – The Chair undertakes regular engagement with the local Fire Brigade Union (FBU) and Unison representatives as part of promoting industrial relations. The Chair also represents the Authority as part of its engagement with staff by undertaking communication visits to every Community Fire Station and WMFS Headquarters. This engagement is informal and is not part of established processes.
- Local Councils – the Chair represents the Authority through focused engagement with Council Leaders as part of supporting the Service in efforts to build and develop collaborative and strategic relationships.
- Emergency Services – the Chair represents the Authority through engagement with the West Midlands Police and Crime Commissioner (PCC) and delegates at the Office of the West Midlands PCC, to support the Service in efforts to build and develop collaborative relationships.
- The Association of Metropolitan Fire and Rescue Authorities (AMFRA) – The Chair represents the Authority at AMFRA, which consists of the metropolitan fire and rescue authorities that provide services to the main conurbations in England. AMFRA discusses and progresses issues affecting the metropolitan fire authorities and engage at all political levels and work cross-party to support improved outcomes. Engaging through this group has supported a greater recognition and understanding of the challenges affecting the metropolitan Authorities, which in turn has impacted upon expectations for future efficiencies. The Chair of the Authority chairs AMFRA.

### **Existing WMCA Arrangements:**

1.11 The WMCA governance arrangements consists of the WMCA Board and a number of other Boards / Committees:

- WMCA Board
  - Overall responsibility for developing and delivering the Strategic Economic Plan (SEP)
  - Overall responsibility for developing the strategy and delivering Public Service Reform (PSR)
  - Deliver the current devolution deal

- To negotiate and deliver further devolution deals
  - Approval of future devolution deal development, to determine strategy on investment decisions
  - Allocating resources through the Combined Authority budget & income streams such as devolution deals
  - Determination of Transport strategy and spending priorities
  - To operate a Cabinet model with Constituent Member Leaders 'sponsoring' a portfolio
  - To consider and determine applications for Constituent, Non-Constituent and observer status
  - To work with partners to develop the Midlands Engine
  - To work with Government to develop and influence national policy
  - To set up the fees for membership
- Audit, Risk & Assurance Committee

The Audit, Risk and Assurance Committee is a key component of the West Midlands Combined Authority's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards. The purpose of the Audit, Risk and Assurance Committee is to provide independent assurance to the Authority of the adequacy of the risk management framework and the internal control environment. It provides independent review of the governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.

- Overview & Scrutiny Committee

To ensure that decisions made by the Combined Authority, help make the West Midlands region a better place to live, work, study and do business. To undertake call-in arrangements for the Combined Authority. To make recommendations for appointment to the Combined Authority Board.

- Transport Delivery Committee

The Transport Delivery Committee will be a sub-committee of the Combined Authority Board.  
The Transport Delivery Committee will be part of the Transport for West Midlands (TFWM) activities.

To provide oversight of operational delivery of transport across the West Midlands. As requested by the Combined Authority Board or Leader with Transport responsibilities, advise on transport policy matters.

Be responsible for the discharge of specified transport functions delegated by the Combined Authority Board.

The Board membership consists of each of the 7 constituent councils, which cover the West Midlands conurbation – Birmingham, Coventry, Walsall, Dudley, Wolverhampton, Solihull and Sandwell.

Ten non-constituent members also form part of the Board and have limited voting rights – Cannock Chase District, North Warwickshire Borough, Warwickshire County, Nuneaton and Bedworth Borough, Redditch Borough, Rugby Borough, Shropshire, Stratford on Avon District, Tamworth Borough and Telford and Wrekin Councils.

The PCC and the Authority also sit on the Board as Observers. Whilst they do not possess voting rights, they are able to contribute to the strategic discussion and add value.

1.12 The WMCA has a number of priorities which are vested in the Mayor and WMCA portfolio lead members:

- HS2 growth and Health and wellbeing – devolution deals and communications & engagement, mental health, mental health commission and health devolution
- Economic growth – delivery of Strategic Economic Plan (SEP), access to finance for business, Collective Investment Fund (CIF), WMCA growth company, international trade and exports, digital strategy and the arts and cultural activity
- Housing and land – land commission, Land Remediation Fund (LRF) housing delivery, one public estate
- Skills and productivity – skills and productivity commission (including employability), learning for the future and Further Education (FE) area reviews
- Cohesion & Integration and Public service reform – public service reform agenda, troubled families, criminal justice, welfare reform, shared services and social inclusion.
- Transport – delivery of Strategic Transport Plan, Midlands Connect, West Midlands Rail, HS2 delivery transport and Transport Delivery Committee
- Finance and investment – delivery of the WMCA investment agenda
- Environment

## 2 THE NEED TO REVIEW THE CURRENT FIRE ARRANGEMENTS

- 2.1 Public Services locally across the West Midlands are changing significantly and will continue to do so with the inception and progression of the WMCA. Central governments expectations around increased efficiencies and reform place an additional expectation on this continued change and transformation.
- 2.2 The fire and rescue services in England are not exempt from these expectations and will have made efficiencies in the region of £450m by 2019/20 since the introduction of comprehensive spending review (CSR) in 2010/11. Reductions have been experienced both in front line and support service staff. In many areas across England reductions have been seen in the number of fire stations and appliances available to attend emergency calls. As budgets and physical firefighting resources continue to be cut, it is becoming increasingly difficult to meet local needs and address risk in the communities.
- 2.3 In the West Midlands the Service has sought to implement a programme of transformation to ensure the risk based needs of local communities, targeting the vulnerable, continues to be met in order to deliver stringent service delivery performance standards. A review of the discharge of the Authority's responsibilities provides an opportunity to review the external influences on the Service's ability to sustain its service delivery arrangements. These influences range from changes in Government policy, expectations around reform and financial pressures to the wider benefit that can be leveraged from the services that WMFS are legislatively prescribed to deliver across the public sector in the West Midlands. They include the contribution the Service can make to the achievement of the Mayoral WMCA's strategic ambitions and priorities by supporting growth and reducing the total cost of delivering public services through a coordinated, integrated and collaborative delivery of services.

### **Background:**

#### **The Comprehensive Spending Review and the Service's Approach to Service Transformation**

- 2.4 The Authority has fully supported service wide transformation and has embraced plans to meet the circa 50% (£38m) reduction in central government grant (core) over the course of the CSR, covering the period 2011/12 to 2019/20.
- 2.5 As cited earlier ongoing transformation over the past 6 years has impacted on both service support and service delivery functions. The Service has met the required reductions in funding through exploring and implementing more challenging and

innovative approaches to the delivery of internal and external community facing services. Whilst the Service has had to make decisions that have increased risk in some areas of response, prevention and protection, these have been assessed through an evidence based approach, using integrated risk management analysis to minimise the impact on services to the community and importantly, to ensure service delivery standards and expectations continue to be met.

- 2.6 Service transformation in this way has reinforced the Services' priorities and outcomes as set out in The Plan. The Service Delivery Model (SDM) sits at the heart of The Plan and is underpinned by planning and analysis that determines the level of resources needed to be able to respond to high risk (life and property) incidents, within a risk based 5-minute attendance standard. This attendance standard evidentially enables the Service to act assertively, safely and effectively thus reducing the risk to firefighting and increasing the survivability of the victim, as well as reducing the impact of the fire on the local community and economy.
- 2.7 The SDM is pivotal to supporting an integrated approach to the delivery of the Service's prevention, protection and response services to the communities of the West Midlands. Amidst the challenges that the CSR presents to the Service, the SDM cannot be compromised particularly given the positive impact the SDM has at a time when the region has prioritised economic growth.

### **The Government's Fire Reform Programme**

- 2.8 In addition to the significant financial challenges for the fire and rescue services there has also been significant policy challenges through reviews such as those conducted by Sir Ken Knight, (Facing the Future 2013), and Adrian Thomas (Independent review of conditions of service for fire and rescue staff in England February 2015). These reviews continue to set the backdrop for the reform of the fire and rescue sector and is reflected in the Home Office's policy development. However, they have been less challenging because the Service has and remains an agile public service committed to efficient and effective service delivery.
- 2.9 On the 11th September 2015 the Government released a consultation entitled 'Enabling Closer Working between the Emergency Services' which progressed the fire reform programme. This was soon followed by a move of government department for the fire and rescue service on the 5th January 2016, from the Department for Communities and Local Government to the Home Office. The fire reform programme has also encapsulated the reform of the professional voice of the England and Wales fire and rescue services, the Chief Fire Officers' Association (CFOA), with the Home Office contributing to its priorities. CFOA has undergone structural change mirroring the National Police Chiefs Council (NPCC), in addition to a name change resulting in the National Fire Chiefs Council (NFCC).



- 2.10 On the 24<sup>th</sup> May 2016 the then Home Secretary, the Rt Hon. Theresa May, issued a statement which outlined a clear desire from central Government to affect change and generate impetus for further reform wider than the delivery of services - reform of Fire and Rescue Authorities. The Government and the Home Office remain committed to implementing governance structures which provide increased scrutiny, transparency and accountability of decision making, building on the reform of Police Authorities.
- 2.11 The outcomes to the above consultation introduced the Policing and Crime Bill, which received Royal Assent in January 2017 (Policing and Crime Act 2017, PACA 2017). It introduced a new duty of collaboration on each of the emergency services. This Act also introduced new powers for elected Mayors to take on the governance of Fire and Rescue Services. It also delivered the same powers to the PCCs, where local agreement can be achieved.

### **Changing Governance and Future Opportunities**

- 2.12 Government policy developments has also incorporated local councils with legislation enabling the inception of the West Midlands Combined Authority (WMCA) in June 2016 and a Mayor elected in May 2017. This change has provided a further opportunity to review the contribution that public services in the West Midlands can collectively make to the achievement of regional strategic priorities in a more efficient, effective and economical way.
- 2.13 The WMCA priorities are detailed in paragraph 1.12.
- 2.14 In view of the changing landscape and government expectations driven through policy and legislative reform, the Authority recognised that staying the same was not an option. The Authority identified four possible routes for the potential future governance structures for the Service:
- A Reformed Fire Authority (RFA),
  - A Police and Crime Commissioner (PCC),
  - A Mayor as part of the WMCA and
  - A Combination of regional Fire and Rescue Services.

These possible governance structures were subsequently subject to an appraisal by an independently chaired Future Governance Working Group (the Group) in 2017. The work of the Group is discussed in paragraph 2.21. A more detailed description of each of these governance models is provided in Appendix 5.

- 2.15 These governance structures are enabled through a number of pieces of legislation. Governance through a PCC or a Mayor as part of a Combined Authority represents the newest structures and the policy of the current Government, enabled through the PACA 2017.
- 2.16 With the introduction of the WMCA came the first devolution agreement for the West Midlands in 2015, providing the region with additional £36.5 million a year of funding allocation over 30 years in addition to devolved responsibilities.
- 2.17 Amongst these priorities the 2015 devolution agreement for the WMCA encouraged the exploration of further opportunities for devolution on the basis of an appropriate relationship between the functions of a Mayor, the PCC's and the fire and rescue services. This intent is further outlined with respect to exploring such relationships in the mayoral manifesto.
- 2.18 These local and national changes have set the environment, pace and expectation of change to ensure the best outcomes for local communities.

### **WMFRA commitment to future governance**

- 2.19 In view of Home Office expectations around the reform of the fire and rescue service developing apace, the Authority has embraced the developments and considered how it works with, responds to, and influences the changes to ensure the maintenance of risk-based services to local communities, delivered in a value for money way. The Authority acknowledged that a failure to address this could cause the Service to lose relevance, credibility and impact public confidence (an emerging corporate risk) from the uncertainty around the future governance of the Service, with the potential to impact on the priorities in The Plan.

### **The Evidence Base**

- 2.20 The Authority committed itself to exploring an evidence based approach to understand how each of the future governance options, in light of the changing external influences highlighted in this review, may support the delivery of services to local

communities, enable collaboration, whilst incorporating increased scrutiny, transparency and accountability of decisions; in a value for money way.

### Future Governance Working Group

2.21 The Authority commissioned a Future Governance Working Group (the Group) to provide an options appraisal for the Authority to be able to make an evidence based decision on the best option for governance of the Service in the future and the best approach to achieving this. The group was independently chaired by professional services firm Price Waterhouse Coopers and consisted of a number of key stakeholders from across both the public and private sector:

- WMCA
- Office of the West Midlands Police and Crime Commissioner
- NHS England
- Home Office
- West Midlands Ambulance Service – Board of Governors
- West Midlands Fire and Rescue Authority
- Greater Birmingham Chamber of Commerce
- Coventry and Rugby Clinical Commissioning Group

### The approach to assessment:

2.22 Initially and importantly the Group considered how collaboration currently existed as well as the potential for the provision of future collaborative services across blue light emergency services, local councils, WMCA and the NHS. A critical part to this was the impact the governance model would have on the community and the ability to deliver improved public service to the local community, with increased scrutiny, transparency and accountability of decisions in a value for money way.

2.23 Each of the governance models were assessed against the achievability of this through a set of high level community outcomes, recognising both strengths and opportunities for each of the governance options as well as the possible barriers and risks to progression. The analysis undertaken by the group suggested that:

*‘a two-stage process (two changes in governance, i.e. from Authority to PCC, then to Mayor) increases costs, risk and*

*reduces benefits and as such should be avoided.'*

*'The Mayor will happen and this will create opportunity in improving public services. WMFRA need to ensure they remain engaged in this to ensure the best opportunity for the delivery of outcomes for the future'.*

It also added that:

- The benefits of the WMCA model included the ability to work directly with all 7 of the metropolitan councils, the potential for working with the Police, and the non-constituents in enhancing public safety and management the demand services. It referenced the Telecare Service provided by the Service to 3 of the 7 constituent councils as good examples of this. It also discussed the potential for a regional emergency planning function and the WMCA as an appropriate footprint to integrate wider services in order to spread cost and outcomes as widely as possible.
- It referenced health as a central issue for the WMCA through its Mental Health Commission: *"As public sector reform is pursued, effective working across the local authority/health boundary will be required, as is hoped for in the STP process. The Mayor will also have convening powers which will at least require health to be at the table. There is certainly further collaboration opportunity for the Service with Health, with several good examples from elsewhere."*

The Group conclusions can be found in Appendix 6.

2.24 The Group's conclusions provided an evidence base to inform the Authority's considerations and an avenue to provoke discussion about the merits of each of the options.

The Integrated Risk Management Plan (IRMP) Public Consultation:

2.25 The Service also undertook a public consultation during December 2016 to January 2017 to engage with the community and partners as part of its Integrated Risk Management Plan (the Consultation) on the future strategy to deliver risk based services across the West Midlands. As part of efforts to enable the community to develop its understanding about the changing landscape affecting the Service and to provide transparency, the consultation extended to future funding and governance. From a governance perspective the consultation outcomes identified a Reformed Fire Authority and a Mayoral Combined Authority as 'desirable' models for future governance for best supporting the delivery of its prevention, protection and response services to the communities of the West Midlands.

2.26 The influences of external change and a developing evidence base have provided the Authority with the justification to move forward and pursue the engagement of the WMCA and Mayor in determining the next steps in a proposed change in governance for West Midlands Fire Service.

**3 HOW THE REGION CAN BENEFIT FROM A CHANGE IN GOVERNANCE MODEL AND INTEGRATING WMFS AS PART OF THE WMCA:**

3.1 A transfer of governance functions to the WMCA will need to satisfy the following statutory requirements:

Section 105B(1) of the Cities and Local Government Devolution Act 2016 requires that:

'appropriate consent is given and the Secretary of State considers that the making of the order is likely to improve the exercise of statutory functions in the area or areas to which the order relates'.

Section 113(3) of The Local Democracy, Economic Development and Construction Act 2009 requires that:

'The Secretary of State must have regard to the need -

- (a) To reflect the identities and interests of local communities and
- (b) To secure effective and convenient local government'

3.2 This review will demonstrate how governance delivered through the Mayoral Combined Authority will improve the exercise of the statutory functions in the WMCA area to which this review and associated scheme relates, whilst reflecting the identities and interests of local communities and securing effective and convenient local government.

3.3 This will be achieved by delivering a stronger focus on collaboration across the region providing a joined up strategic approach, which is key to the Service's strategic direction and delivery of its SDM. The opportunities the WMCA presents to widen and strengthen the delivery of collaborative prevention and protection based services was recognised as part of the options appraisal undertaken by the Group (cited in section 2). This is based on the strong track record the Service currently has in collaborating with local councils and other agencies to deliver joined-up services which focus on reducing vulnerability and creating stronger communities. This can be seen in the leadership the Service is currently providing to the WMCA work streams through the CFO leading on Public Service Reform. This change will meet the statutory requirements in 3.1. At the same time these changes will deliver public safety, value for money, increased scrutiny, transparency and accountability to

communities, through the singularly elected individual the Government desires, in addition to providing the best opportunity for improving collaboration. The proposed arrangements are set out in section 5.

### **A workforce to support joined up services and reduce vulnerability**

- 3.4 The Service's strategy is 'Making the West Midlands Safer, Stronger and Heathier'. The integrated SDM and five-minute attendance standard relies on an essential mix of resources and skills, provided through a whole-time multi skilled workforce delivering prevention, protection and response services.
- 3.5 The Service tackles the 'causes of the causes' and the over-arching risk in the West Midlands in this way. An example of its prevention activities is the holistic 'Safe and Well' visits. The Service gains access to more than 27,000 targeted-homes each year across the West Midlands as a direct result of the Service's unique public standing in the community. These visits do not just focus on the potential causes of fire and safety issues, but go deeper to identify and address the wider health and or lifestyle issues which may, further down the line, lead to an emergency incident or acute intervention from the wider public services.
- 3.6 Under a WMCA governance arrangement promoting greater collaboration, greater benefit will be leveraged through interventions such as the holistic Safe and Well visits enabling the further reduction of vulnerability and providing added value within existing funding streams on a wide range of issues as recognised by [Professor Sir Michael Marmot \(Institute of Health Inequality\)](#) and [Shirley Cramer \(Chief Executive of Royal Society of Public Health\)](#).
- 3.7 The more joined-up delivery of services in this way, along with other initiatives such as better data and business advice (see Appendix 2) will not only address vulnerability within the community, strengthen the business community and enhance public safety in its widest context, but it will also deliver the economic savings referred to by the Group, as referenced in paragraph 2.23. The Service's 21<sup>st</sup> century professional, flexible, integrated SDM has the potential to deliver significantly improved value based outcomes to the communities through a more joined up public workforce.
- 3.8 Having considered the potential to deliver significantly improved value based outcomes through the WMCA this review acknowledges the duty the PACA 2017 places on emergency services to consider collaboration where it would be in the interests of efficiency or effectiveness. The Service has long standing collaborative relationships with West Midlands Police (WMP) and the West Midlands Ambulance Service (WMAS). Some examples are listed in Appendix 7.

### **Continued improvement and transformation**

- 3.9 It is clear that as funding for public services continues to reduce, there will be a need to further reform services to improve collaborative working. This reform has to deliver improved value to local communities and should also provide greater value to the public spend.
- 3.10 The Service's commitment to transformation and reform whilst maintaining its commitment to the delivery of its integrated SDM is detailed above and as such the Service is one of the leanest Fire and Rescue Services in the country. This scale of reform has been achieved through working with the Authority, staff, representative bodies, partners and communities, implementing innovative concepts to new ways of working, which have enabled efficiencies to be achieved whilst maintaining and improving services delivered to local communities.
- 3.11 This service transformation continues as the Service seeks to understand how future services can be delivered in a more efficient and effective way, whilst ensuring public safety is clearly met through the right ratio of resources to risk.
- 3.12 Being part of the WMCA will create further opportunities to progress transformation and create greater efficiencies enabled through a single structure. This is supported by the Group's appraisal of the WMCA as the model which provides the best opportunity to realise these benefits as detailed in paragraph 2.23.

### **Effective decision making**

- 3.13 A model which enables accountability and leadership to be aligned effectively will enable transparent and effective decision making and reduce bureaucracy. The WMCA will provide a stable and statutory body for the Service and the Mayor will provide an accountable figure for the Service and decisions made to local communities.
- 3.14 The Mayor as an accountable figure will satisfy the Home Office's desire for 'single accountability' across public services, which together with the benefits from increased integration, greater collaboration across public services, increased public safety and value for money provide a sound rationale for the benefits of transferring the governance of the Service from the Authority to the proposed model. As discussed throughout this section this change could enable increased value to the communities through the delivery of joined-up services across the West Midlands.

- 3.15 The current governance arrangements for the Service through the Authority provides a model where accountability is spread across all 27 of its members. Representation is provided for across all seven constituent councils with a particular focus on 'lead members' for each local authority and political representation is proportional to the West Midlands area. Moving to a model of single accountability through the Mayor will provide an increased political focus on this role. The detail around the proposed model set out in section 5, below, aims to ensure that whilst accountability cannot be spread, the Mayor would be supported by a 'Mayoral Fire Advisory Committee' (the Committee) in the delivery of this role. The Committee will not be a decision making committee, this responsibility will remain with the Mayor and Chief Fire Officer, as appropriate. The Committee will advise the Mayor, represent the Mayor and review decisions made by the Mayor. Further details around the role of the committee is set out in section 5 and Appendix 8.
- 3.16 The Mayor will provide a more visible figure of accountability for the Service, which will support the expansion of collaborative opportunities in line with Government expectations set out in the 'duty to collaborate', whilst enabling, through the model proposed below, focused engagement with constituent councils in the delivery of local services.
- 3.17 Clear and transformational leadership across the West Midlands, will also ensure the continuation of the progressive process of devolution of funding and powers as set out in the WMCA first devolution agreement, to achieve the right outcomes for the communities of the West Midlands.

#### 4 THE DIRECTION FOR THE FUTURE GOVERNANCE OF THE SERVICE

- 4.1 The options appraisal undertaken by the Group together with the outcome of the consultation, the current and future strategic directions of the Service, the WMCA and the overall direction set by the Government (both policy and legislation), supports the Authority as it seeks alignment to a governance model through the Mayor as part of the WMCA. The Authority believes this model would provide the best approach to the future delivery of services to the communities of the West Midlands as set out in paragraph 3. This is particularly so given the Authority maintains its belief that the Service is the largest and most complex Fire and Rescue Service outside of London, complexities recognised by Adrian Thomas as part of his review.
- 4.2 The route to a WMCA governance model has provided the opportunity to explore the relationship between the functions of a Mayor, the PCC and the Authority through local determination. This journey has triggered significant engagement with the Mayor, the WMCA, the PCC, the constituent council Chief Executives and the Leaders of the constituent councils. Support for the strategy to reform the Authority through joining the WMCA as proposed within this Review was unanimously provided



at WMCA Board on the 3rd March 2017. This was preceded by approval of the overall direction and timeline for future governance of the Service by the Authority on the 20th February 2017. Subsequently the WMCA Board has approved the preparation of the Governance Review and Scheme on the 8<sup>th</sup> September 2017. These reports are referred to in the background papers, below.

- 4.3 It is proposed that the Service transfer into the WMCA at this stage to enable it to achieve the benefits identified by the Group and those listed above, whilst delivering on the duty to collaborate with the emergency services prescribed by the PACA 2017. This move will progress the intent in the first devolution agreement as set out in paragraph 2.17 whilst the Mayor and the WMCA explore the basis of an appropriate relationship between the functions of a Mayor and the PCC as further outlined in the mayoral manifesto.
- 4.4 A critical element to a change in governance to the WMCA will be the interim governance arrangements in continuing to provide the highest levels of public safety, supporting increased collaboration, without the associated costs an unnecessary change governance option would incur; as well as the risk of impact on engagement with staff, community and trust. In recognition of this the Authority believes that a Reformed Fire Authority (RFA) option can provide a more robust interim approach to governance, this was a key consideration of the Group. In its conclusions the Group determined that, 'the Authority should consider how its own governance should change, to enhance opportunities for further reform and collaboration'. As such, it is anticipated that the RFA will be implemented in June 2018 to support the progressive change to a WMCA governance model.
- 4.5 An important local dynamic within the reform of the Authority is the enabling power the PCC has to seek representation on the Authority by virtue of the PACA 2017. The PCC has followed up on the Authority's invitation to request a place on the Authority. This will be a key part of the RFA, subject to approval at full Authority. This evidences further progress around the intent to explore relationships within the West Midlands.
- 5.0 **PROPOSED GOVERNANCE MODEL:**
- 5.1 A Mayoral combined authority governance model for Fire and Rescue Services is very new. Changes implemented in Greater Manchester and those legislated for in London provide examples of how Mayoral models for governance for Fire and Rescue Services are developing. Further detail is set out in Appendix 9a – Mayoral Governance Models for Fire and Rescue Services and Appendix 9b – Comparison of London and Manchester models.

### **A WMCA Governance Model**

- 5.2 As part of this model it is proposed the WMCA take on the Authority's functions and as such will be to the employer of the Service's staff and own all properties, rights and liabilities in this proposed governance model. The WMCA as a 'corporate body' will have the right structures in place to support the requirements of employer status, as well as any liabilities that result from this. These functions are set out by the following legislation and detailed further in Appendices 1 and 4.

Local Government Act 1985

Local Government and Housing Act 1989

The Local Government Act 1972

The Fire and Rescue Services Act 2004

The Fire and Rescue Services Order 2007

Civil Contingencies Act 2004

Regulatory Reform (Fire Safety) Order 2005

The National Framework for Fire and Rescue Services in England 2012

- 5.3 This model proposes that the Mayor (only) as a singularly accountable figure, will have the power to exercise these functions, delegating decision making and operational functions as appropriate. The essential roles, responsibilities and accountabilities of Mayoral governance, should incorporate functions transferred to the WMCA but exercised only by the Mayor as follows:

- Fire and rescue functions as required of the Fire and Rescue Service Act 2004 and other enabling legislation (detailed above and in Appendix 1).
- Decisions and functions relating to all properties, rights and liabilities in relation to the exercising of fire and rescue functions
- Accountability for the Integrated Risk Management Plan
- Accountability for the Corporate Strategy
- Approval of Budget and setting of precept
- Appointment and dismissal of the CFO

5.4 **The Mayoral Fire Advisory Committee (the Committee)**

1. *Enable leadership for the Service and Mayoral priorities across each of the 7 local constituent authorities of the WMCA.*

It is proposed that through the Committee arrangements the philosophy of collective representation across all seven constituent authorities remain and that the Committee reflects the membership and balance derived from the approved arrangements for the West Midlands Reformed Fire Authority. This will enable proportionality across each of the constituent councils, as well as enabling continuity and equitable spread in roles and responsibilities.

It is proposed that lead members will represent the priorities and strategy of the Mayor and WMFS in their respective councils and will report on performance in relation to fire functions.

Committee members will also support their local community fire stations in engaging with the community and through providing a link into respective constituent councils.

## **2. *Composition***

It is proposed the committee appointed should consist of 15 elected members from the WMCA constituent councils, the Police and Crime Commissioner (in accordance with the PACA 2017) and three further co-opted members from health, Ambulance and the WMCA to promote greater challenge, transparency and further collaboration.

Existing political balance will be applied to the Committee.

The Chair of the committee will be appointed by the Mayor.

It is recognised within this proposed model that the Mayor will gain greater accountabilities and this will need to be balanced effectively with both existing and future roles and responsibilities. It is proposed that the Committee members will support the Mayor in providing advice around fire related issues to ensure the right level of detail and understanding is provided to inform the Mayors role as the Authority.

The Committee will support the Mayor in providing advice around exercising fire functions to ensure the right level of detail and understanding is provided to inform the Mayors role as the Authority.

## **3. *Keep under review decisions made by the Mayor***

It is proposed that the role of reviewing decisions made by the Mayor is delegated to the Committee. Such reviews will be aligned to the National Framework for the Fire and Rescue Service and through prepared reports, will inform the

WMCA about decisions made in relation to the exercising of fire and rescue functions. This will enable a continuation of knowledge and expertise in relation to fire at the outset of transferring the role of fire into the WMCA.

The Committee will review decisions made by the Mayor.

The proposed role of the Committee would be to report back to the WMCA on decisions made.

The Committee will not be a decision-making committee this responsibility will remain with the Mayor and Chief Fire Officer, as appropriate.

4. *Act as the 'voice' of the fire service within the 7 Constituent councils, regionally with other Fire and Rescue Services, nationally through the National Joint Council and Local Government Association.*

The Committee will support the Mayor by continuing with the strategic engagements cited in paragraph 1 thereby adding value to and influencing local, regional and national engagements through its sector expertise.

5. *Engage with and influence government policy on behalf of the Mayor in matters such as the impact of CSR on the ability to provide continuity of services to the West Midlands communities.*

Working regionally and nationally with the Fire Sector to engage with and influence issues such as flooding, funding, etc. The Committee will continue to be a key resource in enabling a wider awareness of the challenges faced locally both from a fire-fighting and community perspective. It will continue to represent the Service through bodies such as AMFRA listed in paragraph 1.

6. *Enable the development of collaboration, partnerships and services to the community through engagement with local councils, emergency services and beyond, thereby fulfilling the requirements of the duty to collaborate.*

The Committee will provide the support required to fulfil the legislative obligations prescribed by the PACA 2017.

- 5.5 This proposed model seeks to create an efficient and effective decision making structure, which will support the Mayor in focusing on strategy and setting direction for the Service.
- 5.6 This proposed model compares favourably with the model recently implemented in Greater Manchester. The model for London which is yet to be implemented is different in that the London Commissioner role also acts as the governing body. It

is understood that the scrutiny role of the Greater London Assembly can in the case of fire be delegated to its fire committee.

5.7 An overview of the proposed governance framework incorporating roles and responsibilities of the Mayor, committee and CFO/Officers is set out in Appendix 8.

## 5.8 **CFO/Officer roles**

This model will enable the Mayor to delegate functions to the CFO enabling the CFO to be directly accountable for:

- the management of the Service
- the delivery of WMFS Strategy (incl. matters relating to exercising functions of the Fire and Rescue Services Act 2004, etc.)
- the delivery of a staffing structure and model which supports current and future Strategy
- the deployment of resources to meet risk
- the transformation of services to meet WMFS and Mayoral/WMCA priorities.

5.9 The above areas of accountability would enable the CFO as head of paid service of West Midlands Fire Service to effectively manage staff, employee relations, workforce development, resources and assets to support the delivery of day to day functions, as well as the development of future delivery of services aligned to the strategy agreed with the Mayor. Such a proposal appears well placed when considered alongside Chief Officers for other emergency services.

5.10 In accordance with section 2(3) of The Police Reform and Social Responsibility Act 2011 a Chief Constable has direct control of the police force and civilian staff of a police force. This is therefore equivalent to the head of paid service conferred by s4 of the Local Government and Housing Act 1989. Furthermore, a Chief Constable is also a corporation sole by virtue of s2 of Schedule 2 of The Police Reform and Social Responsibility Act 2011.

## 6. **The legislative route to enabling Mayoral governance**

6.1 The main pieces of legislation enabling the change to be enacted in governance can be listed as follows:

- The Local Democracy, Economic Development and Construction Act 2009 and
- The Cities and Local Government Devolution Act 2016

- The Policing and Crime Act 2017 (PACA 2017)

- 6.2 The preferred route to achieve Mayoral governance of WMFS is through the Cities and Devolution Act 2016. This legislation enables the WMCA to take on additional functions, either local authority and/or other public authority functions. This route will enable, through a devolution deal, the powers and functions of WMFRA to be devolved to the WMCA and exercised only by the Mayor.
- 6.3 The justification and evidence base to support this route has been provided throughout this review and is listed in the scheme. The scheme will be consulted upon and approved locally prior to being submitted to government. The process is detailed below.
- 6.4 **Process and timeline:**

The following timeline demonstrates the next steps and stages required to effect the change in governance as outlined in this review. The timeline is indicative but it is envisaged that the governance could be implemented within a 15-18-month period. It should be noted that if the transfer of the Authority functions to the WMCA were to be achieved within this period, the RFA as an interim governance change may not be necessary move.

**October - November 2017:** Constituent Authority approval of content of governance review and scheme.

**8<sup>th</sup> December 2017:** WMCA approval of content of Governance Review and Scheme.

**January – February 2018:** Consultation of proposals set out in the scheme on behalf of the Secretary of State (a minimum of 6 weeks)

**March 18:** Analyse consultation responses locally

**April 18:** Governance Review, Scheme and analysis of consultation reviewed by Secretary of State (4-12 weeks)

**May - June 18:** Government development of Order detailing changes required in legislation to abolish WMFRA and amend legislation to enable future WMCA governance

**July - September 18:** Constituent Authority/ CA approval of detail of Order

**September - October July 18:** Order amended where needed locally enters Parliamentary Process

**November 18:** Secretary of State approves Order

**November/ December 18:** Authority functions can transfer to the WMCA

## 7. Schedule of background papers

WMFRA report: 'Route Map to Mayoral Governance' (20 February 2017)

WMFRA Report - Future Governance Working Group (20 February 2017)

Future Governance Working Group Report February 2017

West Midlands Combined Authority (WMCA) report (3 March 2017)

WMFRA report – 'Route map to Mayoral West Midlands, Combined Authority Governance - a Reformed Fire Authority (RFA) and decision (10 April 2017)

West Midlands Combined Authority (WMCA) report (8 September 2017)

## 8. Appendices

### Appendix 1 – The Most Pertinent Legislatively Prescribed Service Delivery Provisions:

The most pertinent legislatively prescribed service delivery provisions are as follows:

- **The Fire and Rescue Services Act 2004**

As a requirement of the Fire and Rescue Services Act 2004, the Government published the Fire and Rescue National Framework setting out the priorities and objectives for Fire and Rescue Authorities in England. FRA's must have regard to it in carrying out their duties. The Framework places responsibility on Fire and Rescue Services to prepare an Integrated Risk Management Plan (IRMP). The plan must include targets and objectives for reducing risks, balancing prevention and intervention, and determining response standards and resource allocation. In West Midlands this is called The Community Safety Strategy. The CFO will manage and advise the Mayoral on the IRMP, subject to the Mayor's approval.

- **The Fire and Rescue Services (Emergencies) (England) Order 2007**

Section 58 of the FRS Act 2004 specifies other emergencies for which fire and rescue authorities must make provision. These are set out in the above Order 2007 and specifies functions in connection with emergencies involving chemical, biological, or

radio-active contaminants, structural collapse or a train, tram or aircraft (“transport emergencies”), but does not apply in relation to transport emergencies, unless the incident is likely to require a Fire and Rescue Authority to use resources beyond the scope of its normal day to day operations.

In addition, where a Fire and Rescue Authority has specialist resources, including specialist trained personnel, to enable it to deal with emergencies of a kind described in this Order, and such an emergency occurs or is likely to occur in the area of another Authority; this Order requires the Authority with the specialist resources, if asked to do so, to use those resources in that other Authority’s area so far as is reasonable for the purpose of dealing with the emergency. The CFO will manage the configuration of the resources as part of day to day business, however, the Mayor will retain oversight and be able to provide time critical resilience to emergencies on a regional and national scale.

- **The Regulatory Reform (Fire Safety Order) 2005**

This places emphasis on business continuity and containing and preventing the spread of small fires. It provides a minimum fire safety standard in all non-domestic premises. It designates a person (e.g. employer, manager or owner) as a responsible person who is then required to carry out certain fire safety duties, which include ensuring that general fire precautions are satisfactory and that fire risk assessments are conducted.

Fire Authorities are the primary enforcing agencies for all fire legislation in non-domestic use. The Authority has delegated the power to prosecute to the Chief Fire Officer. However, the Mayor will retain oversight.

- **The Civil Contingencies Act 2004**

The Civil Contingencies Act 2004 delivers a framework for civil protection. It establishes a statutory framework of roles and responsibilities for local responders; of which the Authority is one, and on emergency powers, establishing a framework for the use of special legislative measures that might be necessary to deal with the effects of the most serious emergencies. The Act also divides local responders into two categories. The Fire Authority is a Category 1 responder. This means that it is at the core of emergency response. Upon transfer of governance the CFO will continue to manage operational handling and the Mayor will retain oversight.



## Appendix 2 – A Risk Based Service and Risk Based Service Delivery

The Service is a unique public body in that it is funded to provide adequate cover against risk, informed by demand, as opposed to restricted to demand.

Risk is analysed by employing sophisticated processes to manage performance in responding to emergency incidents, based upon the principle of proportionality, dependent on the risk involved. Local geography is analysed, based on factors such as deprivation and the history of dwelling fire incidents within locations to determine the weighting of the risk. In this way, a picture is painted of the future likelihood of high risk incidents occurring in particular areas allowing a reliable Risk Map for assessing foreseeable future risk to be developed. The Area Risk Maps (ARM's) are then used as the basis for planning prevention, protection and emergency response strategies. This data is key not only relevant to WMFS but also to partners in authorities such as constituent councils, health and social care.

It serves a population of more than 2.8 million people with some of the most diverse and multi-cultural communities in the country, in a relatively small geographical space. The population demographics, socio-economic and health and well-being challenges means that the Service has amongst the highest levels of social risk in England, which makes its communities particularly vulnerable to fire, road traffic and other emergency incidents. The West Midlands has a disproportionate percentage of the total number of incidents with more fires per head of population in the West Midlands compared to the rest of the country including London. There are also proportionately more serious life threatening incidents in the West Midlands as is shown by analysing the Primary Fires. There is a similar pattern when total incidents - not just fires but all manner of emergencies.<sup>1</sup> Serving a relatively small geographical space means that WMFS' fire stations serve more people compared to the rest of the country, serving the highest levels of population outside of London, typically double the population of other non-Metropolitan FRS's.<sup>2</sup> Serving larger number of high risk people means WMFS stations are amongst the busiest in the country, attending more than double the number of incidents per Fire Station.<sup>3</sup>

### Prevention, Protection and Response Services:

Prevention – creating a healthier community through changing behaviours to improve outcomes

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<sup>1</sup> CIPFA Fire Statistics

<sup>2</sup> CIPFA Fire Statistics

<sup>3</sup> CIPFA Fire Statistics

As well as responding to risks when they do happen WMFS is about preventing those incidents and protecting communities in the first instance – That is where its key successes and improvements have been. Nationally, the FRS has undergone a major cultural change to embrace prevention and develop a sophisticated understanding of community risk. This has brought about a dramatic reduction in fires (58%), deaths (38%) and injuries (35%) through services' engagement with communities.<sup>4</sup> The Service plays a very practical and essential role in managing and responding to the risks that face society and they are also uniquely placed to reduce some of the risk in the community through their unrivalled standing and high levels of public trust, satisfaction and confidence by situating firefighters at the very heart of the West Midlands community. This allows the community to have comprehensive contact with firefighters who are then able to cross the front doors of residents in the high 80% of the time without any prior contact. This means WMFS firefighters are able to go further when conducting their comprehensive Safe and Well Checks in providing critical interventions, promoting health messages and making referrals to appropriate services to help keep people safe and reduce incidents of harm – *fire-fighting upstream*.

### Protection Services – creating a stronger business community

Serving the heartlands of businesses and the UK economy the Service plays a major role in contributing to the national protection activity. The West Midlands has large numbers of industrial and relatively high risk premises within its community. Often this is a legacy of former industrial heritage and how the cities have developed. One example of the relative risk is that the West Midlands has a higher percentage of unsatisfactory business audits undertaken, meaning they comprise the greatest business risk, which therefore requires further resources to enforce compliance.

Accordingly, protection services are geared towards supporting the local economy. This means prioritising the business sector, focusing on giving a wide range of advice and, when necessary, enforcing the law through qualified inspectors. Officers also work with building control and approved inspectors to inspect plans for new buildings and ensure compliance with the following:

- Clear access routes for fire appliances in areas of new build
- Adequate water supplies and firefighting facilities
- Suitable escape routes and fire resisting construction
- Safety systems such as fire alarms and escape lighting

Safety audits are carried out using a risk based system of ranking sites in order of priority, to ensure visits take place where they will achieve the greatest impact on safety.

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<sup>4</sup> Fire Statistics Data Tables, Home Office

The business help-first approach helps to foster positive perceptions in the diverse business community of the West Midlands where there are more small to medium businesses with 18,337 new businesses registered in Birmingham in 2014<sup>5</sup>, the highest in any UK city outside London. 80% of small to medium businesses in the West Midlands do not recover from a fire. An important part of the work the Service does is to work with such businesses to increase their resilience and help to keep businesses in businesses.

These activities strategically align to the WMCA, which has prioritised economic development as part of its plans to use its extensive economic market area covered by the three Local Enterprise Partnerships (LEPs) to jointly create an economy which is the strongest outside London and contributes fully to the Government's vision of a wider "Midlands Engine for Growth".

#### Response Services – creating safer communities:

Although the Service has been very successful in reducing fires, there remains an underlying level of risk which means that the Service needs to be resourced to enable it to continue to respond effectively to all the risk in their communities. There is a key public expectation that the Service will respond swiftly to help effectively whatever the emergency. Emergency response will always remain a core priority because, despite efforts to prevent fires and reduce their impact, they and other emergencies continue to occur, putting life, property and the local economy at risk. Emergency calls range from rubbish fires, road traffic incidents, special service calls or a life threatening house fire.

Incidents which threaten life or property require swift attendance times. A swift attendance time reduces the risk to the victim and the responding firefighter, and the financial impact of fire on the local and national economy. WMFS believe that achieving the fastest response time possible is evidentially important to survivability.

Alongside coping with local risks the Service is an integral part of the National Resilience plans for dealing with serious incidents and major catastrophes including natural disasters, terrorism, whereby it provides specialist support in the event of Marauding Terrorist Fire Arms incidents, and specialist capabilities to the UN approved UK International Search and Rescue Teams.

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<sup>5</sup> Start-up Britain 2014

**Appendix 3 – Current governance framework for WMFRA**  
**CURRENT WMFRA MODEL**  
**ROLES & RESPONSIBILITIES**  
**MEAN?**

**HOW IS THIS ENABLED?**

**WHAT DOES THIS**

|  |   |  |   |
|--|---|--|---|
| <p><b>West Midlands Fire and Rescue Authority (WMRA)</b> 27 councillors proportionality representing 7 constituent councils.</p> <p>Model based on Section 41 – lead member principles</p> | <ul style="list-style-type: none"> <li>■ Governance (supervisory body) for WMFS</li> <li>■ Accountable for 'fire and rescue' functions – FRS Act 2004:</li> <li>■ Approve the Integrated Risk Management Plan (N.Framework), Corporate Strategy, budget *</li> <li>■ Raise council tax precept</li> <li>■ Owns all properties, rights and liabilities, including employment contracts</li> <li>■ Appointment of Principal &amp; Statutory officers</li> <li>■ Lead members (section 41) enable Local Authority representation</li> <li>■ Regional and national (LGA/NJC) rep</li> <li>■ Lobbies government - AMFRA</li> </ul> | <p>WMFRA is responsible for employing staff, owns all assets and is liable for all civil/criminal action.</p> <p>WMFRA is accountable to the communities for services provided as set out in the Fire and Rescue Services Act and other enabling legislation</p> <p>WMFRA collects council tax contributions from constituent councils</p> | <p>Officers prepare and present the IRM and Corporate Strategy for Authority approval</p> <p>Officers prepare and present all financial, property and asset plans for Authority approval</p> <p>Officers manage all activity to ensure services are delivered as set out in enabling legislation</p> <p>Officers line manage all employees &amp; employee/management relationships through employee relations framework</p> |
| <p><b>Committees</b></p> <p>Councillors undertake delegated responsibilities</p>   | <p><b>Audit</b> – governance, risk management and financial control</p> <p><b>Scrutiny</b> – inform policy development and scrutinise performance</p> <p><b>Executive Committee</b> – urgent matters, approve procurement over £250k</p>  | <p>Committees provide delegated roles on behalf of the WMFRA. Both Audit and Scrutiny are 'statutory' roles.</p> <p>Scrutiny is an important element of 'good governance' in ensuring robust frameworks are in place</p>   | <p>Executive arrangements have reduced and now hear urgent matters &amp; scrutiny outcomes.</p> <p>Scrutiny supported by officers to enable an effective approach to reviews.</p>   |
| <p><b>Chief Fire Officer/Officers</b></p> <p>Delegated responsibilities</p> <p>Accountable to WMFRA</p>  | <p>Head of Paid Service</p> <p>Control of all matters relating to administration of WMFRA functions under fire and rescue services act &amp; other legislation - firefighting, fire safety, road traffic collisions, emergencies, civil contingencies, MTFA, National Resilience.</p>   | <p>Decision making to enable operational effectiveness through the right:</p> <ul style="list-style-type: none"> <li>■ Allocation of resources</li> <li>■ People</li> <li>■ workforce development</li> </ul> <p>To enable delivery of the SDM &amp; WMFRA strategy</p>   | <ul style="list-style-type: none"> <li>■ line management of staff</li> <li>■ development of staff</li> <li>■ Day to day varying deployment of resources to meet risk</li> <li>■ Effective varying of staffing structure and SDM to match resources to risk</li> <li>■ Advises WMFRA on exercise of fire and rescue functions</li> </ul>   |

## **Appendix 4 – Legislative Responsibilities Currently Placed on WMFRA**

The responsibilities as set out in the following pieces of legislation will need to be transferred on abolition of the Authority.

- **Local Government Act 1985**

The Authority as it stands was legally created under the LGA 1985, which created joint fire authorities and stipulated the number of Members appointed from constituent councils to the Fire Authority (27). Section 34 also sets out the annual appointment of the Chair, Vice Chair and Clerk. The responsibilities as set out in this Act including their transfer will depend on the governance model adopted for the future provision of community services.

- **Local Government and Housing Act 1989**

This Act requires the designation of one of WMFS's officers as Head of Paid Service (the Chief Fire Officer) and outlines the specific responsibilities of this role. It also stipulates the requirement to appoint a Monitoring Officer. It is proposed the CFO will continue to be the head of paid service and will be accountable to the Mayor in the operation of their duties, subject to the detail set in the Scheme and the WMCA's Constitution. The requirement to appoint a Monitoring Officer will depend on the governance model adopted.

- **The Local Government Act 1972**

This Act requires the appointment of a Chief Finance Officer (section 151 Officer) in addition to the appointment of such officers as the Authority thinks necessary for the proper discharge of its functions. Under this Act the Authority may also acquire, appropriate or dispose of land/and or premises. Further, the Authority is permitted to make standing orders in respect to the making of contracts by them or on their behalf (subject to relevant procurement legislation). The responsibilities set out in this Act will depend on the governance model adopted.

## **Appendix 5 – The Governance Models**

### **A Fire and Rescue Authority**

Currently all Fire and Rescue Services (excluding Scotland, London and those abolished upon incorporation in combined authorities) whether Metropolitan, Combined or County Council, are governed through an Authority and Committees. These provide democratic accountability and governance of Fire Services to the communities they serve.

A Fire Authority is a statutory body. The Local Government Act 1985 and Local Government and Housing Act 1989, provides the basis for these arrangements. More specifically, for West Midlands Fire Service as a Metropolitan Service schedule 10 of the 85' Act sets out the number of Members that should sit on the Authority, apportioning this amongst each of the 7 West Midlands Local Authorities.

The purpose of a Fire Authority is to provide policy and political direction to the Service and to carry out strategic and legislative duties such as the approval of the Authority budget.

### **A Police and Crime Commissioner (PCC):**

The introduction of the Policing and Crime Act 2017 (PACA 2017) as an outcome of the 'Enabling Closer Working' consultation, introduced two key proposals:

It placed a duty on each of the emergency services to consider collaboration. PACA 2017 also enabled the governance of the Fire and Rescue Services to be provided for through a single elected accountable person, a Mayor or where this is locally determined, a PCC. PCC's now have the ability to submit a business case to the Secretary of State, to take over the governance of Fire and Rescue Services in their areas.

Any business case must be able to demonstrate the benefits of this change against the delivery of improved efficiency, effectiveness, economy and public safety.

The PACA 2017 provides two options for the future governance and management of both organisations (Police and Fire).

The first is where the PCC provides the governance for both the Police and Fire, with Chief Officers from both organisations reporting in through their separate management structures. This would lead to the disbanding of the Authority and the transference of the employer status for fire and rescue staff to the PCC.

The second also enables the PCC to provide governance for both Services but appoints a 'single employer', a Chief Officer, to oversee both organisations (Police and Fire). In this option the Chief Officer becomes the employer of fire and rescue staff.

The PACA 2017 also makes provision for differing arrangements in London where the London Fire and Emergency Planning Authority (LFEPA) will be abolished and the London Fire Service will be brought under the direction of the Mayor of London, who will set its budgets and strategic direction. The London Fire Commissioner will become a 'corporation sole', with the functions of the abolished LFEPA being transferred to the Commissioner. The Commissioner will have the functions of the Fire and Rescue Authority for Greater London. A Fire and Emergency committee will be formed with the purpose of scrutinising the Commissioner, Fire Service and Mayor.

#### **West Midlands Combined Authority and the Mayor:**

As part of public sector reform, handing down power and money from central government to local authorities through devolution deals, means that decisions and spend can be made locally for the benefit of the region. This can be achieved through the joining of services to deliver better outcomes for the community. Devolution is a critical agenda for central government and through the Cities and Devolution Act 2016, has been delivered through a Mayor as the single accountable leader of a Combined Authority.

Mayoral elections for WMCA took place on the 4<sup>th</sup> May 2017 and following amendments to the PACA 2017 at Bill stage, provisions are in place for the Mayor to have the direct power to "exercise the functions of Fire and Rescue Services". This has provided a route for the governance of the Service to become functions of the Mayor as part of the WMCA and be provided for through this structure.

#### **Combination of Fire and Rescue Services:**

The west midlands county footprint incorporates five fire and rescue services. Research undertaken during 2015 highlighted the possibility of the combination of Fire and Rescue Services with the potential to increased public safety and improved performance whilst delivering wider efficiencies. The commitment to joint working within the WMCA footprint is evident by the increase in the number of non-constituent members which brings into focus the wider fire and rescue services.

The Fire and Rescue Services Act 2004 and enables the PACA 2017 enables these changes to be made.





## Appendix 6 – The Future Governance Working Groups Conclusions

1. The analysis suggests that a two-stage process, whilst there is no “stand out” option, increases costs, risk and reduces benefits and as such should be avoided. There is considerable potential change in the next year or so:

- PCC business cases
- The development of the Combined Authority model in Manchester and London
- The programme of the Mayor and the WMCA
- Additional devolution deals

The WMFRA needs to ensure it continues to engage with stakeholders to ensure it can fully consider its position and the options available to it.

2. The Working Group found that there was enthusiasm and commitment from other organisations for collaboration. The Service has made great progress over recent years, and the working group felt that the Authority would benefit from considering its constitution and structure and how it might change enable further collaboration.

3. The Mayoral and WMCA model is just emerging and the first Mayor is yet to be appointed, so there is as yet lack of clarity about its programme. However, change with a new Mayor will happen and this will create opportunity in improving public services. The WMFRA need to ensure that they remain engaged in this to ensure the best opportunity for delivery of outcomes for future.

4. If a mayoral option is not available in the medium term for police or fire, then the options would need re appraised to ensure the benefits of collaboration across the emergency services and wider public services are realised.

5. The Bill does not enable governance changes with the Ambulance Service which may prevent full collaboration to be realised as well as the benefits from this.

6. Ambulance sits outside of governance analysis however the opportunities for collaboration are significant

7 A Fire/Fire combination would realise significant benefits at lower risk than other options. This would require local consensus and a formal business case, approved by the Home Office. The associated Council tax consequences, and any boundary issues would need to be considered.

8 The PCC model is relatively new but is having an impact on Police effectiveness. Although there would be some risk associated with the Fire/Police combination, there could be significant cost benefits.

## Appendix 7 – Collaborative Relationships

### **Multi-Agency Specialist Assessment Team (MASAT):**

Combining the resources, expertise and specialist knowledge of the Service, West Midlands Ambulance Service (WMAS) and West Midlands Police (WMP) for the initial assessment of hazardous substance at potential/suspected Chemical Biological, Radiological and Nuclear (CBRNe) incidents achieves a flexible and a scalable approach, which delivers an effective and efficient response.

The relationships formed through this work has enabled greater communication particularly with WMP. Through these relationships, shared work locations have now been established, which further the ongoing support for daily activities and the ability to share information.

The Multi Agency Specialist Assessment Team (MASAT) seeks to develop a single, joint and co-ordinated emergency services response to a suspected/potential CBRN(e) event, implementing consistent working practices and maximising interoperability across equipment, resources and knowledge.

The MASAT is a combination of CBRN(e)/HAZMAT specialist resources from WMFS, WMAS and Police Officers from the four regional forces. By working as a single operational entity the MASAT will provide an initial assessment of suspected/potential CBRN incidents and rapidly detect, identify and monitor the presence of any hazardous substance, to secure an informed and proportionate multi-agency response. The team may also be deployed to other incidents which encounter hazardous materials, for example, chemical suicides and drugs or explosive laboratories where chemicals are found.

The principal contributions of each service are:-

➤ Ambulance Service

The WMAS Hazardous Area Response Team (HART) provide an initial health assessment of any incident and alert the wider health community on their potential scale and impact. The team support Fire and Police Service responders, ensuring a safe system of work and providing immediate medical care to MASAT staff.

➤ Fire Service

The Fire Service provide a Detection Identification and Monitoring (DIM) capability to rapidly identify and analyse suspected CBRN(e) substances. The team also ensure that items recovered are handled and retained with due care for forensic integrity. The team also ensure that safe systems of work exist for Breathing Apparatus equipment and rescue functions.

➤ Police Service

The Police Service will have primary responsibility to command the response to an actual or potential CBRN(e) event by managing any civil disorder, to ensure a permissive environment exists in which the other emergency services can operate. It will also conduct intelligence/scene assessments to inform operational risk assessments and any subsequent response.

Benefits:

A more dynamic, effective and efficient delivery of services when an incident occurs as all emergency services respond together using the same approach and together.

**Collaborative Pensions Board:**

WMFS and WMP chair each other's respective Pensions Board meetings. This arrangement was established in order to provide an independent Chair at each Pension Board meeting without incurring additional costs.

Benefits:

- This has been a quick win for both services and has removed the potential costs associated with recruiting an independent Chair into this role.
- Sharing of practice and development of working relationships between the WMP and WMFS.

**Emergency Planning / LRF**

For a number of years WMFS and WMP have shared the co-ordination and delivery of the Local Resilience Forum (LRF) in support of the Local Authorities and other Category 1 and 2 responders under the Civil Contingencies Act.

WMFS and WMP provide the Chair and Vice Chair of both the Strategic LRF and the General Working Group (GWG) that supports the LRF. The administrative resources for the LRF are employed by WMP but directly support the Chair from WMFS.

**Local Police Units & Operations Commanders:**

This collaboration is underway with WMFS Operations Commanders regularly attending WMP Local Police unit meeting and vice versa.

There are regular meetings between the Principal officers in WMFS and WMP to ensure that all opportunities are discussed such as:

- The possibility of sharing data and information about properties and estates
- Looking at closer alignment of LPU/Command plans to take account of each other's local priorities
- The chance of Police sharing data about RTCs to help WMFS measure the impact of prevention activity

## Appendix 8 – Proposed Future Governance Framework for Mayoral model

### ROLES & RESPONSIBILITIES

#### Mayor

Single elected accountable figure

- Governance (supervisory body) for WMFS, guided by LGA and LGiH Acts
- Exercises all 'fire and rescue' functions – FRS Act 2004 and enabling:
- Accountable for the:
  - Integrated Risk Management Plan (N.Framework)\*
  - the Corporate Strategy – The Plan\*
  - Budgets (Capital and revenue)\*
- Raises precept
- Responsible for Senior & Statutory Officer appointments

#### WMCA

(governing body)

- Owns all **functions**, properties, rights and liabilities, including employment contracts of WMFS staff

#### Fire Advisory Committee

(Specialist review and advice to Mayor)

- Leadership for WMFS priorities across seven local constituent authorities
- Enabling development of local authority and health care partnerships
- Review functions - i.e. reviewing decisions made against the local risk plan and the corporate strategy (statutory functions)
- Enabling regional fire and local government relationships
- Lobbying functions with other FRSs through AMFRA
- A voice and representation within LGA and NJC working with alongside NFCC
- Ceremonial support for Mayor for WMFS

#### Chief Fire Officer/Officers

Accountable to the Mayor

- Head of Paid Service for WMFS  
Accountable to the Mayor for the delivery of services within a balanced budget:
- the delivery of WMFS Strategy (incl. matters relating to exercising functions of the fire and rescue services ac, etc)
  - the delivery of a staffing structure & models supporting current and future Strategy
  - the deployment of resources to meet risk
  - the transformation of services to meet WMFS and Mayoral/WMCA priorities.

### WHAT WILL THIS MEAN?

- The WMCA owns all properties rights and liabilities of the former WMFRA and all functions
- The WMCA employ all staff including the CFO
- The Mayor **only** can exercise all fire and rescue functions and can delegate these to a committee and/or officers other than\* functions
- The Mayor is accountable figure to the communities for services provided, as set out in the Fire and Rescue Services Act and other enabling legislation
- The Mayor provides strategic policy direction
- The Mayor oversees the efficiency and effectiveness of WMFS

The MFAC has clear delegations around scrutiny of Mayoral decisions, providing reports to the WMCA

Supports the Mayor both locally and nationally as the political 'voice' for WMFS

Accountability for the delivery of Strategy and Integrated Risk Plan, enabled through robust decision making at the right level. Delivering operational effectiveness through the right:

- Allocation of resources
- Recruitment and management of staff
- workforce reform & development

## **Appendix 9a – Mayoral Governance Models for Fire and Rescue Services**

**London arrangements:** The Mayor of London already provides a role for oversight of the current London Fire and Emergency Planning Authority (LFEPA). The new London Mayoral model which is created by the Policing and Crime Act 2017, places responsibility for the governance of the London Fire Brigade with the London Fire Commissioner (LFC), transferring the functions of the LFEPA to the LFC. This role will also be the Chief Fire Officer for the Fire Brigade.

The detail around this model is still emerging and a ‘scheme of supervision’ is currently being created to ensure the Mayor is able to hold the LFC to account for the exercise of functions.

A ‘fire, resilience and emergency planning committee’ was constituted on the 3<sup>rd</sup> May 2017 and is intended to provide a scrutiny function to the LFC on behalf of the Mayor.

**Manchester arrangements:** The Manchester Mayoral model created through the Cities and Devolution Act 2016, transfers the governance of the Fire and Rescue Service and the functions of the previous Fire Authority, to the Greater Manchester Combined Authority (GMCA). However, these functions are only exercisable by the Mayor. The transfer of these functions took place on the 8<sup>th</sup> May 2017.

The Mayor is able to delegate to both the CFO and a ‘fire committee’.

A ‘fire committee’ is provided for within the order that created the fire function within GMCA, The Greater Manchester Combined Authority (Fire and Rescue Functions) Order 2017. The role of the fire committee is not set out in this order and but is in the early stages of being developed.

### **What are the differences?**

The London model places accountability for governance, delivery of fire and rescue functions and services, the ownership of assets and employment of staff on the LFC role. This role will also be the CFO for the Fire Service.

The scrutiny role enabled through the ‘fire, resilience and emergency planning committee’ is essential for this model.

The Manchester model enables the responsibility for the delivery of services, the ownership of assets and employment of staff to be spread. Whilst the GMCA employs staff and owns assets, the Mayor is accountable for the exercising of ‘fire and rescue’ functions. The Mayor can delegate some functions to a deputy, committee and the CFO.

The advantages of the LFC model will be that there is clarity in roles and responsibilities around decision making concerning the management of fire service resources and in particular the development of the workforce. The accountability of the LFC will enable a

progressive and agile approach to the transformation of workforce and services delivered to local communities.

The LFC holds a great deal of accountability and liability within a 'Corporation Sole' model which will present risks. It is assumed that whilst this model is now legislated for, there is still some detail being worked out as progress to implement has so far been deferred.

The Manchester model retains accountability for decision making with the Mayor. These decisions can be delegated to a committee or to the CFO. There will need to be clear delegations between the roles of the GMCA, Mayor, Committee and CFO, to ensure that the fire service is able to maintain operational effectiveness and transform services through effective decision making. The committee model offers additional political support to the Mayor, informed advice and guidance and maintains a clear connection through lead members with each of the constituent councils in the region.

There remains within each model, essential scrutiny functions.



## Appendix 9b – Comparison of London and Manchester models

This comparison seeks to clarify the differences between the governance models of Manchester Fire and Rescue Service and London Fire Brigade. The Manchester model is now in place but in its infancy, the London model is not as yet and there are elements to both which are still emerging and developing.

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|  | <p style="text-align: center;"><b>London Fire Brigade to London Fire Commissioner</b></p> <ul style="list-style-type: none"> <li>• <a href="#">The Policing and Crime Act 2017</a> (PACA 2017)</li> </ul> | <p style="text-align: center;"><b>Manchester Fire and Rescue Service to Greater Manchester Combined Authority</b></p> <ul style="list-style-type: none"> <li>• The Greater Manchester Combined Authority (Fire and Rescue Functions) Order 2017 (<a href="#">S.I.2017/469</a>)</li> <li>• The Greater Manchester Combined Authority Order 2011 (<a href="#">S.I.2011/908</a>)</li> </ul> |
|  | The London Fire and Emergency Planning Authority (LFEPA) is the Fire Authority for London   | The Greater Manchester Fire  |

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| <p><b>What are the Fire Authority functions and how has/will this change?</b></p> | <p>Fire Brigade.</p> <p>This is to be abolished by the above Act and its functions are to be transferred to the London Fire Commissioner (LFC). These are the 'fire and rescue' functions and passes responsibility for providing fire services to the Mayor from October 2017 (though date tbc by Parliament). The PACA 2017 requires the London Assembly to arrange for those functions granted to it by Schedule 2 of that Act to be discharged on its behalf by a particular committee, proposed to be known as the Fire, Resilience and Emergency Planning Committee. Source: <a href="https://www.london.gov.uk/moderngov/documents/g6205/Public%20reports%20pack%20Wednesday%2003-May-2017%2010.00%20London%20Assembly%20Plenary.pdf?T=10">https://www.london.gov.uk/moderngov/documents/g6205/Public%20reports%20pack%20Wednesday%2003-May-2017%2010.00%20London%20Assembly%20Plenary.pdf?T=10</a> (p.28)</p> <p>This change is due to take place in April 2018</p> | <p>and Rescue Authority (GMFRA) have been abolished.</p> <p>The functions of the GMFRA are transferred to Greater Manchester Combined Authority (GMCA) under the above 2017 order. This took place on the 8<sup>th</sup> May 2017. GMCA will employ staff and own assets.</p> <p>The 'fire and rescue' functions of the GMCA may only be exercisable by the Mayor. These relate to the ability to vary staff and resources to</p> |
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|  |   | enable the delivery of services.  |
| <b>Body corporate</b>  | The LFC will be a 'corporation sole' and all proprieties, rights and liabilities of the LFEPA will transfer across to this role.  | The GMCA is a 'body corporate' and all proprieties, rights and liabilities of the previously GMFRA, transfer across to the combined authority.  |
| <b>What are the Mayors responsibilities and what can be delegated?</b> | <p>The Mayor:</p> <ul style="list-style-type: none"> <li>• appoints the LFC</li> <li>• can dismiss the LFC</li> <li>• sets the terms of employment for the LFC</li> <li>• will hold the LFC to account for the exercise of the Commissioner's functions.</li> <li>• approves the local risk plan and the LFC's corporate strategy.</li> <li>• Can guide and/or direct the LFC in his/her functions</li> </ul> <p>The Mayor is not responsible for the functions of the FRS Act 2004. This is the responsibility of the LFC and as such all decisions relating to the delivery of services and employment of staff rest with the LFC</p> | <p>The Mayor:</p> <ul style="list-style-type: none"> <li>• Is responsible for exercising all fire functions under the Fire and Rescue Service Act 2004</li> <li>• appoints and can</li> </ul> |

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|  |  | <p>dismiss the manager of the FRS (the CFO)</p> <ul style="list-style-type: none"><li>• sets his / her terms of employment.</li><li>• Will hold the CFO to account</li><li>• approves the local risk plan, the corporate strategy and civil contingency arrangements.</li><li>• Delegates roles and responsibilities to the CFO</li></ul> <p>the Mayor as the governing body is responsible for functions under</p> |
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|  |   | the FRS Act 2004? If so this needs adding here as it provides an important distinction to London.   |
| <b>What responsibilities can the Mayor delegate?</b> | <p>The Mayor may delegate responsibilities to a Deputy Mayor for Fire.</p> <p>The Greater London Assembly must also receive the local risk plan and corporate strategy.</p> <p>The Assembly must arrange for its responsibility to be discharged by a “Fire and Emergency Committee” (the Committee).</p> | <p>Members and officers of the GMCA may assist the Mayor in the exercising of fire and rescue functions.</p> <p>The Mayor may delegate the exercising of fire and rescue functions to a ‘Fire Committee’, except for those set out above.</p> |
| <b>What does the committee do?</b>                   | <p>The Fire, Resilience and Emergency Planning Committee, will provide scrutiny of:</p> <ol style="list-style-type: none"> <li>1. the LFC’s documents (including any revisions) i.e. the local risk plan and the corporate strategy and make recommendations to the Mayor.</li> </ol>                     | <i>The actual role of the fire committee of the GMCA fire function is not set</i>   |

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|                                      | <p>2. Review the exercise of functions of the LFC, investigate and prepare reports about any actions or decisions of the London Fire Commissioner, Deputy Mayor for Fire, an officer of the London Fire Commissioner, functions of the London Fire Commissioner and any other matters considered of importance relating to fire and rescue services in Greater London;</p> <p>The committee also has the power to submit proposals to the LFC.</p> <p>Wider powers of the Assembly include the power to call the proposed LFC or Deputy Mayoral candidate to a 'confirmation hearing' following which the committee call the proposed LFC or Deputy Mayoral candidate to a 'confirmation hearing' following which the committee can veto the appointments if unsatisfied.</p> <p>The power to require the Deputy Mayor for Fire, The London Fire Commissioner and any officer of the London Fire Commissioner to attend the Committee to answer questions.</p> <p>A 'scheme of supervision' for the Mayor of London is currently being drafted to enable oversight of the LFC and decision making processes.</p> | <p><i>out in legislation as it has been for the London model. However, the arrangements highlighted in the above section cannot be delegated. This could create the assumption that the committee would provide a scrutiny or advisory function to support the Mayor in decision making.</i></p> <p><i>Further information is being sought via Manchester Fire and GMCA.</i></p> |
| <p><b>Committee appointments</b></p> | <p>There are no statutory rules regarding the size of this committee or the number of meetings it must hold. The London Assembly proposed that the Fire Committee should comprise 7 Assembly Members and meet 6 times in a full municipal year.</p>  | <p>The GMCA Fire Committee will comprise of no more than 15</p>  |

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|                                     | <p>The members term of office is fixed by the Assembly.</p> <p>Membership may be wider than Members of the Assembly (with powers to vote on matters) - procedures for these members yet to be drawn up.</p> | <p>members.</p> <p>It will consist of 1 elected member from each of the 10 constituent councils.</p> <p>Each constituent council will nominate a member.</p> <p>The Mayor may then appoint 5 or fewer further members onto the Fire Committee, from the elected members of one or more of each of the constituent councils.</p> |
| <p><b>Committee composition</b></p> | <p>Current composition of the Greater London Authority is: Labour Group – 48%, GLA Conservatives Group - 32%, Green Party Group – 8%, UK Independence Party – 8%, Liberal</p>                               | <p>The Fire Committee must reflect as far as</p>  |

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|  | <p>Democrat Group – 4%.</p> <p>The London Assembly, at its annual meeting on 13 May 2016, unanimously agreed to dis apply the strict application of proportionality rules from the establishment of its committees and subcommittees.</p> <p>The Fire Committee may appoint a sub-committee(s) to discharge any of its functions, other than any of the special scrutiny functions. The number of members of any sub-committee and their terms of office are to be fixed by the Fire Committee. Persons who are not members of the Assembly may be members of a sub-committee.</p> | reasonably practicable, the balance of the political parties among the constituent councils when appointed to the committee.   |
| <b>Who will Chair the Committee</b>                                    | The Assembly may determine the Chair (and Deputy Chair (if any)), or otherwise determine that the Fire, Resilience and Emergency Planning Committee is to appoint the Chair (and Deputy Chair (if any)).   | The Mayor will appoint a member of the Fire Committee to Chair.  |
| <b>What is the role of the Chief Fire Officer of the Fire Service?</b> | <p><i>As highlighted above the LFC who will be the CFO will take on all functions of LFEPA, including 'fire and rescue' functions. The LFC will:</i></p> <ul style="list-style-type: none"> <li>• <i>Employ all staff</i></li> <li>• <i>Own all assets</i></li> </ul> <p><i>This provides the LFC with the role and power to decide how staff, equipment and assets will be used to deliver services aligned to the local risk plan.</i></p>   | <p>As highlighted above the Mayor can delegate to the CFO. Whilst this model is now in place the delegations to the 'committee' and CFO are yet to be understood.</p> <p>At the very least it is likely that the</p> |



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|  |  | CFO will be delegated the control of all operations as required under the Fire and Rescue Service Act 2004. |
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## **West Midlands Combined Authority SCHEME**

This scheme is prepared and published following/pursuant to the decision of the West Midlands Combined Authority (WMCA) on 8 September 2017.

The proposals in this scheme will be subject to a further public consultation.

The scheme provides as follows:

1.1 It is proposed that the functions exercisable by the West Midlands Fire and Rescue Authority (WMFRA) across the area that the WMCA covers, should become functions of the WMCA pursuant to sections 105 A of the Local Democracy, Economic Development and Construction Act 2009.

These functions are those as set out in the following acts and where relevant identified sections:

- Local Government Act 1985 (including Part IV, schedule 10)
- Local Government in Housing Act 1989
- Fire and Rescue Service Act 2004
- Fire and Rescue Order 2007
- National Framework for Fire and Rescue Services in England 2012.
- Regulatory (Fire) Reform Order 2005
- Civil Contingencies Act 2014

The requirements for change are set in 1.13 to this scheme.

1.2 It is proposed that the properties, rights and liabilities of the WMFRA would become functions of the WMCA.

1.3 It is proposed that the functions relating to fire and rescue referred to in 1.1 should become WMCA functions.

1.4 It is proposed that the fire and rescue functions once they become functions of the WMCA are exercisable only by the Mayor (section 107D (1) Cities and Local Government Devolution Act 2009).

1.5 For the purposes of the exercise of the fire and rescue functions, the Mayor may do anything that the WMCA may do under section 113A of the LDEDC Act 2009 (general power of EPB or combined authority) (1).

1.6 It is proposed that the WMCA has the same borrowing powers in respect to its functions, relating to fire and rescue as are currently exercised by the WMFRA.

1.5 It is proposed that the WMCA retain the same core grant and precept funding arrangements in respect to its functions relating to fire and rescue, as currently exercised by the WMFRA.

1.6 Any decisions/acts made before abolition of the WMFRA should have effect as if agreed by, or, in relation to the Mayoral WMCA. For example, the setting of the precept for, under section 40 Local Government Finance Act 1988 to the constituent councils in respect of the financial year beginning before transfer in governance, should have effect as if issued by the Mayoral WMCA.

1.7 It is proposed that Members of the WMCA may assist the Mayor in the exercise of the fire and rescue functions in line with delegations, provided that the functions may not include:

- Functions relating to the budget and setting of the precept
- Functions relating to statutory plans such as the Integrated Risk Management Plan (IRMP) and strategies
- Functions relating to all properties, rights and liabilities
- The appointment of the Chief Fire Officer and Principal officers

### **Mayoral Fire Advisory Committee**

1.8 It is proposed that the Order should contain provision for the Mayor to arrange for a committee of the WMCA (the Mayoral Fire Advisory Committee), consisting of members appointed by the constituent councils, to advise and support the Mayor in relation to West Midlands Fire Service (WMFS).

1.9 It is proposed the committee appointed should consist of 15 Elected members from across the constituent councils, proportionally balanced, the Police and Crime Commissioner (in accordance with the Policing and Crime Act 2017) and two further co-opted members from Health and Ambulance to promote greater challenge, transparency and further collaboration.

1.10 The following additional provisions are proposed to apply to the Mayoral Fire Advisory Committee (the Committee): (section 107D(6))

**Governance:**

- Appointment of elected members from each of the constituent councils will be made so that the members of the committee taken as a whole, reflect as far as reasonably practicable, the overall balance of political parties prevailing amongst the constituent councils.
- The majority of members of the committee must be members of the constituent councils, all of those members have one vote.
- Where a member is not from a constituent council they don't have a vote automatically, but can be given one by resolution of the WMCA.
- Two-thirds of members must be present for a meeting to be quorate.
- The Chair of the Committee will be appointed by the Mayor.

**Functions:**

- The Committee will not be a decision-making committee this responsibility will remain with the Mayor and Chief Fire Officer, as appropriate.
- The Committee will advise the Mayor, support the Mayor and review decisions made by the Mayor.
- Where decisions are reviewed, the Committee will submit a report to the WMCA Overview and Scrutiny Committee.
- The Committee will support the Mayor in providing advice around exercising fire functions, to ensure the right level of detail and understanding is provided to inform the Mayor's role as the Authority.
- The Committee will represent the priorities and strategy of the Mayor and WMFS in their respective local authorities and will report on performance in relation to fire functions.
- The Committee will represent the priorities and strategy of the Mayor and WMFS within the 7 constituent councils, regionally with other Fire and Rescue Services, nationally through the National Joint Council and Local Government Association.
- The Committee will seek to influence the Government on behalf of the Mayor in matters related to the delivery of fire and rescue services locally, regionally and nationally.
- The Committee will enable the development of partnerships and services to the community through constituent council engagement.

A member's allowance scheme for the committee will be payable by the WMCA.

1.11 The Chief Fire Officer (CFO) as head of paid service will be accountable to the Mayor in the operation of their duties.

1.12 It is proposed that the CFO maintains full accountability for the operational functions of the Fire Service. This will include:

- The management of the Fire and Rescue Service
- The appointment and development of staff
- The delivery of WMFS Strategy (including matters relating to exercising functions of the Fire and Rescue Services Act 2004, etc.)
- The delivery of staffing structures and models which support current and future Strategy
- The deployment of resources to meet risk
- The transformation of services and reform of the workforce to meet WMFS and Mayoral/WMCA priorities.

1.13 Modification requirements of enactments in their application to the WMCA as a Fire and Rescue Authority.

### **Primary Legislation**

#### *Local Government Act 1972*

1. In section 138(5) of the Local Government Act 1972 (powers of principal councils with respect to emergencies or disasters) (a), the reference to “metropolitan county fire and rescue authority” is to apply as if it included “the WMCA as a fire and rescue authority”.

#### *Greater Manchester Act 1981*

2. (1) The Local Government and Housing Act 1989(c) is modified as follows.

(2) In section 67 (application of provisions about companies in which local authorities have interests), subsection (3)(k) applies as if the reference to “joint authority established by Part IV of that Act” included a reference to “the WMCA as a fire and rescue authority”.

(3) In section 155 (emergency financial assistance to local authorities) subsection (4)(g) applies as if the reference to a “joint authority established by Part IV of the Local Government Act 1985” included a reference to “the WMCA as a fire and rescue authority”.

#### *Crime and Disorder Act 1998*

3.— (1) The Crime and Disorder Act 1998(d) is modified as follows.

(2) In the definition of “fire and rescue authority” in section 5(5) (authorities responsible for strategies), the reference in paragraph (b) to a “metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

(3) In the definition of “relevant authority” in section 115(2), the reference in paragraph (j) to a “metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

#### *Local Government Act 2003*

4. Section 23(1) of the Local Government Act 2003 (meaning of “local authority” for purposes of Part 1)(a) the reference in paragraph (k) to “a joint authority established by

Part IV of that Act” is to apply as if it included a reference to “the WMCA as a fire and rescue authority.”

*Fire and Rescue Services Act 2004*

5.— (1) The FRS Act 2004(b) is modified as follows.

(2) Section 4A (power to provide for police and crime commissioner to be fire and rescue authority) has effect as if at the end of subsection (3)(b) there were inserted—  
“, and (c) outside the Area.”;

(3) Section 4B(1)(changes to existing fire and rescue authorities) has effect as if the reference to fire and rescue authorities in England outside Greater London did not include the WMCA.

6. In section 1 of the FRS 2004 Act(1), after subsection (4) insert—

“(5) This section is also subject to an order under Part 6 of the Local Democracy, Economic Development and Construction Act 2009 which transfers the functions of a fire and rescue authority to a combined authority established under section 103 of that Act.”.

### **Secondary legislation**

7. In paragraph (a) of the definition of “local authority” in regulation 2(1) of the Pipelines Safety Regulations 1996 (interpretation)(c) the reference to a “metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

8. In article 1(2) of the Local Government (Best Value Authorities) (Power to Trade) (England) Order 2009 (application of order to best value authorities) (d) the reference in paragraph (c) to a “metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

9. In regulation 3 of the Community Right to Challenge (Fire and Rescue Authorities and Rejection of Expressions of Interest) (England) Regulations 2012 (relevant authorities) (e) the reference in paragraph (a) to a “metropolitan county fire and rescue authority established under section 26 of the Local Government Act 1985” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

10.— (1) The Local Government Pension Scheme Regulations 2013(f) are modified as follows.

(2) After regulation 64(8), insert—

“(8A) Paragraph (8B) applies where the exiting employer is the WMFRA and the liabilities of the fund in respect of benefits due to the WMFRA’s current and former employees (or those of any predecessor authority) have been or are to be transferred to the WMCA by virtue of this Order.

(8B) Where this paragraph applies, no exit payment is due under paragraph (1) and paragraph (2) does not apply.”.

11. In regulation 2(1) of the Explosives Regulations 2014 (interpretation)(g) in the definition of “local authority”, the reference in paragraph (c) to “a metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

12. In regulation 2(1) of the Control of Major Accident Hazards Regulations 2015(a) in paragraph (b) of the definition of “local authority”, sub-paragraph (ii) is to apply as if there were substituted for that sub-paragraph—  
“(ii) the Area, the WMCA as a fire and rescue authority;”.





## Public report Cabinet Report

Finance and Corporate Services Scrutiny Board (1)  
Cabinet  
Council

15<sup>th</sup> November 2017  
28<sup>th</sup> November 2017  
5<sup>th</sup> December 2017

### **Name of Cabinet Member:**

Cabinet Member for Strategic Finance and Resources – Councillor J Mutton

### **Director Approving Submission of the report:**

Deputy Chief Executive Place

### **Ward(s) affected: All**

### **Title:**

Medium Term Financial Strategy 2018-21

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### **Is this a key decision?**

Yes - Cabinet and subsequently Council are being recommended to approve the Medium Term Financial Strategy incorporating decisions which have financial implications in excess of £1m

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### **Executive Summary:**

This report presents a Medium Term Financial Strategy (MTFS) for adoption by the City Council. The previous strategy was approved in October 2016. The Strategy sets out the financial planning foundations that support the Council's vision and priorities and leads to the setting of the Council's revenue and capital budgets.

Indications are that the government is maintaining its commitment to the current 4 year funding settlement for local government. To qualify for this, the Council approved an Efficiency Plan within the previously approved MTFS for 2017-20.

The Council's Pre-Budget Report is being brought to the same meeting of Cabinet as this MTFS. The final Budget Setting Report will be brought to Cabinet and council in February 2018.

Local authorities continue to face severe financial pressures. Although the previous government policy of targeting a budget surplus by 2020 has been pushed back, uncertainty as a result of BREXIT negotiations and over the future of local government finance means that the pressure on public finances is unlikely to ease significantly in the foreseeable future. This Strategy assumes that reductions in available revenue resources and spending levels are likely to continue.

On a local level, the Council is faced with a challenging and fluid financial position affected by temporary shortfalls in delivery of its existing savings plans and growing costs within Children's Services and services related to housing and homelessness. Notwithstanding the approaches set out in this strategy, the Council will need to maintain a dynamic financial model that takes account of changes in its medium term budget position. This may include adopting some

measures which have a short-term focus or which re-evaluate the Council's approach to financial risk. These will be set out fully at the point of decision making.

In summary, the national and local contexts that frame this Strategy include:

- A paramount need to protect the most vulnerable people in the city including children at risk, children and young people in care, victims of domestic abuse and vulnerable adults and older people;
- Significant reductions in government resources with an expected further fall of c£12m in the next 2 years following reductions totalling c£107m in the 6 years to 2017/18;
- Fast population growth causing greater demand and expenditure pressures in areas such as housing, social care and waste disposal;
- A move towards greater localisation of income, including Business Rates, and uncertainty arising from the review of the Business Rates system and other funding programmes;
- The increasing importance of promoting growth in the local economy;
- The transfer of schools to Academy status putting increasing pressure on the Council's core education functions and other services that trade with the city's schools;
- More complex service delivery models across the Council driven by the need to modernise and rationalise services and work in tandem with partners and neighbouring authorities;
- Continued expectations on the Council to maintain service levels and standards across the full range of core services despite the financial challenges;
- The development of the West Midlands Combined Authority providing a source of financial support for key transformation programmes.

Taken together, these factors represent a combination of reducing resources, challenging underlying economic and demographic conditions, increased demand, a heightened need to improve the quality of services and new challenges represented by government reform and local structural and governance relationships. In these circumstances it is crucial that the Council's financial strategy is both robust and flexible. This will provide the financial foundations required to ensure that Council services are fit for purpose to protect the most vulnerable as well as providing decent core services for every citizen in the city.

In support of these aims, the City Council's strategic financial approach to the demands that it faces includes:

- A Council Plan focusing on economic growth, quality of life and a commitment to protecting the vulnerable, whilst delivering services with fewer resources;
- A Local Plan setting the blueprint for taking the City forward, identifying land to satisfy housing, infrastructure and developmental demand;
- Strong corporate financial planning, monitoring and project management arrangements;
- Growing the city's local income base, within the environment of increasing localisation of funding sources, including Business Rates;
- Managing the demand for services, through digital working and community engagement;
- A transformation programme, including the delivery of major capital investment schemes, to change the way the Council works and engages with its customers, as well as to drive economic growth and the delivery of savings;
- Partnership working, including as part of the West Midlands Combined Authority, together with voluntary organisations and other partners;

- A continued drive towards income maximisation, including investment in commercial ventures within the context of robust risk management arrangements;
- A fundamental commitment to protecting the city's vulnerable children, adults and older people;
- Changing the relationship between the Council and its citizens reflecting the reality that the Council will provide a smaller range and lower level of services in new ways and out of far fewer locations;
- Doing things differently by considering alternative service delivery models and options for delivering service outcomes in different ways with less reliance on Council delivered services;
- A continued Workforce Strategy requiring a significantly smaller workforce working in flexible ways consistent with a modern organisation, ensuring that the Council has the talent in place necessary to deliver the challenging agenda that it faces;
- Seeking to optimise the use of pooled or new funding available to support social care and health;
- Investing in the environmental elements that support the regeneration of the city including its public realm, the city's highways network and its cultural and leisure offer to make Coventry an attractive place to live and work.

Based on the 2017/18 approved budget, the initial financial gap for the following 3 years as at the start of the new Budget Setting round was:-

|                                   | <b>2018/19<br/>£m</b> | <b>2019/20<br/>£m</b> | <b>2020/21<br/>£m</b> |
|-----------------------------------|-----------------------|-----------------------|-----------------------|
| <b>Revised Revenue Budget Gap</b> | 0.0                   | 0.0                   | 11.4                  |

It is important to be clear as indicated above that the position set out is dependent on the achievement of outstanding savings programmes over the medium term. In total these amount to c£20m and although there are plans in place to deliver the majority of these, there remains up to £6m of savings for which plans still need to be formalised.

The 2020/21 position shown in the table is based on early estimates and could be subject to change. An updated financial position is considered further in the Pre-Budget report.

**Recommendations:**

- (1) Finance and Corporate Services Scrutiny Board 1 is recommended to consider whether there are any comments/recommendations that they wish to make to Cabinet.
- (2) Cabinet is recommended to:
  - (a) Consider any recommendations from Scrutiny Board 1
  - (b) Agree the report and recommend that Council approve the Strategy.
- (3) Council is recommended to approve the Strategy as the basis of its medium term financial planning process.

**List of Appendices included:**

None

**Other useful background papers:**

None

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

Yes, Finance and Corporate Services Scrutiny Board (1), 15<sup>th</sup> November 2017

**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, 5<sup>th</sup> December 2017

## **Medium Term Financial Strategy 2018-21**

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

#### **1.1 Background**

- 1.1.1 This Strategy sets out the financial planning foundations that support the setting of the Council's revenue and capital budgets. Last year's Strategy also included an Efficiency Plan which was required by government as part of the 4 year funding settlement. The principles of the Plan continue to apply and are reflected in this proposed Medium Term Financial Strategy, although local authorities are not being required to produce a separate Efficiency Plan this year.
- 1.1.2 Local authorities will continue to face severe financial pressures for the foreseeable future. From 2016/17 government, provided local authorities with 4 year funding settlements, with the aim of providing greater certainty for authorities in planning their budgets. However, the country's move towards Brexit and the subdued level of economic growth mean that significant uncertainties remain across a number of areas, including, for example, the way that the role of Combined Authorities will evolve, the shape of any future Government Fair Funding review of local authority resource distribution, the implementation of localised Business Rates and the overall level of funding available to local authorities.
- 1.1.3 Resources available to Coventry have reduced significantly with a fall of c£107m over a six year period to 2017/18, whilst the most recent Settlement Funding Assessment for Coventry shows annual reductions to 2019/20 with a total further fall of £12m over the coming two years.
- 1.1.4 Within this environment of downward pressure on resources, the Council has delivered very significant savings and in broad terms the more straightforward savings have already been made. This Medium Term Financial Strategy forms part of the process to refresh the Council's strategic approach to the nature and scale of services it provides in the context of the need to close future budgetary gaps.
- 1.1.5 Approaching the current Pre-Budget process, the Council's financial position has worsened as a result of shortfalls in delivery of its existing savings plans and growing costs of looked after children and homelessness. The Council's current medium term budget process will need to be applied flexibly and may for instance require the adoption of measures which have a more short-term focus or re-evaluate the Council's approach to financial risk. Where this is necessary, the implications will be set out in full as part of the decision making process.

#### **1.2 National and Local Context**

- 1.2.1 Apart from the increasing financial pressures that all public bodies face, there is a range of developments set out below, which impact on the City Council:-
- The development of the West Midlands Combined Authority (WMCA), of which the Council is a member, as a route to maximising investment in Coventry to drive growth and more efficiently co-ordinate services across the sub-region. The WMCA's Devolution Deal plans to provide financial support in 2 broad areas: City Centre South and Friargate (£150m capital) and transport/connectivity (£370m capital). The precise arrangements and processes through which WMCA programmes are delivered will continue to develop through the course of the MTFs planning period.

- The stated government intention to move towards localising 100% of Business Rates. This localisation, as well the uncertainty arising from the review of the Business Rates system, offers the prospect of authorities benefitting from growth, but with the corresponding downside risk of falling local income bases or the Government expecting localised Business Rates to fund a disproportionately large range of new services. The changes required to move to 100% localisation do not appear to be included in the Government's current legislative timetable so it is now likely that this will be pushed back beyond 2020. However, prior to full localisation the Council continues to be part of the West Midlands business rates pilot scheme through which 99% of business rates are retained locally with the benefits of this being shared between the Council and the WMCA, and a "no detriment" clause to protect the Council against any adverse movements.
- The operation of integrated social care and health services within the Better Care Fund, now within the context of Sustainability and Transformation Plans across the health sector. This area continues to operate within a very dynamic environment with expanding adult social care user numbers and increasingly complex care packages.
- The increasing focus of local authorities on wider commercial sources of income, including investment in commercial property has the potential to expand the resource base, but also present authorities with different types of financial risk which need to be managed. Nationally, the development of the Prudential and Treasury Management codes will require local authorities to manage their exposure to these risks both through existing processes, such as the Treasury Management Strategy, and potential new ones such as a Capital Strategy.
- The critical importance of regeneration and economic growth, particularly in the light of the planned changes to Business Rates. Within the regeneration arena, the next few years are likely to see significant fluidity in the range of funding streams available from European and sub-regional sources as a result of Brexit and the development of the Combined Authority.
- The city's rapid population growth and the consequent demographic and socio-economic trends are causing increases in demand or expenditure pressures in areas such as social care and waste disposal. The costs of housing homeless individuals and families has emerged as a significant additional cost pressure more recently and now represents one of the most challenging financial developments facing the Council.
- The continued difficult economic circumstances for many, affecting the number of people seeking to access local government and voluntary sector services.
- A schools sector which continues to experience greater fragmentation with the move towards free and academy schools, although the intention to force all schools to commit to becoming academies by 2022 has been dropped. This changing face of local education provision and reducing role of councils is putting more pressure on the remaining rump of local authority education services and finances.

1.2.2 Coventry has significant potential for growth with two global universities, an unrivalled location, exceptional transport infrastructure links and a talent pool for employers to recruit across the region. The city has a growing population and a continued high enterprise growth rate. However, the local economy needs to grow and, for example, the city's Gross Value Added per head (an average level of economic value generated per person) ranks significantly below the national average.

1.2.3 The financial starting point for the Council's MTFs is the forecast 3 year balanced programme to 2019/20 as at budget setting in February 2017. This reflected resourcing assumptions, including for example the continuation of a 3% Adult Social Care precept into 2018/19 and the impact of Business Rates retention through the regional pilot scheme as well as the delivery of existing programmes. Moving the three year planning horizon on by one year, financial year 2020/21 is showing a significant starting budget gap of £11m. The Pre-Budget Report, which will be considered by Cabinet at the same meeting as this report, sets out the detailed financial position over the next 3 years, including emerging pressures and the non-delivery of programmed savings, together with potential technical savings to partially offset the impact of these. More recently, the Quarter 2 2017/18 Financial Monitoring Report sets out a forecast overspend in the year of £3.1m, highlighting significant pressures, with the potential to impact on future years.

1.2.4 The current Capital Programme approved in February 2017 is:-

|                         | 2018/19<br>£m | 2019/20<br>£m | 2020/21<br>£m |
|-------------------------|---------------|---------------|---------------|
| Capital Programme Spend | 199.2         | 98.1          | 74.3          |

1.2.5 This Programme, provided for a number of large investment programmes across the city including the construction of the City Centre Leisure Facility; Coventry Station Masterplan and regionally significant infrastructure schemes through the UK Central Connectivity programme, as well as investment in school buildings and business development. The major proportion of the total planned capital spend of £372m over the next 3 years is being met from grant (£276m), including significant sums through the WMCA, and also prudential borrowing (£76m). Although the level of prudential borrowing in recent years has been low, this has in part been due to the temporary use of grant received up front prior to the implementation of the various capital schemes. The higher level of prudential borrowing assumed in the Programme is based on a more limited capacity to temporarily use grants in this way. The position will be updated in the Pre-Budget Report.

1.2.6 The Council's revenue reserve balances totalled £51.3m as at 31<sup>st</sup> March 2017 with a further £30.2m of capital reserves that are only available to fund major capital schemes. These are being reviewed in order to assess their adequacy for current known liabilities and approved policy commitments, with the objective of releasing reserves where they can be better used to drive efficiencies and service improvement. The make-up of the Council's reserves as at 31<sup>st</sup> March 2017 was:

|   | Balance at<br>31st March<br>2016<br>£000 | (Increase)/<br>Decrease<br>£000 | Balance at<br>31st March<br>2017<br>£000 |
|---|--|---------------------------------|--|
| <u>Council Revenue Reserves</u>           |  |                                 |  |
| General Fund Balance                      | (3,823)                                  | 689                             | (3,134)                                  |
| Private Finance Initiatives               | (11,771)                                 | 463                             | (11,308)                                 |
| Potential Loss of Business Rates Income   | (2,670)                                  | 700                             | (1,970)                                  |
| Early Retirement and Voluntary Redundancy | (12,500)                                 | 4,239                           | (8,261)                                  |
| Birmingham Airport Dividend               | (4,400)                                  | 0                               | (4,400)                                  |
| Children's Social Care                    | (2,000)                                  | 2,000                           | 0  |

|                                       |                 |                 |                 |
|---------------------------------------|-----------------|-----------------|-----------------|
| Leisure Development                   | (876)           | (18)            | (894)           |
| Public Health                         | (1,037)         | 297             | (740)           |
| Health and Social Care Schemes        | (280)           | 280             | 0               |
| Troubled Families                     | (701)           | 15              | (686)           |
| Insurance Fund                        | (2,402)         | 616             | (1,786)         |
| Management of Capital                 | (2,337)         | (3,229)         | (5,566)         |
| Other Corporate                       | (2,343)         | 1,370           | (973)           |
| Other Directorate                     | (6,920)         | (1,905)         | (8,825)         |
| Other Directorate funded by Grant     | (3,101)         | 298             | (2,803)         |
| <b>Total Council Revenue Reserves</b> | <b>(57,161)</b> | <b>5,815</b>    | <b>(51,346)</b> |
| <u>Council Capital Reserves</u>       |                 |                 |                 |
| Useable Capital Receipts Reserve      | (6,660)         | (13,829)        | (20,489)        |
| Capital Grant Unapplied Account       | (5,736)         | (4,001)         | (9,737)         |
| <b>Total Council Capital Reserves</b> | <b>(12,396)</b> | <b>(17,830)</b> | <b>(30,226)</b> |
| <b>Total Council Reserves</b>         | <b>(69,557)</b> | <b>(12,015)</b> | <b>(81,572)</b> |

1.2.7 Separately, balances for the Council's local authority maintained schools stood at £22.6m at 31<sup>st</sup> March 2017

#### **School Reserves**

|  |                 |              |                 |
|--|-----------------|--------------|-----------------|
| Schools (specific to individual schools)     | (19,983)        | 1,857        | (18,126)        |
| Schools (for centrally retained expenditure) | (5,841)         | 1,348        | (4,493)         |
| <b>Total School Reserves</b>                 | <b>(25,824)</b> | <b>3,205</b> | <b>(22,619)</b> |

## **2. Options Considered and Recommended Proposal**

2.1 The remainder of the report contains the proposed Medium Term Financial Strategy. It is recommended that Cabinet and Council approve the Strategy subject to any comments or changes from Finance and Corporate Services Scrutiny Board. The Strategy is structured around the following core elements:

- The Council Plan;
- Strategic Policy Assumptions within the MTFS;
- Strategic Financial Management Framework.

### **2.2 Council Plan**

2.2.1 The MTFS rests on the principles, visions and priorities set out for the City within the Council Plan 2016-2024, which was revised in August 2016. In summary these are:

- Globally Connected;
- Locally Committed;
- Delivering our Priorities with Fewer Resources.

The full plan is available on the Council's website or via the following link: [Coventry Council Plan - August 2016](#)



## 2.3 Strategic Policy Assumptions within the MTFS

2.3.1 The policy assumptions that will drive the Council's financial strategy are set out below:

2.3.2 The Council's **transformation programme** is centred on the following overlapping strategies: Connecting Communities, Kickstart, incorporating Customer Journey, the Workforce Strategy and Children's Services Transformation. Most of these strategies are aligned to and are being driven by an extensive rationalisation of the Council's office accommodation, investment in new technology to support agile working and an improved customer experience including a shift towards enabling the Council's customers to self-serve on line. A number of capital investment projects are key components of transformation. Capital projects will only go forward on the basis of a sustainable financial model.

2.3.3 In addition to this however, the Council is moving into a new phase of Budget planning that will require a fresh look at some major areas of expenditure and how it can deliver the savings required to deliver a balanced budget. This will include policy led consideration of which services are provided, whether it is appropriate for the Council to continue to deliver them in the same way and whether there are some new and innovative approaches to delivering services. At the same, a line by line review of the Council's budget is being undertaken, led by the Cabinet Member for Strategic Finance and Resources.

2.3.4 The engagement in partnership working is central to the delivery of the Council Plan and the MTFS, through:-

- The Council's membership of the West Midlands Combined Authority providing the opportunity to maximise investment in the city and work more efficiently across the region;
- Integrated working of Health and Social Care through the Better Care Fund;
- Partnership with various stakeholders in driving economic growth;
- Engaging voluntary bodies in order to develop alternative delivery models to enable local services to be delivered at a reduced cost.

2.3.5 The Council will continue to drive towards Income Maximisation through a number of routes:

- maintaining the Council's default position that fees and charges should increase annually in line with inflation;
- generating capital receipts where there is a clear business case for doing so by disposing of property and thereby providing funds for capital reinvestment in services, driving growth or making savings through the repayment of debt.

2.3.6 In addition, the Council will also consider investing in more commercial ventures (e.g. property investment, share purchase or commercial loan finance), in order to secure a financial return or to give opportunities for important local organisations or businesses to develop and flourish. In doing this the Council will robustly assess risk as part of individual project appraisals as well as through strategic risk management strategies. The starting point for this type of arrangement is that it will be no worse than cost neutral to the Council and that it will support the regeneration of the city and/or that it will protect the Council's financial or strategic interests. At the time of writing current proposed changes in regulatory and governance requirements on local authorities indicate that commercialisation will have to be considered robustly within the context of the Council's Treasury Management and Capital Strategies.

- 2.3.7 Through the Local Plan, the Council is seeking to take the city forward by working closely with its neighbours and partners. In order to drive further growth the plan identifies land to satisfy the demand for homes, community and commercial uses, as well as addressing the need for digital connectivity and the right infrastructure.
- 2.3.8 The Capital Programme will continue to be resourced from a number of sources including: prudential borrowing, capital receipts and grant. The Council will seek to minimise the revenue funding of capital, in particular where the capital expenditure is of a one-off nature.
- 2.3.9 The Council is obliged to work towards ensuring that its pension liabilities within the West Midlands Pension Fund are funded. The Council's level of funding last reported was at 77%. The Council's contributions to the pension fund have increased significantly in recent years and, following the latest triennial review, stand at 27.3% from 2017/18. As an alternative to making monthly payments, in order to efficiently manage the burden of contributions, an upfront payment of £93m was made in 2017/18 to cover the next 3 years. The Council will continue to work with the West Midlands Pension Fund to agree employer pension contributions that strike a balance between increasing the funding level over the long-term and maintaining sustainability and affordability in relation to the Council's overall financial position.

## 2.4 Strategic Finance Management Framework

- 2.4.1 The Strategic Financial Management Framework encompasses the Council's strategic financial management processes and also the key financial assumptions on which the MTFS rests.
- 2.4.2 The financial management processes that underpin the MTFS are:-
- A corporate planning and monitoring process that considers capital and revenue together;
  - Overall direction undertaken by Strategic Management Board (SMB);
  - A framework founded on delegation and clear accountability, with budgets managed by the designated budget holder, reported through Directorate Management Teams, SMB, Cabinet and Audit and Procurement Committee;
  - A drive to identify efficiencies and achievable savings to enable the Council to optimise delivery of its policy priorities;
  - Strong project management approaches, including a specific focus on cost control;
  - Where feasible, the establishment of a balanced revenue budget and capital programme over the medium term planning period.
  - The management of reserves in a way that supports the MTFS and the Council's priorities. In particular, the City Council's approach is based on:
    - A policy that reserves are not to be used to: (i) meet on-going expenditure or (ii) fund capital expenditure other than for mostly short life asset rolling programmes or in exceptional circumstances, for capital schemes of major importance;
    - The classification of reserves as a corporate resource, with Cabinet via Strategic Management Board considering the application of budgeted amounts unspent at year end;
    - Holding reserves for a clearly identifiable purpose. This will include protecting against known or potential liabilities, at a minimum level consistent with adequate coverage of those liabilities, taking into account the overall level of risk faced by an organisation of the City Council's size.

### 2.4.3 The key financial or technical assumptions that underpin the MTFs are:

- The Council will plan for funding levels in line with those set out by government as part of the multi-year settlements for local authorities. Current plans are based on no significant unforeseen financial changes to local or central government finances;
- As a technical assumption, Council Tax increases of just under 2% per annum and one further Social Care precept increase of 3% in 2018/19. This will be subject to political debate and decision as well as any changes at a national level;
- 1% p.a. pay awards will be assumed until 2019/20 in line with indicative Government announcements. Subsequent to its initial announcement of the 1% level, the Government has indicated subsequently that some public sector awards will be above this. This area will be kept under close review over the coming months and it is expected that the Council will reflect national pay awards;
- Business Rate income will be assumed to be inflated broadly in line with recent CPI inflation levels but flexed each year where shorter term inflation expectations dictate.
- Planning on the basis of the underlying Council Tax-Base growing at 0.6% per annum in line with historical trends but flexed each year where shorter term expectations dictate;
- The budget for the Council's Asset Management Revenue Account will continue to be reviewed annually in detail as part of the MTFs, taking into account any impact of changes in: the capital programme, cash-flow forecasts, the level of provision to repay debt through Minimum Revenue Provision (MRP) and forecast interest rates. The Council's Minimum Revenue Provision (MRP) policy will be based on an approach that is both prudent and affordable in a way that reflects the long term nature of local authority debt and assets;
- Forward financial estimates will be guided by existing CPI inflation levels in line with practice adopted across a broad range of public sector areas. This will provide the financial planning benchmark for increases in fees and charges and any areas of expenditure subject to specific inflation requirements assessed by the Director of Finance and Corporate Services. Actual increases in fees and charges will depend upon local factors such as the need to generate sufficient income to meet the cost of trading services. The majority of non-employee based expenditure budgets will not be inflated – the assumption will be that continued procurement and commissioning work plus underlying efficiency savings and the reduced purchasing requirements of some services will deliver savings equivalent to the cost of inflation. A number of areas subject to external contracts are more likely to reflect inflation patterns dictated by pay inflation and this expectation will be built into Council budgets in the affected areas.

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

- 3.1 No consultation has been undertaken as part of the MTFs. The implementation of the Strategy through Budget Setting and other individual projects, programmes and initiatives will be accompanied by specific consultations as appropriate.

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

- 4.1 The MTFs will underpin the proposals and approaches that will be set out in the forthcoming Pre-Budget Report and will be implemented in parallel to the proposals for setting the 2018/19 Budget.

## **5. Comments from the Director of Finance and Corporate Resources**

### **5.1 Financial implications**

The main body of this report is concerned wholly with financial matters. It is important that the assumptions and principles detailed in the Strategy are adopted in order for the City Council to be able to deliver balanced budgets over the medium term. Taking into account both the strategic policy and financial management assumptions set out in the report, a revised projected gap will be set out in the forthcoming Pre-Budget Report.

Moving into the 2018/19 Budget Setting process there is an initial forecast gap of £11m in 2020/21 which is expected to rise further in the years beyond that. In addition, the Pre-Budget Report for 2018/19 to 2020/21 sets out some further developments which are affecting the Council's Budget position adversely over this period. It is clear that Coventry faces the challenges and major policy choices faced by many other authorities and the size of the gap makes it inevitable that areas not previously considered will now need to be reviewed with some services being delivered differently or quite possibly not at all. In addition, the Council will need to consider some financial approaches that provide some flexibility allowing a relatively short-term focus. This in turn will provide more time to identify further necessary structural changes to the Council's services. These approaches may include but will not be restricted to; the use of reserves, the use of Capital receipts, repayment of debt, investment in property and other investment assets, application of the Council's Minimum Revenue Provision policy and updating estimates of the Council's Business Rates and Council Tax resources.

### **5.2 Legal implications**

The proposals in this report provide the foundations to allow the Council to meet its statutory obligations in relation to setting a balanced budget by mid-March each year, in accordance with Section 32 of the Local Government Finance Act 1992 and section 25 of the Local Government Act 2003.

## **6. Other implications**

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

The Council will continue to be faced with challenging resource constraints in the coming years. Whilst the focus is to identify additional income generation and savings options that are intended to have as little adverse impact as possible on services, this will not always be possible, and it is inevitable that changes will have a more marked effect on front-line services. Within these very difficult circumstances, the MTFS is closely aligned to the Council Plan priorities that are so critical to ensuring the city's success.

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

Inability to deliver a balanced budget is one of the Council's key corporate risks. The proposals within this report are aimed at mitigating this risk by providing a robust platform from which to deliver balanced budgets.

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

The Council will need to make some decisions about which are its core priorities and which services it considers that it can no longer afford. It will also need to become more flexible about the mechanisms through which it delivers its services. In addition, the Council continues to use Early Retirement/Voluntary Redundancy opportunities as the key mechanism by which it is able to reduce staffing levels across the Council. It is anticipated that this mechanism will continue to be used and that the Council will continue to reduce employee numbers over the course of the Strategy. However, changes to the landscape of pensions regulation are expected over the next few years and these may

affect the way in which Early Retirement/Voluntary Redundancy programmes are managed.

**6.4 Equalities / EIA**

Equality impacts that flow from proposals within the Council's budget will be subject to assessment prior to the relevant decisions being taken. The Pre-Budget Report will provide a further indication of how any equality issues will be managed.

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

No specific impact

**6.6 Implications for partner organisations?**

Implementation of the Council's financial plans continue to affect the way it works with some of its partners and the implications of these changes need to be managed in consultation with partners as individual changes are identified.

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Place Directorate

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## **RECOMMENDATIONS FROM CABINET 28 NOVEMBER 2017**

**Council – 5<sup>th</sup> December 2017**

**Agenda Item 12  
Recommendation from Cabinet  
28<sup>th</sup> November 2017**

Present:

Members: Councillor G Duggins (Chair)  
Councillor F Abbott  
Councillor L Bigham  
Councillor K Caan  
Councillor J Innes  
Councillor K Maton  
Councillor J Mutton  
Councillor J O'Boyle  
Councillor E Ruane

Deputy Cabinet Members Councillor R Ali  
Councillor R Lakha  
Councillor C Thomas

Non-Voting Opposition Councillor A Andrews  
Members: Councillor G Ridley

Other Members: Councillor R Bailey  
Councillor J Lepoidevin  
Councillor G Williams

Employees (by Directorate):

Chief Executive's M Reeves (Chief Executive),  
People G Quinton (Deputy Chief Executive (People)), P Barnett, L  
Gaulton, N Hart, M McGinty

Place M Yardley (Deputy Chief Executive (Place)), M Andrews,  
O Aremu, D Cockroft, C Knight, L Knight, R Palmer, R Moon,  
D Nuttall, T Miller, J Murphy, A Walster

Apologies: Councillor B Kaur, A Khan

### **RECOMMENDATION**

#### **76. Medium Term Financial Strategy 2018-21**

The Cabinet considered a report of the Deputy Chief Executive (Place), which sought adoption of the Medium Term Financial Strategy.

The previous Medium Term Financial Strategy (MTFS) was approved in October 2016 and set out the financial planning foundations to support the Council's vision and priorities and led to the setting of the Council's revenue and capital budgets. Indications were that the Government was maintaining its commitment to the current 4 year funding settlement for local government. To qualify for this, the Council approved an Efficiency Plan within the previously approved MTFS for 2017-20.

It was acknowledged that local authorities continue to face severe financial pressures and although the previous Government policy of targeting a budget surplus by 2020 had been pushed back, uncertainty as a result of Brexit negotiations and over the future of local government finances meant that the pressure on public finances was unlikely to ease significantly in the foreseeable future. The MTFS 2018-21 assumed that reductions in available revenue resources and spending levels were likely to continue.

At a local level, the Council was faced with a challenging and fluid financial position affected by temporary shortfalls in the delivery of its existing savings plans and growing costs within Children's Services and services related to housing and homelessness. Notwithstanding the approaches set out in the Strategy, the Council would need to maintain a dynamic financial model that took account of changes in its medium term budget position. This may include adopting some measures which would have a short-term focus or which re-evaluated the Council's approach to financial risk.

The report summarised the national and local context that framed the strategy and, taken together, represented a combination of reducing resources, challenging underlying economic and demographic conditions, increased demand, a heightened need to improve the quality of services and new challenges represented by Government reform and local structural and governance relationships. In these circumstances, it was crucial that the Council's financial strategy was both robust and flexible. This would provide the financial foundations required to ensure that Council services were fit for purpose to protect the most vulnerable as well as providing decent core services for every citizen in the City.

The report also set out the financial gap for the following 3 years, based on the 2017/18 approved budget, at the start of the new Budget setting round. This indicated that whilst it was anticipated there would be a balanced budget for 2018/19 and 2019/20, by 2020/21 it was anticipated there would be a financial gap of £11.4m. It was noted that this position was dependent on the achievement of outstanding savings programmes over the medium term. It total these amounted to c£20m and although there were plans in place to deliver the majority of these, there remained up to £6m of savings for which plans still needed to be formalised.

The Cabinet noted that the Finance and Corporate Services Scrutiny Board (1) had considered the report at its meeting on 15<sup>th</sup> November 2017 and received a briefing note indicating the Board's support of the recommendations within the report.

**RESOLVED that the Cabinet recommend that Council approve the Strategy.**





## Public report Cabinet

Cabinet  
Council

28<sup>th</sup> November 2017  
5<sup>th</sup> December 2017

**Name of Cabinet Member:**

Cabinet Member for Community Development – Councillor Bigham

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:**

All

**Title:**

Adoption of the new Coventry City Council Local Plan and City Centre Area Action Plan

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**Is this a key decision?**

Yes.

The proposals in the report are likely to have an impact on all wards across the city as they relate to the City's new Local Development Plan and City Centre Area Action Plan.

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**Executive Summary:**

Following a period of public examination the Inspector has now issued her final reports in so far as they relate to the city's new Local Plan and City Centre Area Action Plan (AAP). The reports conclude that both Plans are Sound and legally compliant (subject to the inclusion of the identified modifications) meaning the Council can move to adopt both the Local Plan and City Centre AAP subject to those modifications being incorporated into the Plans (all such modifications were approved by Council and consulted upon in March and April 2017).

Once adopted by the Council, the new Local Plan and City Centre AAP will become the basis for determining planning applications from the following day (the 6<sup>th</sup> December 2017). The legal framework that governs development plans means they will remain subject to a statutory 6 week legal challenge period. This is expected to run between the 6<sup>th</sup> December 2017 and 17<sup>th</sup> January 2018. Should any such challenge arise however it would not directly impact upon the material weight afforded to the Plan(s) unless the challenge was successful through the high courts. Should such a challenge arise a further report will be presented to Cabinet and Council to provide a suitable update on the expected process and associated risks etc.

The new Local Plan also provides an on-going blue print for continued joint working with the city's neighbouring authorities in Warwickshire and the wider West Midlands. Both Plans will be monitored on at least an annual basis to ensure they are delivering successfully against their aims and objectives and to assess whether or not they require review either partially or in full.

## **Recommendations:**

The Cabinet is requested to recommend to the Council:

1. That it adopts the Coventry City Council Local Plan 2011-2031 and the City Centre Area Action Plan in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004 and that together they supersede the policies set out in the Council's 2001 Development Plan as set out in Appendix 6 of the Local Plan Appendices.
2. Note that the adopted Coventry Local Plan and City Centre Area Action Plan 2011-2031 are the Submitted Plans – 1<sup>st</sup> April 2016 as amended by:
  - a) The inspectors final report (as appropriate) (Appendix 1);
  - b) the schedule of Main Modifications recommended by the Local Plan's Inspector (Appendix 2); and
  - c) the schedule of minor modifications (Appendix 3).
3. Request that Adoption Statements and the final Sustainability Appraisal reports are made available on or as soon as possible after the 6<sup>th</sup> December 2017 in accordance with regulation 35 of the Town and Country Planning (Local Planning) Regulations 2012 (as amended).
4. That authority is delegated to the Head of Planning and Regulatory Services in consultation with the Cabinet Member for Community Development to make further minor modifications to the Plans prior to their final publication, where these modifications are confined to the correction of typographical errors, amendments to policy or paragraph reference numbers, and consequential cross referencing.

The Council is recommended to:

1. Adopt the Coventry City Council Local Plan 2011-2031 and the City Centre Area Action Plan in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004 and that together they supersede the policies set out in the Council's 2001 Development Plan as set out in Appendix 6 of the Local Plan Appendices.
2. Note that the adopted Coventry Local Plan and City Centre Area Action Plan 2011-2031 are the Submitted Plans – 1<sup>st</sup> April 2016 as amended by:
  - a) The inspectors final report (as appropriate) (Appendix 1);
  - b) the schedule of Main Modifications recommended by the Inspector (Appendix 2); and
  - c) the schedule of minor modifications (Appendix 3).
3. Request that Adoption Statements and the final Sustainability Appraisal reports are made available on or as soon as possible after the 6<sup>th</sup> December 2017 in accordance with regulation 35 of the Town and Country Planning (Local Planning) Regulations 2012 (as amended).
4. Delegate authority to the Head of Planning and Regulatory Services in consultation with the Cabinet Member for Community Development to make further minor modifications to the Plans prior to their final publication, where these modifications are confined to the correction of typographical errors, amendments to policy or paragraph reference numbers, and consequential cross referencing.

## **List of Appendices included:**

Appendix 1: Inspectors Reports for the Local Plan and City Centre AAP (October 2017)

Appendix 2: Full schedule of Minor and Main Modifications to the Local Plan and City Centre AAP

NB: The full schedule of modifications will be incorporated into the Plans and they will be subject to final design and layout for presentation purposes as part of the publication process. For information purposes however, these are expected to read the same as the tracked change version of the Plans approved at Council on the 14<sup>th</sup> March 2017 (under agenda item 135) – see link below.

## **Background papers**

None

## **Other useful documents:**

The initial Publication Drafts of the Local Plan and City Centre Area Action Plan were considered at Council on the 12<sup>th</sup> January 2016. The Coventry and Warwickshire Housing Requirements Memorandum of Understanding was also agreed at the same meeting. All papers are available under agenda items 109, 111 and 112 via the following link:

<http://democraticservices.coventry.gov.uk/ieListDocuments.aspx?CId=130&MId=10701&Ver=4>

A summary note of all responses received to this period of consultation was provided to Scrutiny Board 3 at its meeting on the 16<sup>th</sup> March 2016. All papers are available under agenda item 39 via the following link:

<http://democraticservices.coventry.gov.uk/ieListDocuments.aspx?CId=570&MId=10808&Ver=4>

Full coverage of all consultation responses received during this period are available under reference LP16 via the following link:

[http://www.coventry.gov.uk/downloads/download/4070/coventry\\_local\\_plan\\_2016](http://www.coventry.gov.uk/downloads/download/4070/coventry_local_plan_2016)

The Coventry and Warwickshire Employment Land Memorandum of Understanding was considered at Council on the 11<sup>th</sup> October 2016. All papers are available under agenda item 63 via the following link:

<http://democraticservices.coventry.gov.uk/ieListDocuments.aspx?CId=130&MId=11139&Ver=4>

The Coventry and Warwickshire review of the 2014 based sub-national population projections and household projections is available via the following link:

[http://www.coventry.gov.uk/downloads/file/21921/lp231\\_cw\\_2014-based\\_projections](http://www.coventry.gov.uk/downloads/file/21921/lp231_cw_2014-based_projections)

The proposed modifications to both the draft Local Plan and City Centre AAP were considered at Council on the 14<sup>th</sup> March 2017. All papers are available under agenda item 135 via the following link:

<http://democraticservices.coventry.gov.uk/ieListDocuments.aspx?CId=130&MId=11143&Ver=4>

A summary note of all responses received to this period of consultation was provided to Scrutiny Coordination Board at its meeting on the 10<sup>th</sup> May 2017. All papers are available under agenda item 5 via the following link:

<http://democraticservices.coventry.gov.uk/ieListDocuments.aspx?CId=151&MId=11365&Ver=4>

Full coverage of all consultation responses received during this period are available under reference MOD20a, MOD20b and MOD21 via the following link:

[http://www.coventry.gov.uk/downloads/download/4553/proposed\\_modification\\_documents\\_and\\_information](http://www.coventry.gov.uk/downloads/download/4553/proposed_modification_documents_and_information)

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

No. However, previous rounds of consultation on the both Plans have been considered through Scrutiny.

**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, 5<sup>th</sup> December 2017

**Report title:** Adoption of the new Coventry City Council Local Plan and City Centre Area Action Plan

**1. Context (or Background)**

- 1.1 The Coventry Draft Local Plan and City Centre Area Action Plan (AAP) were submitted to the Secretary of State (SoS) on 1<sup>st</sup> April 2016. Following its submission, the SoS appointed an independent Inspector – Rebecca Phillips – to oversee the public examination of the Plans and their evidence base. The public examination hearing sessions took place over 3 stages between July 2016 and January 2017. Following this examination process the Inspector identified a need for the Council to consult on proposed modifications to both Plans which in turn responded to the Action Points raised by the Inspector during the hearing sessions. This consultation process ran between the 15<sup>th</sup> March and 28<sup>th</sup> April 2017. A summary of the consultation process and the responses received were considered by the Scrutiny Coordination Board on the 10<sup>th</sup> May before all information was returned to the nominated Inspector on the 12<sup>th</sup> May 2017. This has been a statutory process undertaken in accordance with the Town and Country Planning (Local Planning) (England) Regulations (2012) and has now resulted in the Inspector issuing her final report. This report concludes that the Plans are both Sound and legally compliant meaning the Council can move to adopt both the Local Plan and City Centre AAP subject to the proposed modifications (approved by Council and consulted upon in March and April 2017) being included.
- 1.2 Once adopted by the Council, the new Local Plan and City Centre AAP will remain subject to a statutory 6 week legal challenge period. This timeframe starts when the statutory notice of adoption is posted on the Council’s website, which will take place the day after the Council meeting on the 5<sup>th</sup> December 2017 (subject to the relevant endorsement of the recommendations). This will be followed by formal notifications being sent to those parties who have participated in the examination and development of the Local Plan. If adopted by the Council, the new Local Plan and City Centre AAP will become the basis for determining planning applications from the following day (the 6<sup>th</sup> December 2017).
- 1.3 The legal framework that governs development plans means they will remain subject to a statutory 6 week legal challenge period. This is expected to run between the 6<sup>th</sup> December 2017 and 17<sup>th</sup> January 2018. Should any such challenge arise however it would not directly impact upon the material weight afforded to the Plan(s) unless the challenge was successful through the high courts. Should such a challenge arise a further report will be presented to Cabinet and Council to provide a suitable update on the expected process and associated risks etc.
- 1.4 The new Local Plan also provides an on-going blue print for continued joint working with the city’s neighbouring authorities in Warwickshire and the wider West Midlands. Both Plans will be monitored on at least an annual basis to ensure they are delivering successfully against their aims and objectives and to assess whether or not they require review either partially or in full. Such monitoring will track the number of new homes, the amount of new employment floor space and the vibrancy and vitality of our city centre.
- 1.5 For the avoidance of doubt and for clarity, the conclusions drawn by the Inspector in her final report cover the following key points:
- The Plan has been subject to adequate and satisfactory consultation processes in accordance with the Council’s Statement of Community Involvement;

- The City Council have fully complied with the spirit and intentions of the statutory Duty to Cooperate;
- The completion of sub-regional Memorandum of Understanding (MOU's) with its neighbouring authorities in the face of land supply constraints has been very helpful and resulted in effective outcomes;
- The Sustainability Appraisal and other legal requirements of the Plan have been satisfied;
- That the Inspector has given due regard to the population projections and alternative approaches to calculating the city's growth projections and housing needs. She has concluded that the Joint Strategic Housing Market Assessment (SHMA) represents a sound and robust platform from which to develop the Local Plan and that there is no justification for diverting from that assessment;
- That the housing requirements be tested as a minimum and monitored against a stepped trajectory;
- That a robust assessment of suitable sites within Coventry has been carried out through the Strategic Housing Land Availability Assessment (SHLAA) and the Plans;
- That the city can demonstrate a robust 5 year housing land supply;
- That all site specific allocations are necessary to maximise the development options within the city boundary and should therefore be retained;
- That exceptional circumstances exist to release land from the Green Belt to meet development needs;
- That a detailed Masterplan Principles Policy be included to cover larger developments in general as well as key sites at Eastern Green, Keresley and Whitley;
- That the site requirements of Gypsy's and Travellers will be positively planned for through the Local Plan;
- That a specific review mechanism be incorporated into the Plan to ensure it can be regularly tested and reviewed (either in full or in part) should a significant change in circumstances occur. This could include an increase or decrease in housing need;
- That the employment policies are robust and provide adequate opportunities to grow the city's economy and support its key employers;
- That relevant adjustments be made to the retail policies to ensure they are met is brought in line with national guidance, especially around sequential and impact assessment. The approach to the city centre as a focal point in the retail hierarchy is supported though;
- Is supportive in principle of the Green Environment policies around the new Local Green Space designation, tree protection and other high quality green spaces, but that greater clarity be added (in accordance with the modifications) to strengthen the policies;
- Policies governing design and heritage are supported, most notably around the proposed Heritage Park and Loop Line proposals;
- That the transport evidence provided in support of the Plan was robust and appropriate and that the policies provide a solid basis for considering detail transport impacts at planning application stages. Also, that the transport policies provide a blueprint for helping increase active modes of transport and facilitate new infrastructure.
- That environmental management policies be updated and enhanced to reflect the most recent advice from the Environment Agency and to cover matters of ground stability and mining legacy;
- That the 'live' Infrastructure Delivery Plan and Monitoring Frameworks be updated to reflect the most up to date position of infrastructure and the amended policies (where appropriate).

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

- 2.1 At this stage of Plan preparation only two potential options have been considered.
- 2.2 The first of these options is set out in the recommendations to this report. This would see both Plans adopted and become the new development framework for determining planning applications across Coventry.
- 2.3 The second option would be to not adopt the Plans and withdraw them from the examination process and start work on new Plans. This option is not recommended as it would mean the Council being without an up to date Development Plan for at least another 3 years and incur further significant costs in preparation and examination time. Being without a Development Plan for this time period would significantly increase the risk of planning by appeal, having little or no control over planning within the city's own administrative boundaries. Indeed, central Government have indicated that they may step in and produce Plans themselves on behalf of Local Authorities who do not have an up to date Plan in place by the end 2017. Furthermore, and having regard to the work undertaken with neighbouring authorities in the preparation of the current draft Development Plan to date, this option would also raise significant risks and concerns over the Duty to Cooperate process. It is also important to note that now the Inspector's reports have been issued they become a material planning consideration in their own right. They would therefore need to be given due consideration when determining planning applications where relevant.

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

- 3.1 Numerous periods of public consultation have taken place since 2004 that have related to the development of the Local Plan (or the Core Strategy as it was previously known). The results of this consultation have been reported to Council and Scrutiny panels at various times in the last ten years. Likewise, the City Centre AAP has been subject to previous rounds of consultation dating back to 2010 with results of such consultation reported accordingly.
- 3.2 This process culminated in the statutory period of public consultation between January and February 2016 which focused on the proposed Local Plan and the City Centre AAP. A full Equalities and Consultation Assessment was undertaken at this time to support this consultation. With regards the draft Local Plan approximately 740 responses were received from local communities, local business, professional organisations and key stakeholders, with additional views and opinions expressed and recorded at Ward Forums and drop in sessions. This showed that the greatest area of objection was around potential development within the city's Green Belt, most notably at Keresley, Eastern Green, Cromwell Lane and Baginton Fields. With regards the City Centre AAP approximately 400 responses were received from local communities, local business, professional organisations and key stakeholders, with additional views and opinions expressed and recorded at Ward Forums and drop in sessions. This showed that the greatest area of concern was around the growth of Coventry University, however there was also significant levels of support for regenerating the city centre.
- 3.3 The responses received during this period were presented to a special meeting of Scrutiny Board 3 and Planning Committee in March 2016.
- 3.4 Further statutory consultation was undertaken in early 2017 relating to the proposed modifications to both plans. Approximately 230 responses were received with the vast majority relating to the Local Plan and objecting to matters of proposed Green Belt development and the level of growth proposed for the city. This round of consultation

utilised a very similar consultation strategy that was used in early 2016. A summary of all responses received were presented to the Council's Scrutiny Coordination Board on the 10<sup>th</sup> May 2017.

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

- 4.1 Should Council approve the recommendations set out in this report the decision will take effect from the following day (6<sup>th</sup> December 2017). The Council will issue the Adoption notice and other supporting documents on its website and make them available in the relevant and necessary council offices and local libraries. The new Local Plan and City Centre AAP will then form the statutory basis for determining planning applications across Coventry.

#### **5. Comments from the Director of Finance and Corporate Services**

##### **5.1 Financial implications**

The primary costs associated with the new Plans include the publication of the documents for use by officers, Councillors and other stakeholders. These are considered to be minimal and will be funded from existing budget provisions.

The preparation of both Plans to date however, has incurred significant costs through the development and examination process. Whilst the cost of developing the Plans has already been incurred and funded in prior years, the cost of the examination process is additional and will be incurred in the current financial year, 2017/18. Resources have however been previously earmarked within Council Reserves and are expected to be sufficient to meet the anticipated costs.

##### **5.2 Legal implications**

The development of both Plans and their subsequent adoption reflects the statutory requirements set out in the Planning and Compulsory Purchase Act 2004, the Localism Act 2011, the Town and Country Planning Act 1990 and other associated regulations, the National Planning Policy Framework (2012), and Planning Practice Guidance (2014).

The recommended adoption of the Plans means both Plans have been deemed to be sound and legally compliant in accordance with national legislation and guidance. This includes the satisfactory discharging of the Council's responsibilities under the Duty to Cooperate as set out in Section 33A of the Planning and Compulsory Purchase Act 2004 (as introduced by the Localism Act 2011).

The provisions of the Planning & Compulsory Purchase Act 2004 and Localism Act 2011 set out the relevant provisions governing the matters raised in this report, including that the Council has a duty to have a development plan.

If the recommendations are approved by Council, an adoption statement and the final sustainability appraisal report are required to be issued alongside the finalised Plans at the earliest convenience in accordance with regulations 17 and 26 of the Town and Country Planning (Local Planning) Regulations 2012 (as amended). This statement is published on the Council's website and sent to all interested parties as well as the secretary of State for their information.

The statutory legal challenge period is set out in Section 113 of the Planning and Compulsory Purchase Act 2004. Challenges should focus on the legal process and correctness of the Plan as opposed to matters of soundness. Challenges should be made



promptly and directed to the High Court. Should the Plan be subject to legal challenge a further report will be brought before Council to outline the proposed timescale and process.

Once adopted by the Council, the Local Plan and the City Centre AAP will become the starting point for determining any planning applications that are submitted to the Council for consideration. Accordingly, the adoption of the Local Plan and the City Centre AAP as proposed in this report will ensure that future planning decisions and appeals can be robustly defended.

## **6. Other implications**

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

- A prosperous Coventry: The plans have sought to deliver a range of opportunities to deliver new homes and employment land across the city for the next 15-20 years. This will help to ensure that sufficient new homes are provided to meet the needs of local people and sufficient jobs are created and facilitated. It will also help ensure that businesses are not deprived of staff through a lack of housing and land opportunities;
- Citizens living longer, healthier, independent lives: Choosing the right approach to delivering the city's housing, employment, retail and infrastructure needs will help promote improvements to the existing built environment. The most valuable and sensitive green spaces will also be protected from inappropriate development. Both Plans also contain specific policy promoting improvements to health and wellbeing including improvements to health inequalities and life expectancy.
- Making Coventry an attractive and enjoyable place to be: Choosing the right approach to delivering the city's housing, employment, retail and infrastructure needs will help promote improvements to the existing built environment. This will also create opportunities for the city centre to develop and regenerate supporting increased tourism and ensuring the most valuable and sensitive green spaces will also be protected from inappropriate development.
- Providing a good choice of housing: In partnership with neighbouring authorities both Plans make provisions to fully meet the city's housing needs. This will ensure that sufficient new homes are provided to meet the needs of local people within the Housing Market Area.
- Making places and services easily accessible: New homes and job opportunities will be brought forward in a planned and sustainable way. In practical terms this will help ensure the right amount of new development happens to ensure that services are viable and accessible. Both Plans will also promote sustainable development with adequate provision of infrastructure and improved accessibility to key services and facilities.
- Encouraging a creative, active and vibrant city: Both Plans promote a centres first policy, establishing designated centres as the hub for new retail, leisure and community investments within their surrounding communities. New homes and job opportunities will be brought forward in a planned and sustainable way. In practical terms this will help ensure the right amount of new development happens to ensure that services are viable and accessible.
- Developing a more equal city with cohesive communities and neighbourhoods: By planning proactively for the city's housing and employment needs both Plans can help to ensure that more people will be adequately housed, with greater access to new jobs, leisure provisions and community facilities.
- Improving the environment and tackling climate change: The Plans proactively seek to mitigate the impacts on the environment brought about by development and include specific policy on combating climate change. The Plans will help bring about

improvements to areas in need of investment and will protect the most valuable and sensitive areas of green space from inappropriate development.

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

The primary area of risk now sits with the statutory legal challenge period. This remains open for a 6 week period and will run between the 6<sup>th</sup> December 2017 and 17<sup>th</sup> January 2018.

Throughout the development of the Local Plan and City Centre AAP however, we have sought to undertake extensive engagement, consider all reasonable alternatives and promote the most deliverable and sustainable opportunities for the growth and evolution of the City. This work has been undertaken over many years and has been with a view to minimising the risk of legal challenge and the failure of the Plan. The Council's approach has been endorsed by the Inspector through her reports.

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

No direct impact.

## **6.4 Equalities / EIA**

A full Equality and Consultation Assessment (ECA) was undertaken as part of the initial Local Plan and City Centre AAP engagement processes. These were updated to reflect the statutory consultation period in January 2016 and formed part of the Council's submission to the Secretary of State. This stage of the process will result in the adoption of the Local Plan and City Centre AAP with no further changes or impacts on the aims, objectives and direction, therefore a further update of the ECA has not been deemed appropriate at this stage. As part of developing its ECA considerations the Council has had due regard to its public sector equality duty under section 149 of the Equality Act 2010.

In summary, there will be significant economic and social benefits to the city through the development of new homes and employment opportunities in Coventry. This will be promoted by urban regeneration and the redevelopment of land currently sitting vacant and derelict as well as increased opportunities for job creation and the delivery of new infrastructure.

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

A detailed assessment of potential environmental implications and issues has been undertaken as part of the Sustainability Appraisal Report (SA/SEA) for both the draft Local Plan and the City Centre AAP. These reports have been consistently available as part of all periods of engagement and consultation.

In summary this highlights potential increases in carbon emissions and air quality issues generated by new developments and an increased population. There are also accepted environmental impacts brought about by the proposed development of Green Belt land, however the provision of new green and blue infrastructure as part of such development is likely to support increased biodiversity and quality of space. The plan also encourages climate change adaptation and the provisions of renewable energy and energy efficient buildings. The proposed modifications to both Plans also strengthen the policy platform around air quality, drainage and flood risk in accordance with the latest Environment Agency advice.

## 6.6 Implications for partner organisations?

As part of developing both Plans, the city council has worked extensively with its Warwickshire neighbours and the CW LEP (amongst others) to agree memorandum of understanding and plan positively for the delivery of new homes and employment land across the sub-region. This has been particularly important to Coventry due to the constrained nature of its administrative boundaries and developable land supply. The adoption of both Plans will mean the City Council must continue to work in partnership with its neighbours to monitor the delivery of new homes and employment land across the sub-region and continue to plan positively for, and deliver, new infrastructure that will support sustainable growth.

### Report author(s):

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# **Report to Coventry City Council**

**by Rebecca Phillips BA(Hons) MSc DipM MRTPI MCIM**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Date 13 October 2017**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the Coventry Local Plan 2011 - 2031**

The Plan was submitted for examination on 1 April 2016

The examination hearings were held between July, October and November 2016 and January 2017

File Ref: PINS/U4610/429/6

## Abbreviations used in this report

|       |   |
|-------|---|
| AA    | Appropriate Assessment                          |
| AONB  | Area of Outstanding Natural Beauty              |
| DCLG  | Department for Communities and Local Government |
| DtC   | Duty to Co-operate                              |
| HMA   | Housing Market Area                             |
| HRA   | Habitats Regulations Assessment                 |
| LDS   | Local Development Scheme                        |
| LP    | Local Plan                                      |
| MM    | Main Modification                               |
| NPPF  | National Planning Policy Framework              |
| OAN   | Objectively assessed need                       |
| PPG   | Planning Practice Guidance                      |
| PPTS  | Planning Policy for Traveller Sites             |
| SA    | Sustainability Appraisal                        |
| SCI   | Statement of Community Involvement              |
| SHLAA | Strategic Housing Land Availability Assessment  |
| SHMA  | Strategic Housing Market Assessment             |
| SPD   | Supplementary Planning Document                 |
| WMS   | Written Ministerial Statement                   |

## **Non-Technical Summary**

This report concludes that the Coventry Local Plan provides an appropriate basis for the planning of the City provided that a number of main modifications (MMs) are made to it. Coventry City Council has specifically requested me to recommend any MMs necessary to enable the Plan to be adopted.

The MMs all concern matters that were discussed at the examination hearings. Following the hearings, the Council prepared schedules of the proposed modifications and carried out sustainability appraisal of them. The MMs were subject to public consultation over a six-week period. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The MMs can be summarised as follows:

- To ensure that the levels of housing, employment, office and retail development to be provided over the Plan period are accurately identified and that the means to deliver the required development is clear;
- To ensure that the delivery housing trajectory is up-to-date and that the basis of the calculation of the 5 year housing land supply position is set out clearly;
- To ensure that there are adequate arrangements to secure the provision of housing and employment elsewhere in the West Midlands HMA to meet the shortfall of provision in Coventry;
- To provide new policies for each of the strategic sites to include infrastructure requirements and master planning principles;
- To provide sites to meet the identified needs of Gypsy and Travellers;
- To identify accurately the necessary transport and other infrastructure improvements; and the mechanisms for securing developer contributions towards them;
- To provide more clarity on the timing and phasing of infrastructure for the strategic sites by including categories of infrastructure in the policies and more detail in the Infrastructure Delivery Plan;
- To ensure that the retail requirements are set out accurately and that the position of defined centres in the hierarchy are consistent with the evidence;
- To ensure that the Plan's development management and site allocation policies are justified, effective and consistent with national policy;
- To ensure that there are effective policies to deal with flood risk, drainage, minerals and waste;
- To ensure that there are effective policies to protect the historic environment, Green Belt, open space and local green spaces;
- To ensure that the Plan's policy requirements take adequate account of viability considerations;
- To ensure that the policies provide a sound monitoring framework for the Plan.

## Introduction

1. This report contains my assessment of the Coventry Local Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (paragraph 182) makes it clear that in order to be sound a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Coventry Local Plan 2011 - 2031 submitted in April 2016 is the basis for my examination. It is the same document as was published for consultation in September 2014.

## Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MM1, MM2, MM3** etc. and are set out in full in the Appendix (referred to as MOD1, MOD2 etc.).
4. Following the examination hearings, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal of them. The MM schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report.

## Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as the Local Plan publication draft 2016 – Policies map as set out in LP6.
6. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. There are also a number of cartographical errors to correct. These further changes to the policies map were published for consultation alongside the MMs<sup>1</sup>.
7. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted

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<sup>1</sup> Examination Document MOD.3



policies map to include all the changes proposed in examination document MOD.3 and the further changes published alongside the MMs.

## Consultation

8. The Council carried out widespread public consultation over a six-week period, both on the Plan before its submission and on the proposed main modifications. I have taken account of all the responses to those consultations in preparing this report. The Council contacted everyone on their extensive consultation database. Notices were also placed in local newspapers, local libraries and community venues and on the Council's website. Officers held open evenings and exhibitions and attended Parish Council meetings and other local meetings on request.
9. A very large number of representations were received at both stages of consultation, from local residents and businesses, community organisations, neighbouring local authorities, statutory agencies, developers and others. In my view, the consultation process gave all those potentially affected by the Plan an adequate opportunity to express their views.
10. It was asserted that certain evidence documents, including some of the reports on the transport modelling of the Green Belt allocations, were not made publicly available in time to inform pre-submission consultation on the Plan. However, all the relevant documents were made available to participants at the hearing sessions, including residents and representatives of community groups, and were the subject of thorough comment and discussion. It is most unlikely that any additional points would have been made, had the documents been available sooner. I am satisfied therefore that consultation on the Plan was not compromised by a lack of information.
11. Taking all these points into account, I find that satisfactory consultation was carried out on the Plan. The consultations met all the relevant legal requirements, including compliance with the Council's *Statement of Community Involvement*<sup>2</sup>.

## Assessment of Duty to Co-operate

12. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
13. The Council's Duty to Co-operate Topic Paper<sup>3</sup> describes the joint working and activities it has undertaken with other bodies. This includes co-operating with the other 5 local authorities in the Housing Market Area (HMA), namely Warwickshire County Council (WCC), Nuneaton and Bedworth Borough Council (NBBC), North Warwickshire Borough Council (NWBC), Rugby Borough Council (RBC), Warwick District Council (WDC) and Stratford-on-Avon District Council (SDC). This is evidenced most notably by the joint working in respect of meeting housing needs. The Coventry and Warwickshire joint Strategic Housing Market Assessment (SHMA) has been endorsed by each of the local authorities.

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<sup>2</sup> Statement of Community Involvement (July 2012) Examination Document LP15

<sup>3</sup> Duty to Cooperate Topic Paper (March 2016) Examination Document LP23

14. A Memorandum of Understanding (MoU)<sup>4</sup> on the level and distribution of housing across the HMA has also been signed by each of the local authorities apart from NBBC. This Council has committed to reviewing the extent of its land availability as part of an updated Strategic Housing Land Availability Assessment (SHLAA) and may sign the agreement at a later date. The MoU sets out the Objectively Assessed Need (OAN) for housing for each local authority within the HMA. The local authorities accept that Coventry City Council is unable to accommodate its full housing need within its own administrative boundary. As such, the MoU sets out the agreed distribution of the shortfall within Coventry to the other local authorities in the HMA. Each local authority signed up to the agreement is committed to ongoing co-operation and engagement in relation to the delivery of housing for the HMA. The MoU and joint SHLAA have been an important component of the assessment of the capacity of the City to accommodate new housing.
15. An agreed statement<sup>5</sup> between Coventry City Council and NBBC was submitted to the examination. It acknowledges that whilst NBBC has not signed the MoU this does not signify a refusal to sign permanently but rather reflects that NBBC first seek to assess their housing land capacity. This would be undertaken as part of the process of updating their development plan and would allow the testing of meeting the unmet need from Coventry through evidence which would also be supported by Sustainability Appraisal (SA)/Strategic Environmental Assessment (SEA) and public consultation. If this process demonstrated that the level of additional housing identified for delivery in NBBC cannot be met, then both parties would work jointly with the other Warwickshire authorities to review the MoU as appropriate. They both stressed an on-going commitment to working together and with neighbouring authorities to meet the development needs of the sub-region.
16. I deal below with the soundness issues in relation to identifying and meeting housing needs across the HMA. However, in terms of the duty to co-operate there is no specific requirement to have reached agreement on the distribution of housing provision across the HMA at the time of submission. It is the actions of the Council in working with other relevant authorities which is central to my consideration of the matter. The Council has participated in joint working in respect of the evidence base for assessing housing needs – both in the context of the SHMA involving all Warwickshire Councils and the updated evidence base. The Council has demonstrated a history of constructive and effective co-operation and joint working with other authorities in the HMA in relation to strategic housing and employment matters. Coordination has also taken place with the other local authorities in a wide range of matters that are described in more detail in the above-noted background paper.
17. There has been ongoing cooperation with other statutory bodies most notably Highways England, the West Midlands Integrated Transport Authority and the Environment Agency, the last named of which has resulted in the preparation of a statement of common ground in respect of the Coventry LP examination. Coventry is a member of the Coventry and Warwickshire Local Enterprise Partnership (CWLEP). The CWLEP area coincides with the HMA. It led the sub-

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<sup>4</sup> MOU relating to the planned distribution of housing: Examination Document LP10

<sup>5</sup> LP176

regional assessment of employment land availability and was active in identifying and assessing the availability of major employment sites within the sub-region. The outputs of this work have informed the Local Plan.

18. Taking these matters together and within the specific context which applies in this case, I am satisfied that the Council engaged constructively, actively and on an on-going basis in terms of overall housing provision and other strategic matters. I conclude therefore that the Council has complied with the duty to co-operate.

## **Assessment of Soundness**

### **Main Issues**

19. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings I have identified 10 main issues upon which the soundness of the Plan depends. Under these headings my report deals with the main matters of soundness rather than responding to every point raised by representors.

### **Issue 1 – Does the Local Plan appropriately identify housing needs and does it set out effective measures to meet them in accordance with national planning policy?**

#### *Objective Assessment of Housing Needs*

20. The National Planning Policy Framework (NPPF) says that Local Plans should meet the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the NPPF's policies.<sup>6</sup> The first step in the process is to identify the full, objectively assessed housing needs.
21. The joint Coventry and Warwickshire (C&W) SHMA was produced on behalf of the Council and its neighbouring authorities in 2013<sup>7</sup>. This was subsequently updated in 2014<sup>8</sup> and 2015<sup>9</sup>. The C&W joint SHMA identified the Coventry and Warwickshire area as an appropriate housing market area (HMA). The HMA is justified in the C&W joint SHMA report and supported by a national research study by the Centre for Urban and Regional Development Studies which includes parts of all of the Warwickshire authorities as within a Coventry-focussed HMA. Furthermore it is consistent with evidence underpinning the definition of the CWLEP.
22. The starting point for the assessment of housing need was based on the Department of Communities and Local Government (DCLG) household projections, in line with the Planning Practice Guidance (PPG). In 2013 these were based on the 2011-based 'interim' household projections and predicted an annual increase in households of 4,066 per annum across the HMA. The C&W joint SHMA was updated in 2014 to take account of the Sub National Population Projections (SNPP) published that year and to consider the potential

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<sup>6</sup> National Planning Policy Framework paragraph 47

<sup>7</sup> C&W Joint SHMA 2013 (LP43)

<sup>8</sup> C&W Joint SHMA 2014 Annex (LP44)

<sup>9</sup> C&W Joint SHMA 2015 Update (LP45)

implications of different levels of employment growth on the level and distribution of housing provision in the HMA. In 2015 the C&W joint SHMA was updated to take account of the 2012-based DCLG household projections.

23. Each assessment of need has consistently taken account of demographic need, economic projections, market signals (including affordability) and household formulation rates and has been the subject of sensitivity analysis. Taking into account adjustments made to support economic growth and to improve affordability, the C&W joint SHMA 2015 Update identifies a full objectively assessed need (OAN) for housing in Coventry and Warwickshire of 85,440 homes over the Local Plan period of 2011 – 2031 (4,272 homes per annum). At the local authority level Coventry's full OAN over the Plan period is identified as 42,400 or 2,120 homes per annum.
24. Upon commencement of the first Hearings of the examination, the 2014-based ONS SNPP and DCLG 2014-based household projections were published. The PPG<sup>10</sup> makes clear that housing assessments are not automatically rendered out of date every time new projections are issued. Nonetheless, the Council considered this latest available information to ensure that the local needs assessments were informed by the latest available information. The assessment<sup>11</sup> did not seek to revise the key assumptions in the C&W joint SHMA update 2015 but provided an update where the updated population and household projections potentially changed that part of the evidence base. It also considered the 2015 mid-year estimate (MYE) which was also published since the updated SHMA.
25. The findings identify an overall increase of the population of the HMA by 152,319 people over the plan period, representing an 18% increase. There is a predicted increase of approximately 18,800 people in Coventry but lower projected figures across the Warwickshire neighbouring authorities. Overall, the projected level of population growth across the HMA aligns with typical past trends when assessed over a range of trend periods, which reflects the findings of the C&W joint SHMA 2015 Update. The pattern of population growth is similar to that of the 2012-based SNPP. Whilst the projected level of international migration is higher overall, the components of population change differ across different parts of the HMA.
26. The sensitivity testing, which included a number of population projection scenarios, was based on the most up-to-date population data (the 2014-based SNPP and 2015 MYE). It also considered the likely level of population growth required to meet economic forecasts. Market signals and affordable housing were not reassessed in this latest study but I agree that the conclusions from the C&W joint SHMA 2015 Update are unlikely to have changed since September 2015. I return to this below.
27. The updated assessment identifies a very similar level of housing need across the HMA (4,237 homes per annum compared with 4,272 homes previously). Whilst there are differences for individual areas, the updated analysis does not point to any fundamental differences from the conclusions of the 2015 Update. When the more recently published data is taken into account, it is

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<sup>10</sup> Planning Practice Guidance (PPG) paragraph 016 Reference ID: 2a-016-20150227

<sup>11</sup> Coventry-Warwickshire HMA: 2014-based Subnational Population and Household Projections (August 2016) (LP231)

clear that the identified level of need across the HMA remains valid. Modifications (**MM18**, **MM19** and **MM47**) set this out clearly and are necessary to ensure that the Plan is justified and effective.

28. Alternative OAN calculations were submitted by representors<sup>12</sup> - suggesting that the OAN has been underestimated. Figures vary, with suggestions that the OAN should equate to around 5,000 dwellings per annum or higher to take account of demographic adjustments, household formation rates, market signals and economic growth.
29. The Council's assessment of overall housing need began by considering the most recent (2012-based) population and household projections published by ONS/DCLG in line with national planning policy guidance<sup>13</sup>. It then assessed key components within those projections - namely, migration trends and household formation rates. The 2015 Update also considered the 2013 and 2014 ONS mid-year population estimates. In terms of overall population growth, the analysis shows that the population growth rate in the HMA since 2000 has been broadly similar to that seen across England. The components of population change in Coventry, including migration trends have been taken into account and the analysis does not identify any conclusive evidence that would warrant making adjustments to the demographic projections. The data suggests that future growth is expected to be at a rate reflecting somewhere between short and long-term past trends.
30. Unattributable Population Change [UPC] is the term used by ONS for an unexplained difference between the MYEs that have been updated to take account of the 2011 Census, and the previous "rolled-forward" MYEs that predated the 2011 Census. For the 2011 MYEs, at the national level, UPC amounts to 103,700 - a small proportion of the total UK population. At the local level, however, UPC is distributed very unevenly with some local planning authorities experiencing "positive" and others "negative" UPC. The UPC figure for the HMA is "negative", which suggests that the components of change feeding into the SNP may have over-estimated migration and population growth or there was an error in the Census data.
31. The UPC is relatively modest when considered at the HMA level but has greater impact when considered for individual authorities, particularly Coventry. The Council thus undertook a sensitivity analysis to consider the potential impact of UPC on the projections. However, as set out in the 2015 Update, it is unclear if UPC is related to migration and could potentially be due to changes in the methods used by ONS to measure migration. As such, it is likely that any errors would be focussed on earlier periods and so a UPC adjustment for more recent data would not be appropriate. It is thus not a robust alternative to the SNPP which shows a level of population growth for the HMA which is consistent with short-term past trends. This suggests that UPC is not having a significant impact on the future projections.
32. The 2015 Update considered longer-term 10 year migration trends as part of the sensitivity testing, as an alternative to the 5-year period used in the SNPP. The sensitivity testing showed a higher level of population growth in the HMA and Coventry in particular. At HMA level the analysis showed that

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<sup>12</sup> Barton Willmore OAN Review Rep No 1049 dated 29 February 2016 (LP139)

<sup>13</sup> Planning Practice Guidance Paragraph 015: Reference ID: 2a-015-20140306

population growth could vary from 14% (if UPC was attributed) to around 22% based on a linear projection of 10 year population trends. The 2012-based SNPP lies within the middle of this range at around 17%. The evidence thus tends to support the robustness of the SNPP. Moreover, projections linked to long-term migration trends are not considered to be a reliable alternative to the SNPP.

33. The 10 year linear migration projection shows that the analysis does not take account of the impact of a changing population structure (as the SNPP does). The variable projection is more robust at HMA level but at local planning authority level it is less so, as there are likely factors in the past which have influenced the distribution of growth across the HMA. The sensitivity testing broadly confirms the levels of population growth in the SNPP as a reasonable trend-based projection. It is therefore reasonable to assume that the 2012-based SNPP is a sound basis for identifying housing need. The 2012-based DCLG Household Projections have also been considered in some detail. These appear to be robust when considering age specific household formation rates.
34. In terms of economic growth, the C&W joint SHMA 2015 Update considers the latest economic forecasts from Experian and Cambridge Econometrics. These projections have been compared with historical employment growth. There was also detailed consideration of economic growth assumptions within individual authority employment land reviews.
35. The 2015 Update sets out how there can be issues with the data that each forecasting body uses – for example, jobs can be recorded from places where employees are paid from rather than where the job is located . The comparison between the two 2013 forecasts shows a particular difference between the employment growth expected to occur between 2011-13. It is difficult to provide accurate figures over this period given issues regarding how employment is recorded and the multiple data sources which need to be considered to model employment changes. The Council's evidence thus sought to consider changes across the HMA during this timeframe based on a range of data sources.
36. As explained in the 2015 Update, accurate data for changes between 2011 and 2014 is not essential for the purposes of assessing housing need as demographic data is available up to 2014 and projections were run from 2014 onwards. Consideration was also given to local economic growth dynamics and potential, the influence of past supply/constraints on past performance and the potential influence of policy on future growth potential. Furthermore, in the most recent update, the number of dwellings has been increased to support economic growth. However, these do not impact upon the HMA-wide housing requirement as the overall need linked to economic growth is lower than the demographic need.
37. Economic growth can thus be supported through altering the spatial distribution of housing provision between the neighbouring authorities, in line with the advice in the PPG<sup>14</sup>. I consider the Council's assessment to be robust in terms of providing a demand-based assessment of economic growth

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<sup>14</sup> Planning Practice Guidance Paragraph 018 Reference ID: 2a-018-20140306

potential for the HMA and individual authorities that takes account of the structure and growth potential of the economy in different areas.

38. Market signals were considered in the 2013 SHMA and revisited in the 2015 Update. House prices, affordability and overcrowding were all taken into account. The 2013 SHMA found that market conditions have changed dramatically since 2007/8 with falling prices and improving affordability. An update to the assessment showed an improvement in market conditions over 2013/14 and associated increases in house prices. However, the SHMA identified that whilst house prices grew over the pre-recession decade, since 2007 in real terms the value of housing has fallen in all areas. Coventry is shown as the most affordable area within the HMA with an affordability ratio of 4.7 which is below national averages. House prices have fallen in real terms since 2008 and this has had a particular impact in Coventry which shows notable improvements in affordability since then.
39. Nonetheless, in the 2015 Update it was acknowledged that there had been a decline in household formation amongst the population aged 25-34. The reduction in the affordability of market housing and the economic recession over the latter part of the 2001-11 decade is likely to have contributed to a decline in household formation rates in younger people. However, the 2015 Update shows an improvement in the projected household formation rates of this age range when comparing the DCLG 2012-based projections to the 2011-based projections<sup>15</sup>. As outlined in the evidence, complex factors are at play such as real growth in disposable income, access to mortgage finance, interest rates and economic confidence which will all influence trends in household formation.
40. A scenario was thus developed whereby the headship rates for this age group were returned to levels in 2001. The same approach was taken in the recent analysis. The sensitivity analysis undertaken in 2015 indicated that an uplift of around 75 homes per annum across the HMA would support an improvement in affordability and household formation rates amongst younger households. Using the 2014-based SNPP and MYE projections, the latest update indicates that an uplift of 70 dwellings per annum is required across the HMA. I return to this below.
41. The 2013 joint SHMA identifies a high level of overcrowding in Coventry which is a reflection of the City's housing offer which is focussed more on terraced housing and flats as well as the high number of students. The Council thus seeks to combat this through delivery of a greater number of larger family homes and purpose built student accommodation through the provisions of the Plan.
42. It was suggested that the result of the EU Referendum and plans for Brexit will affect international migration to the UK and result in a reduced level of housing to be required over the Plan period. Also, that the ONS methodology for measuring migration is unreliable. However, the potential impact of Brexit on migration and future population projections is as yet unknown. National planning policy<sup>16</sup> is clear that each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about

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<sup>15</sup> C&W Joint SHMA 2015 Update (LP45) Appendix A: Figure 1

<sup>16</sup> NPPF paragraph 158

the economic, social and environmental characteristics and prospects of the area and that they should take full account of relevant market and economic signals. The Plan's housing requirement has been identified on the basis of the most up-to-date evidence and has been informed by the latest available information in line with planning policy guidance<sup>17</sup>.

43. It has been suggested that the level of housing need in Coventry has been over-estimated on account of inaccuracies in recording the number of students arriving and leaving the City. The Council looked specifically at whether student growth could have inflated the ONS 2012-based SNPP and household projections and whether out migration could have been underestimated. The evidence<sup>18</sup> suggests that student numbers have been growing in Coventry with a notable increase in foreign students over the last 10 years. However, whilst some of the flow of international migrants to the City has been to study, the evidence shows that this does not have a particular impact on overall flows and that numbers of economic migrants are likely to be higher. Whilst there is a strong level of international migration of young persons, the highest inflows are of those aged 20-24 rather than 18-19 year olds. There is significant internal out migration from Coventry of those aged between 20-35 but particularly those aged 20-22. This suggests that some students who come to Coventry to study from abroad then move to other parts of the UK.
44. There is no clear evidence of an under-recording of out-migration of international students. The assessment acknowledges that it is difficult to definitively say whether the various data feeding into the SNPP serves to over or under-estimate international out migration. However, the evidence shows that international students are not a particularly substantial component of overall international migration to the City whilst the age-specific evidence of internal out migration suggests students move to Coventry but subsequently move elsewhere within the UK. Overall, predicted future population growth in Coventry does not look to be erroneous when compared to past trends. As outlined previously it sits somewhere between short and longer term trends.
45. Overall, the updated analysis of more up-to-date information shows that there is a very similar level of housing need across the HMA, i.e. 4,237 per annum compared to 4,272 previously. On the basis of the evidence and taking account of more recent published data, I consider that there are no overriding fundamental differences from the analysis and conclusions set out in the 2015 Update. This supports the robustness of the objectively assessed identified level of need set out in the Plan.

#### *Assessing Affordable Housing Need*

46. Coventry's full OAN over the Plan period is identified as 42,400 dwellings or 2,120 homes per annum. Of this total, there is a need for 12,000 affordable homes over the Plan period (equating to 600 per annum). Whilst the full OAN is unlikely to be met within Coventry's boundary, the Plan will seek to meet the identified need for market and affordable housing in partnership with the other HMA authorities. As such, the Council is taking a pro-rata approach to the delivery of affordable homes in terms of what can be delivered within the

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<sup>17</sup> PPG Paragraph 015 Reference ID: 2a-015-20140306 & 016 Reference ID: 2a-016-20150227

<sup>18</sup> Note: Students & Housing Need in Coventry (September 2015) LP47



City. The Plan includes a requirement for 24,600 homes which equates to 58% of the OAN and a requirement for 6,960 affordable homes (348 per annum) which also equates to around 58% of the total need.

47. The PPG advises that total affordable housing need should be considered in the context of its likely delivery by market-led housing development. An increase in the Local Plan's total housing requirement should be considered where it could help to meet the need for affordable housing<sup>19</sup>. This is considered below under the section headed *Meeting Affordable Housing Need*.
48. In considering the balance between the affordable housing requirement and the supply, the assessment looked at whether levels of housing provision should be adjusted to improve affordability over the longer term. It was found that the deterioration in affordability of market housing over 2001 to 2011 is likely to have influenced a decline in household formation rates in younger people.
49. The link between the affordable housing need and the overall need for housing is complex. The affordable housing needs model includes needs arising from households who require a different size or tenure of accommodation, but whom by moving would not result in a net need for additional housing as they would release an existing property. Additional needs could arise only from concealed or homeless households. The impact of addressing those needs would be to increase household formation rates, particularly amongst younger households. The 2012-based Household Projections already assume increased household formation amongst younger households – and thus “build in” some improvements to affordability.
50. A sensitivity analysis was undertaken exploring a scenario whereby affordability and access to housing for younger households improves. As outlined previously, the analysis sought to quantify the implications of returning the household formation rates of the 25-34 age group back to 2001 levels (before the rate began to decrease) by 2031. Whilst there are complex factors at play and it is difficult to predict how these might influence household formation rates amongst younger households, as outlined above, the sensitivity analysis indicates that an uplift of around 75 homes per annum across the HMA would support an improvement in affordability and household formation rates. This level of uplift would be modest but would not be expected to generate any significant growth as it would be specifically targeted at improving household formation rates of 25-34 year olds within the existing population who may otherwise be living with parents or in temporary or shared accommodation.
51. The more up-to-date information indicates that an uplift of 70 dwellings per annum (or 2%) is required across the HMA. The 2014-based Household Projections already build in some improvements to the household formation rates of the 25-34 population in some areas and hence the 2% is an increase from an already uplifted position and thus results in an overall uplift of 4%. This uplift has been included within the Plan's affordable housing requirement.

### Meeting the Objectively Assessed Housing Needs

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<sup>19</sup> PPG, 2a-029-20140306

### *Meeting the Overall Need for Housing – Capacity within Coventry*

52. The Plan seeks to provide at least 24,600 new homes over the Plan period. The Council acknowledges that the Plan will not, on its own, deliver the full OAN for market and affordable housing in Coventry. In seeking to meet the OAN for housing, the Council's 'Strategic Housing Land Availability Assessment' (SHLAA), based on data for 2014/15 and published in January 2016<sup>20</sup>, identifies capacity for around 25,000 homes. Subsequent to this, the Council has updated the figures to present the latest position as of 1 April 2016. This is shown in **MM46** and **MM48** and brings the total housing land supply to around 25,372 dwellings. This is comprised as follows - adding completions since 2011 (5,550) to sites with planning permission (5,900) and sites under construction (945) gives a total of 12,395 homes. Added to this, the SHLAA identifies sites capable of accommodating 3,058 dwellings.
53. The SHLAA used the joint methodology that was prepared by the 6 neighbouring authorities comprising the HMA. The process involved a robust assessment of 503 sites which were analysed for their suitability and deliverability. Some of these sites were discounted and some were incorporated into LP and City Centre Area Action Plan site allocations. The remaining 113 sites have been identified as deliverable or developable residential or mixed use opportunities. They comprise approximately 67 ha of gross developable land and are anticipated to provide 3,058 dwellings. I am satisfied that the SHLAA methodology is sound, and that the position, as updated, provides an accurate account of the sites that are either deliverable within five years or developable in later years, in accordance with the NPPF.
54. The remaining components of the housing supply comprise LP site allocations (8,920 dwellings), City Centre Area Action Plan allocations (649 dwellings) and a small site windfall allowance of approximately 350 dwellings. The figure is based on sites comprising less than 5 dwellings. It is considered important to consider such a supply given the approach in the SHLAA to maximise supply within Coventry's administrative area and to reflect local circumstances which shows a continued contribution of housing completions on smaller sites of less than 5 dwellings. The calculation of the allowance excludes the development of residential gardens. Overall, I am satisfied that the windfall allowance is based on sound evidence and is realistic and achievable. Thus the figure of just over 25,000 dwellings represents a sound assessment of the overall housing land supply over the period of the Plan.

### *Meeting the Overall Need for Housing – Addressing the Shortfall*

55. The identified housing land supply will clearly not meet the OAN for 42,400 dwellings. As referred to elsewhere in my report, the available evidence, most notably the Council's SHLAA process, indicates that the allocation of additional sites would not be achievable given the City's tight administrative boundaries and lack of developable options during the Plan period. In devising its strategy, the Council considered a range of options as set out in the SA/SEA Final Report<sup>21</sup> including the impacts of attempting to deliver all of its growth

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<sup>20</sup> Examination Document LP53

<sup>21</sup> Sustainability Appraisal/Strategic Environmental Assessment Report (January 2016): Examination Document LP8

within its own administrative boundaries. These options were discussed with the neighbouring HMA authorities.

56. Meeting all of the growth within Coventry would remove the Meriden Gap as far as it relates to Coventry's boundary and erode sensitive landscapes and areas of historic significance as well as potentially leading to a high degree of uncontrolled growth and urban sprawl. There would be significant infrastructure investment implications associated with meeting the total level of growth anticipated – not least to overcome significant constraints associated with flooding and environmental designations such as SSSIs, LNRs and ancient woodlands.
57. Other options to increase the supply of housing were considered via the SHLAA process including identifying additional sites, increasing density on allocated and SHLAA sites and increasing the windfall allowance. Additional sites were discounted for a number of reasons, including those outlined above. The Council's review of density across Coventry since 1991<sup>22</sup> has helped to inform density assumptions made in terms of site capacity through the SHLAA process. Increasing density assumptions would reduce the opportunity to diversify the housing stock, particularly increasing the number of larger, family homes which are required. Furthermore, the windfall allowance is based on realistic assumptions about viability and delivery. To place a higher reliance on this source would reduce certainty – particularly in respect of infrastructure planning.
58. Policies DS1 and H1 make provision for 24,600 homes but Policy DS2 and the reasoned justification says that the Council will work with its neighbouring authorities within its HMA to support delivery of the development needs that originate from the City. In the case of Coventry, it is anticipated that the full OAN will be met and positively planned for in partnership with the 5 neighbouring authorities within the HMA. This is set out in the Plan and the Coventry and Warwickshire Housing Requirements MOU<sup>23</sup>.
59. The MOU sets out the level and proposed distribution of housing within each local authority area across the HMA. This was based on the SHMA which is supported by a shared evidence base designed to ensure that the anticipated scale of housing growth would be distributed appropriately across the HMA. It is founded on realistic assumptions about the availability, suitability and viability of land to meet that need in accordance with the NPPF<sup>24</sup>. Some representors have suggested that the agreed level and apportionment of the housing for each of the HMA authorities should be included within the Plan. However, I do not consider it necessary and it would be beyond my remit, in examining this Plan. That would be a matter for the examinations of the plans for those particular areas.
60. The MOU was signed by all authorities apart from NBBC who, at that time, were continuing to review the extent of its land availability with a view to potentially signing it at a later date. It is acknowledged within the MOU that NBBC's review of housing land will determine the need for any subsequent amendment to it. This is clear evidence of effective co-operation between

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<sup>22</sup> Assessing Density Trends in Coventry (December 2015): Examination document LP50

<sup>23</sup> Examination Document LP10

<sup>24</sup> NPPF paragraph 159

LPAs with the aim of meeting the housing needs of Coventry and the HMA as a whole. The housing provision in NBBC and the other HMA authorities will be monitored and any necessary Plan review will be undertaken if the necessary development isn't delivered as anticipated.

61. There is a clear expectation that LPAs will co-operate in allocating land to meet a shortfall in a neighbouring area. Policy DS1 of the LP sets out the full scale of the OAN for housing and makes clear that Coventry must continue to work with neighbouring LPAs through the Duty to Co-operate to ensure that appropriate provision is made elsewhere within the HMA. In respect of the implications for this examination, the MOU includes a figure of 14,060 dwellings to be delivered in NBBC. This figure includes the untested OAN for NBBC plus additional dwellings to help meet Coventry's shortfall. The housing figure in NBBC's draft plan is between 12,370 and 13,374 homes, depending on whether the 1,004 house difference is an allowance for contingency within the supply<sup>25</sup>.
62. The difference between the NBBC draft plan housing figures and the MOU figure is relatively small when considered in the context of the wider HMA. It may be possible to make up this shortfall if more dwellings were delivered across the HMA as a whole. To this end, Coventry City Council points to sub-regional monitoring which suggests that the supply of housing (over 90,000 homes) is slightly above the identified need in the HMA (88,160 between 2011 and 2031)<sup>26</sup>. This is based on assumptions at this stage that Plans will be adopted as proposed without further changes to site allocations or capacities. The statement of common ground<sup>27</sup> between Coventry CC and NBBC submitted to the examination says that joint work will be ongoing to produce an agreed schedule of amendments to NBBC's draft plan to reflect any additional capacity that may be identified within the Borough. Adoption of Coventry's LP will provide certainty in respect of the scale of the shortfall and the requirement for it to be met elsewhere in the Coventry and Warwickshire HMA.
63. Amendments to Policy DS1 (**MM18**) and its supporting text (**MM20, MM25, MM27** and **MM28**) express the housing requirement for Coventry as a minimum in line with Policy H2 and introduce a mechanism to review the Plan and address any shortfall in the event that the wider housing and employment needs of the HMA are not being met. The Council will monitor housing delivery in the City and in other LPA areas across the HMA to ensure it meets the shortfall. This mechanism would ensure that provision is made for Coventry's needs over the Plan period. Should sufficient housing not be brought forward within Coventry or the wider HMA there is a policy requirement for a full or partial review of the Plan to be undertaken. These proposed modifications are necessary to ensure that the LP is effective.

#### *Meeting the Affordable Housing Need*

64. As outlined above, there is an identified need for 12,000 additional affordable homes in Coventry between 2011- 2031. The Council has taken a pro-rata approach to identifying the level of affordable housing it will seek to deliver within its administrative boundary. Coventry's identified capacity figure of

<sup>25</sup> Coventry City Council response to NBBC draft plan – Examination Document MM19

<sup>26</sup> Coventry City Council response to NBBC draft plan – Examination Document MM19

<sup>27</sup> Statement of Common Ground regarding CCC Proposed LP Modifications – MM24

24,600 homes equates to 58% of total need within the HMA. On a pro-rata basis this would equate to 6,960 affordable homes (348 per annum). This approach is supported by the neighbouring authorities within the HMA, and the majority of them have agreed to include higher proportions of affordable housing within their respective policies in order to maximise the potential to meet the needs of the HMA. LP Policy DS2 sets out a clear commitment to work jointly with the neighbouring authorities to deliver the wider affordable housing need.

65. Policy H6 seeks 25% of all dwellings to be affordable on new residential schemes of 25 dwellings or more or over 1 ha in size. The Affordable Housing Economic Viability Assessments (AHEVA)<sup>28</sup> made an appropriate allowance for S106 contributions and potential future Community Infrastructure Levy (CIL) contributions. It analysed a range of different types and size of development and assessed existing use values, factoring build standards and infrastructure contributions into a residual value appraisal model. An assessment of brownfield sites included an allowance for site preparation as well as a contingency margin. On the basis of the evidence, I consider that the proposed policy requirement for affordable housing is reasonable and is based on credible and robust evidence.
66. Policy H6 includes the flexibility to negotiate on a site by site basis. Proposed modification **MM63** to include specific reference to viability in the policy wording would ensure that this is clear. The AHEVA was updated and monitored to ensure that the evidence base underpinning it remains robust<sup>29</sup>. There is evidence to show that since 2012 both build costs and property values have grown in the region of 20% whilst land values have remained broadly stable. There are also clear signs of an improving housing market and development viability. In addition, quarterly data on new build price changes published by DCLG reflect the conclusions reached in the updated AHEVA note.
67. The Council did assess whether reducing the threshold to, for example, 20 dwellings would make an impact. However, based on the SHLAA sites as well as one of the allocations, it was found that the uplift in delivery of affordable homes would be minimal (it would supply approximately 64 additional dwellings equating to 5% of the identified 1,500 affordable homes needed).
68. Registered housing providers operate in the interests of scale preferring to manage a higher number of properties on one site rather than a smaller number of properties on several sites. This is due to the cost benefits associated with the marketing and management of a higher number of properties. The site threshold of 25 dwellings would thus prove more cost effective for registered providers. The Council concluded that on balance this minimal contribution may potentially have a far greater impact on development viability and result in a reduced amount of homes delivered over the Plan period.
69. Furthermore, the affordable housing requirement proposed via Policy H6 is similar to that required under current policy provisions. The Council can demonstrate that affordable homes are being delivered under current policy

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<sup>28</sup> Affordable Housing Economic Viability Assessment October 2012 (LP39)

<sup>29</sup> Affordable Housing Economic Viability Assessment Note May 2016 (LP131)

and point to evidence which shows that since 2012 there have been only 3 instances whereby the requirement was reduced for development where there were exceptional on-site costs which reduced the viability of providing affordable housing contributions. There is therefore a very good prospect that the affordable housing requirement for 6,960 dwellings within Coventry will be met over the Plan period.

70. The need for 12,000 additional affordable homes in Coventry over the Plan period represents approximately 28% of total housing growth. Given the capacity constraints in Coventry, the housing requirement cannot be raised to help meet more of the need for affordable housing, as suggested in the PPG. The Council acknowledges that it will have to undertake regular reviews of affordable housing delivery within the City and the wider HMA. **MM151**<sup>30</sup> amends the Plan's monitoring indicators accordingly.

#### *The Housing Trajectory and the Five-Year Housing Land Supply*

71. Policy H1, as submitted, set out a phased approach to the delivery of housing proposing to deliver 1,020 homes per annum in the first 5 years of the Plan period and 1,300 homes per annum thereafter. The Council produced an updated housing trajectory to reflect the small site windfall figure before the start of the hearings (Examination Document **MOD.2**). I consider this to be necessary to ensure that the Plan reflects the most up-to-date position and for housing delivery to be monitored effectively. The trajectory is broadly consistent with evidence from the SHLAA about the rate at which residential sites would come forward for development.
72. Policy H1 refers to the housing land requirement being phased to allow for the necessary step change to be managed in a sustainable way. It is acknowledged that this step change reflects the increase in deliverable land options which would be facilitated by adoption of the Plan. However, given that the identified housing need exceeds the proposed target, and that there is an immediate need for housing, a phased approach to the release of development land would not be justified. Furthermore, it would not be warranted on the basis of the longer lead-in time associated with bringing forward the strategic sites.
73. The annual provision rates in Policy H1 are not maximum figures and higher rates of provision would be permissible. It would thus be more accurate to describe this phasing as a stepped trajectory. **MM49** and **MM51** amend the policy wording and supporting text accordingly. The projected delivery of the housing land supply set out in Policy H1 would reflect the Council's updated housing trajectory.
74. The updated trajectory, together with Policy H1, as proposed to be modified as outlined above, will facilitate the quickest possible rate of housing delivery to help meet as much of the OAN as possible within Coventry's administrative area. It will thus be consistent with the NPPF's goal of boosting significantly the supply of housing. Proposed changes to the supporting text of Policy H1 would set out that the proportion of development of brownfield sites would be monitored with a view to encouraging brownfield development, though it

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<sup>30</sup> Examination Document MOD.10

would be made clear that such monitoring data would not constitute a reason for refusing greenfield development (**MM53**).

75. The SHLAA identifies the housing supply for the next 5 year period against the equivalent housing requirement. This sets out both the 'Liverpool' and 'Sedgefield' approaches to 5 year supply monitoring. It has also considered the need for a buffer in line with the NPPF<sup>31</sup>. The SHLAA assessed a 5% and 20% buffer as well as the impact of a "phased" approach (better described as a stepped trajectory) as set out in Policy H1. It also assessed the 5 year housing supply assuming an "un-phased" (i.e. not stepped) approach.
76. Over the first 5 years of the Plan period, 2011 – 2015, the updated trajectory broadly reflects the amount of housing that has been completed. It is then predicted that there would be a step up in the annual rate, from 1,020 to around 1,300 up to 2031. This is to reflect improving housing market conditions and a predicted uplift in anticipated completions following adoption of the Plan and removal of the Green Belt policy constraint to development of the SUEs. An alternative method would have been to show the trajectory as a flat annual average of the overall housing requirement across the whole plan period. However, to adopt this approach would mean applying a retrospective requirement for the years 2011-2015 which would not accurately reflect the rate of delivery. Furthermore, the stepped trajectory reflects the actual pattern of need which is predicted to increase more rapidly after 2021.
77. The SHLAA demonstrates that a 5 year supply of housing will be available upon adoption of the Plan. It has taken into account previous completion rates against requirements. No allowance has been made for the release of land from the Green Belt within the first 5 years of the Plan. Turning first to the assessment of the "phased" approach (or stepped trajectory, as proposed), under the Liverpool assessment there would be a 6.05 years' supply and a 6.07 years' supply under the Sedgefield approach. The "un-phased" approach would see a 5.85 years' supply under the Liverpool assessment or 5.40 years' supply under the Sedgefield approach. Each of the scenarios can demonstrate that the supply is sufficient with either a 5% or 20% buffer apart from the "un-phased" requirement which would be just short of a 20% buffer.
78. The Council should set out clearly in the Plan on what basis the 5 year housing land supply is calculated including whether it adopts the Liverpool or Sedgefield approach and whether it can demonstrate that an appropriate buffer can be achieved, whether that be 5% or 20%. It is proposed, via **MM52**, to set this out in the supporting text to Policy H1. As I explained at the hearing, this would be necessary in the interests of clarity and to effectively monitor the 5 year housing land supply on an ongoing basis. The supplementary housing paper<sup>32</sup> sets out an assessment of past delivery rates against a range of adopted and draft housing requirements from 1991 and 2015. Performance has been strong when measured against adopted plans' performance though weaker when assessed against draft requirements such as the Regional Spatial Strategy or older versions of the Core Strategy.

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<sup>31</sup> NPPF paragraph 47

<sup>32</sup> Supplementary Housing Paper (2015): Examination document LP51

However, this has coincided with an increase in the City's housing needs and an economic recession.

79. Nonetheless, the Council has continued to maintain a 5 year land supply of housing throughout this time. The evidence shows that the delivery of new homes is increasing year on year in Coventry<sup>33</sup>. There has been a step change in housing delivery since 2011 and a falling trend in demolitions since 2009. The trajectory shows that for the 4 years from 2011/12 to 2014/15 a total of 4,114 dwellings have been delivered which would be in line with the 1,020 units per annum anticipated. It is assumed that 1,527 units would be delivered during 2015/16. However, the up-to-date position shows that since 2011, 5,550 dwellings (equating to an average of 1,110 dwellings per annum) have been completed, as of 1 April 2016 (**MM48** and **MM148**). This suggests that there is no shortfall in required housing delivery since the start of the plan period, when assessed against the stepped trajectory. Some minor changes are proposed which reflect updated site capacity figures taking into consideration permissions and phasing to-date but these do not fundamentally alter the numbers (**MM55**).
80. The Council suggest that the Sedgefield method would be an appropriate basis by which to assess the 5 year housing land supply. The Sedgefield method is normally used whereby the shortfall of delivery in the first 5 years of the Plan would be recovered within the first 5 years after adoption of the Plan. When assessed against the stepped trajectory the evidence suggests that there would not be a shortfall in the first five years. However when assessed against an annualised requirement (1,640 dwellings per annum) there would be a shortfall of approximately 2,650 dwellings.
81. The delivery of 1,300 homes per annum as proposed under the stepped trajectory would make up this shortfall within the first 5 years of the adopted Plan. This approach would also be justified on the basis that housing delivery is dependent upon some large urban extensions that will require some lead-in time to ensure that critical infrastructure is in place in a timely manner. Furthermore, the anticipated lead-in and delivery rates for these large sites are supported by evidence from developers. Accordingly, I agree that the Sedgefield approach would be an appropriate basis upon which to assess the 5 year housing land supply.
82. The Council considers that a 5% buffer is required. I agree that this would be appropriate, on the basis that there has not been a record of persistent under-delivery of housing in Coventry. **MM52** is thus necessary to make clear the basis upon which the 5 year housing land supply is calculated.

#### *Specific Policy Requirements for New Housing*

83. Policies H3 and H4 set out requirements for new housing and Policy H8 relates to proposals for care homes and older persons' accommodation. A number of modifications are necessary to ensure that they are effective and consistent with national policy. Policy H3 requires that proposals for new housing should comply with a number of criteria, including that it should be located within prescribed distances from a list of public services and facilities including medical services, schools and bus-stops. The Housing Supplementary Paper

<sup>33</sup> Coventry City Council Examination Statement to Hearing Session 2: Housing Need



<sup>34</sup>highlights that the majority of Coventry is already well served by those services listed in Policy H3. The policy seeks to ensure that any gaps in provision created by new development would be addressed through appropriate contributions from developers.

84. It was not the Council's intention that the wording of the policy would be overly prescriptive and criterion 7 (as submitted) says that contributions may be sought to address any deficiencies. However, to ensure that the policy is sufficiently clear and flexible, the Council seeks to change the wording by adding "wherever possible" to the requirement that "new development should be" within prescribed distances from the listed facilities and services (**MM57**). The supporting text would also be changed via **MM59 – MM61**. These changes would specify that transport and infrastructure must be considered from the outset. Also, that new homes should comply with access standards in terms of being within 400m to a bus stop. The changes would also refer to the need to facilitate improved bus connections where appropriate, to ensure that all sites have easy access to public transport and walking and cycling routes but that site specific circumstances would be considered on a case-by-case basis. The changes would also clarify that developer contributions would be sought where appropriate and where it would not have an unacceptable impact on scheme viability.
85. Policy H4 seeks to secure an appropriate mix of housing in accordance with the latest SHMA but acknowledges and lists circumstances whereby it might not be appropriate. Local planning authorities have the option to set additional technical requirements exceeding the minimum standards including an optional space standard. However, the PPG advises that they will need to gather evidence to determine whether there is a need for additional standards and justify setting appropriate policies in their local plans<sup>35</sup>. To avoid inference that the Council would seek to influence the size of new dwellings through this policy and to aid clarity, I consider that the proposed modification to remove reference to house sizes (**MM62**) is necessary.
86. Furthermore, I consider that the Plan's provisions for inclusive design and accessible environments are consistent with the NPPF. In reaching this conclusion, I have had due regard to the equality impacts of the Plan in accordance with the Public Sector Equality Duty (PSED).
87. The supporting text to Policy H8 says that at least 10% of new homes within the SUEs at Keresley and Eastern Green should be provided to support extra care provision. However, there is no detailed evidence to justify this requirement and for this reason the Council says that it has not sought to embed the provision within the policy wording itself. This is something that would be better considered at the master planning stage and **MM67** would make this clear. The supporting text also refers to 'Lifetime homes standards'. However, as these standards no longer apply, it is proposed to remove this reference through **MM68**. I consider that these modifications to

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<sup>34</sup> Supplementary Housing Paper (2015): Examination document LP51

<sup>35</sup> Planning Policy Guidance Paragraph: 002 Reference ID: 56-002-20160519

Policy H8 would be necessary for the policy to be effective and consistent with national policy guidance<sup>36</sup>.

88. Proposed changes to the supporting text of Policy H10 would update the number of purpose built student accommodation bed spaces currently benefitting from extant permission (**MM69**). This would provide additional clarity in terms of the most up-to-date data. The inclusion of an additional criterion in Policy H11 is necessary to set out clearly that proposals for homes in multiple occupation would not be permitted where the amenity and living standards of future occupants would be materially harmed (**MM70**).

### *Conclusion on Issue 1*

89. To conclude on Issue 1, I find that, subject to the necessary main modifications recommended in the interests of soundness, the Plan appropriately identifies housing needs and sets out effective measures to meet them in accordance with national policy. In reaching this conclusion, and in my conclusion on Issues 2 and 5, and in all other matters, I have had due regard to the equality impacts of the Plan in accordance with the Public Sector Equality Duty (PSED).

### **Issue 2 – Does the Local Plan make adequate and appropriate provision to meet the accommodation needs of gypsies, travellers and travelling show people?**

90. The Planning Policy for Traveller Sites (August 2015) (PPTS) places requirements on Local Plans in respect of this matter. A robust evidence base should be prepared, including early and effective community engagement with both settled and traveller communities (PPTS policy A). Pitch targets should be set and a supply of sites identified (PPTS policy B).
91. The Council undertook a Gypsy and Traveller Accommodation Assessment (GTAA) in 2014. No substantive criticisms were raised in respect of either the methodology of the study or its conclusions. I have no reason to take a different view. The assessment identified two permanent sites in Coventry. The Council-owned site in Siskin Drive has only 4 pitches and these are occupied as the site is in need of refurbishment. The private owned site at Burbages Lane has all its 14 pitches occupied. The assessment identified a need for 34 permanent pitches over the next 5 years, though 5 of these related to the assumed needs of existing families currently living in bricks and mortar accommodation as well as assumptions linked to the Census data.
92. The Council maintains, having regard to the guidance in PPTS<sup>37</sup>, that the 5 households identified as living in bricks and mortar accommodation have abandoned a nomadic way of life in favour of residing within traditional accommodation as opposed to mobile homes. In view of the available evidence and on the balance of probabilities I share this view. This would mean that there is an identified need for 29 pitches.
93. It is intended that 16 pitches will be provided at the Council-owned site once it is refurbished. These 16 pitches added to the 14 in private ownership would

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<sup>36</sup> Planning Policy Guidance Paragraph: 001 Reference ID: 56-002-20150327

<sup>37</sup> Planning Policy for Traveller Sites (August 2015) Annex 1

provide a total of 30 permanent pitches. In terms of the longer term need, the assessment identified a requirement for 6 additional pitches to 2031. However, criteria-based Policy H7 would facilitate the delivery of new windfall sites for permanent pitches over the Plan period. This would also enable any needs arising from those families who have ceased to travel, but would still require caravan pitches, to be met. This will be kept under review by the Council. Changes proposed to the supporting text of Policy H7 via **MM66** would provide further clarity to the Council's approach to the land supply for Gypsy and Traveller sites.

94. In addition to permanent pitches the assessment identified a need for 6 temporary or transit pitches. There has been an increase of illegal encampments over the last two years with over 70% of all occurrences taking place in this time. The evidence thus suggests that the need for transit accommodation is infrequent, and may reflect a short term trend rather than a longer term requirement.
95. It may be possible for the Council to respond to short term transit requirements through the use of temporary stopping places as the monitoring of illegal encampments suggests such sites would only be required for a short time. Longer term, the Council will monitor whether the recent trend for more frequent illegal encampments continues. Should a formal transit site be required, the Council intends to manage this via Policy H7 which would allow for such sites to come forward and through its 'Supporting Housing Delivery Development Planning Document'.
96. The Council will also consider whether there is a need for a targeted review of the Plan in accordance with Policy DS1 and the Monitoring Framework (as proposed to be amended). This is reflected in revised wording of the supporting text to Policy H7 (**MM65**). These changes are necessary in order for the Plan to be effective, justified and consistent with national policy.

### *Conclusion on Issue 2*

97. For these reasons, and subject to the changes recommended, I conclude that the Local Plan provides satisfactorily for the needs of Gypsies and Travellers, consistent with national policy.

### **Issue 3 – Whether the distribution of development within Coventry City Council is sufficiently justified and consistent with the local evidence base and national planning policy?**

98. The SA<sup>38</sup> considered what would be an appropriate level of growth for Coventry as well as the strategic approaches to delivering planned growth over the Plan period. The Coventry and Warwickshire neighbouring authorities also undertook a joint informal SA<sup>39</sup> to consider the spatial and functional relationship between Coventry and its neighbours. It also assessed strategic options in relation to the distribution of development to meet the unmet need outside of Coventry's boundary. However, in terms of a more detailed assessment of the proposed distribution within each administrative area, it

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<sup>38</sup> Sustainability Appraisal/Strategic Environmental Assessment Report (January 2016): Examination Document LP8

<sup>39</sup> MOU Appendix – Examination Document LP10

was agreed that it would be the responsibility of individual authorities through their own SA/SEA and plan making processes. Each local planning authority has a legal obligation to undertake a SA of the effects of their own plans and projects.

99. The SA of Coventry's LP considered all relevant and reasonable alternatives and pursued the most appropriate approach to delivering its strategic development needs. The appraisal of all reasonable alternative growth projections were also considered as part of the SA process. Initial analysis through the SHLAA pointed to approximately 17,000 new homes being capable of being delivered in the existing urban area, representing 80% on brownfield land. However, changes to Green Belt boundaries would be required to accommodate homes to meet Coventry's housing need. As outlined earlier in this report, it was identified that it would not be possible to provide all the required housing in Coventry without there being significant and unacceptable impacts on historic landscapes and the natural environment. It was shown that a proportion of development would need to be provided in the wider Warwickshire HMA area. Also, options to meet the development needs of Coventry more sustainably may exist adjacent to the City's boundary.
100. I am satisfied that the broad approach of seeking land to meet the growth needs of Coventry in the form of urban extensions to the existing built-up area is justified. Given that the built-up area is so tightly constrained, the decision to assess potential sites in neighbouring local authority areas – as well as within the City – is also justified. A robust assessment of suitable sites within Coventry has been carried out through the SHLAA process. A significant number of sites have been allocated for development within Coventry although, as set out above, these are not sufficient to meet Coventry's overall housing requirement.
101. For these reasons, the approach that has been taken fully accords with the spirit and intentions of the Duty to Co-operate, as described at the start of this report. Paragraph 179 of the Framework states that local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans. It adds that joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of this Framework. The broad approach of the Plan towards meeting the growth needs of Coventry accords with national policy in this regard.
102. The preferred approach was directly informed by the joint SHMA, the Coventry SHLAA and was fully tested by the SA/SEA process. The Habitat Regulations Assessment (HRA)<sup>40</sup> concluded that neither the Local Plan nor the AAP were considered to have any likely significant effects on any European Sites alone or in combination with their plans or projects. The proposed approach represents a sound basis to deliver Coventry's development needs. The spatial strategy strikes the appropriate balance between the 3 aspects of

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<sup>40</sup> Habitat Regulations Assessment: Examination Document LP76

sustainable development as set out in the NPPF<sup>41</sup>. It focuses on continued urban regeneration and the sustainable growth of the City into greenfield and Green Belt locations. I deal with the issue of Green Belt elsewhere in my report. However, it is clear from the evidence that reasonable alternatives were considered and that the preferred strategy is the most sustainable.

103. The SHMA was the starting point for considerations relating to the apportionment of housing to be delivered in each authority across the HMA. Ongoing collaboration through the DtC group and Coventry and Warwickshire Joint Committee ensured that the full housing needs of the HMA were assessed. In addition, realistic assumptions about the availability, suitability and viability of land to meet that need were established, in accordance with the NPPF<sup>42</sup>.
104. To this end, the Council shared its housing land supply data with its neighbouring authorities, including the assessment matrix and density assumptions. It also collaborated with neighbouring authorities to agree its SHLAA procedure. In undertaking the assessments of sites through the SHLAA process the Council completely re-assessed sites in 2015 to take account of the Joint Coventry and Warwickshire SHLAA methodology<sup>43</sup>. The methodology drew on a range of evidence about the Green Belt, ecology, the historic and natural environment, biodiversity, infrastructure and flood risk. This process ensured that strategic issues regarding the level and distribution of housing growth was supported by a shared and sound evidence base. It also ensured that decisions taken in respect of the suitability and viability of sites for development was supported by a rational process and were robust and justified.

### *Conclusion on Issue 3*

105. For these reasons, I conclude that the Local Plan's proposed distribution of development is adequately justified, that the decision to accommodate some of the growth needs of Coventry within the wider HMA is appropriate and that the methodology of selecting sites, is robust and transparent.

**Issue 4 – Does the Local Plan comply with national planning policy in its approach to the Green Belt? Are the allocations of Green Belt land including land for Sustainable Urban Extensions (SUEs) at Keresley and Eastern Green justified and deliverable? Are the allocated sites appropriate and deliverable? Should additional Green Belt or other allocations be made? Are the detailed requirements for the allocations clear and justified?**

### *National Planning Policy and the LP Approach to Green Belt*

106. Policy GB1 sets out the approach to Green Belt land including areas that would be removed from the Green Belt to accommodate development. NPPF paragraph 83 says that alterations to Green Belt boundaries should only be made in exceptional circumstances. The Plan sets out why it is considered that exceptional circumstances exist to justify the release of land from the

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<sup>41</sup> NPPF paragraphs 7 and 14

<sup>42</sup> NPPF paragraphs 159 and 160

<sup>43</sup> SHLAA Joint Method Statement (May 2015) Examination Document: LP52

Green Belt. As outlined above, the evidence shows that significant growth is anticipated for the area. The City's tight administrative boundaries together with the shortage of available land and diminishing opportunities to develop brownfield sites means that there is a lack of reasonable and appropriate alternatives. There is a need to diversify the housing stock and to meet identified needs for market and affordable housing. Furthermore, there is a need to provide employment land to support planned economic growth.

107. Alternative approaches were considered including increasing density of development on brownfield land and locating development beyond the Green Belt outside of Coventry. However, increasing densities would not provide sufficient capacity to deliver the required housing at the accelerated pace required nor provide adequate opportunities to diversify the housing supply. The Coventry and Warwickshire Housing Requirements MOU highlights the importance of locating development either adjacent to the City's boundary or along key transport corridors to facilitate accessibility to the City. Seeking to deliver the growth beyond the Green Belt would lead to development located in areas detached from Coventry and increase unsustainable patterns of commuting. It would also have implications in terms of being able to meet the HMA's housing needs, in particular affordable housing.
108. Unless some of the Green Belt is released, a substantial level of new dwellings - amounting to nearly one third of the planned supply - would not be delivered. The scale of potentially unmet need in the City is exceptional. The selective release of parcels of Green Belt to provide in the region of an additional 7,000 dwellings would make a very substantial contribution towards meeting the shortfall. However, even with the release of the Green Belt and greenfield sites the Plan will leave a shortfall of nearly 18,000 dwellings that will need to be met elsewhere in the wider HMA. The DtC requires neighbouring authorities in the HMA to help meet the shortfall, in line with the MOU. It also requires that Coventry City Council should seek to maximise housing land provision within its own administrative boundary to meet the identified need. The release of Green Belt sites is necessary to do this. I deal with the issue of Green Belt release below. However, the Plan refers to factors that amount to "very special" circumstances. However, it should refer to "exceptional circumstances" (**MM89**) in order to be consistent with the wording of the NPPF.
109. Several representations were made in respect of the Inspector's report on the Core Strategy 2009 in respect of his findings on the proposed release of Green Belt land. I have considered the Inspector's conclusions on the soundness of allocation of land within the Green Belt in the Core Strategy. However, I find that the circumstances of the Plan before me for examination are very different. The evidence shows that an unprecedented level of growth is required – Coventry is the second fastest growing City in England outside of London<sup>44</sup>. As outlined above, this growth cannot all be accommodated within Coventry's administrative boundary which has necessitated a review of Green Belt land as part of the commitment to maximising the amount of development that can be accommodated elsewhere as part of the Duty to Cooperate.

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<sup>44</sup> C&W Joint SHMA 2015 Update (LP45)

110. I have considered the suggestion that the greenfield sites should be released later in the plan period, and only released once the brownfield sites have been developed. Whilst the reuse of previously-developed land is encouraged in the NPPF, such an approach would run contrary to the overwhelming evidence of shortage of other land in the city to provide for the levels of housing and employment development that are necessary. As already referred to elsewhere in this report in respect of phasing, given the significant lead-time required for building on these strategic sites, it would also jeopardise the contribution they are required to make towards meeting needs during the Plan period. As such, I do not consider that this would be a sound approach.
111. A number of reviews of the Green Belt have been undertaken, the most recent of which was undertaken in 2015<sup>45</sup>. This was a comprehensive assessment of the 5 purposes of Green Belt as set out in the NPPF<sup>46</sup> which covered the entire Green Belt of Coventry and Warwickshire. As part of the overall assessment, the Council undertook a Green Belt Matrix Assessment<sup>47</sup> which comprised a number of studies to consider potential environmental effects together with historic environment and infrastructure implications. The SA/SEA was an integral part of that process. The Coventry and Warwickshire Green Belt study assessed each parcel of Green Belt land against the purposes of Green Belts as set out in the NPPF and applied scoring criteria as part of the jointly agreed methodology with the adjoining authorities in the HMA.
112. In response to concerns raised by participants at the examination hearing, the Council engaged LUC – who undertook the 2015 Joint Green Belt Review – to jointly clarify a few matters. In their statements LUC<sup>48</sup>, together with the Council<sup>49</sup>, confirmed that the parcel of Green Belt at Eastern Green (parcel c25), along with all the other parcels, had been measured from the edge of the urban area through the centre or edge of the parcel. In no circumstances had measurements been taken from the centre of the parcel. Also, whilst parcel c25 is in multiple land ownership, it had been measured consistently with how other parcels were measured. The Council confirmed that in fact, the vast majority of parcels are in multiple ownership, with only 3 of the 28 parcels in single ownership.
113. In respect of whether the assessment of historic character for parcel c25 has failed to consider the listed building at the Windmill Hotel, the Council point out that the Joint Green Belt Review makes no reference to listed buildings having an influence on Green Belt policy or the assessment process. As LUC have confirmed, historic towns were considered in the assessment. However, whilst many settlements have historic elements, one of the Green Belt purposes set out in the NPPF aims to 'preserve the setting and special character of historic towns'. It is thus only relevant to settlements of a certain size i.e. towns. In particular, towns that retain a historic character connected to surrounding landscape elements. I consider that this is a sound approach to the assessment.

*Are the detailed requirements for the allocations clear and justified?*

<sup>45</sup> Coventry and Warwickshire Green Belt Review 2015: Examination Document LP70

<sup>46</sup> NPPF paragraph 80

<sup>47</sup> Coventry Green Belt Matrix Assessment January 2015: Examination Document LP77

<sup>48</sup> LUC Green Belt Review Update Note (October 2016): Examination Document LP251a

<sup>49</sup> CCC response to Action Point 8.2: Examination Document LP251

114. The Council and developers of the Eastern Green and Keresley SUEs produced 'Statements of Common Ground' for the examination which set out proposed uses of the sites and broad agreement of capacity and in some cases general infrastructure requirements. It was agreed during the examination that including these details in the Plan itself, rather than in the supporting documentation would provide a greater level of clarity in respect of informing infrastructure and master planning requirements of each of the strategic sites and more certainty that they would be delivered as planned. These overarching frameworks would establish Masterplan principles and design concepts that would inform more detailed subsequent planning applications. As such, a new key policy for each of the strategic sites is proposed to be included in the Plan.
115. The Masterplan general principles for each of the large strategic sites and for major development would be set out in new Policy DS4 (Part A) (**MM31**). Specific Master Plan principles for the Whitley employment hub and Keresley and Eastern Green SUEs would be set out in new Policy DS4 (Part B to Part D). In addition, the reasoned justification would set out how the new policies would provide an overarching framework setting out requirements relating to land use, densities, community facilities, transport, infrastructure, open spaces and phasing. This approach would retain a degree of flexibility as more details would be provided in future master plans. However, sufficient detail would be provided at the strategic stage to assist in bringing forward the sites.
116. The new policy would support the longer term delivery of the strategic allocations through identifying necessary infrastructure required for each phase of development and the likely timing of delivery (**MM16**). This would be achieved through a cross-reference to the IDP which would be regularly updated and linked to the Plan's monitoring framework. These changes are considered necessary to ensure that sufficient policy detail is embedded within the Plan to enable all relevant factors which will influence the delivery of the strategic sites to be taken into consideration and to improve the Plan's clarity and certainty.
117. All major development proposals will be required to demonstrate that they would not have an unacceptable impact on health and wellbeing. The Council is preparing a Health Impact Assessment (HIA) Supplementary Planning Document (SPD). Proposed changes to the supporting text of Policy HW1 are necessary to clarify that the SPD will build upon the health impacts toolkit being developed by Birmingham City Council and is expected to be rolled out across neighbouring authorities within the HMA (**MM32** and **MM33**). Policy HW1 relates to major development proposals, and as such, further changes are also necessary in respect of the thresholds above which, HIAs would be required (**MM34**). This is to ensure that the requirements of the policy would not be overly onerous in respect of development required to deliver the Plan's proposed objectives. The Plan makes clear that HIA can be undertaken as part of the wider SA/SEA or as stand-alone assessments. Also, that the extent of assessment undertaken will depend upon the scale and type of development proposed and will be considered on a case by case basis.

*Impact of Planned Road Infrastructure on the Green Belt*



118. It is anticipated that the proposed distributor road at Keresley would be entirely within the SUE and thus would not have any further impact on the Green Belt. The proposed grade separated junction at the A45 would require a small area of land north of the A45 to be developed. Removal of land from the Green Belt to accommodate it was considered but it lacked clear defensible boundaries. The utilisation of an at grade junction was also considered but was discounted on account of the likely impact it would have on traffic flows, noise and air quality. A grade separated junction was thought to be the most sustainable arrangement.
119. Appropriate planting would assist to assimilate the road into its surroundings and limit any impact on openness. Such details would be subject to a subsequent application in any event. Furthermore, the NPPF<sup>50</sup> identifies local transport infrastructure which can demonstrate a requirement for a Green Belt location to be "not inappropriate in a Green Belt". Given the importance of enabling appropriate access to the SUE the Council considers the completion of a grade separated junction to be local transport infrastructure which would demonstrate an essential requirement for a Green Belt location. Other items of infrastructure which would require a Green Belt location are set out in proposed changes to the Plan (**MM56**).
120. The issue of whether these items of infrastructure should be included in the Policies Map was considered at the hearing. However, I agree with the Council that at this stage the intended route is unknown and any identification on the Policies Map could only be indicative. Instead the broad principles would be included in the new policies DS4 and the IDP which would be further developed at the master planning stage.

#### *The Green Belt Policy Approach*

121. Policy GB1 relates to Green Belt and local green space, with the proposed changes to those boundaries identified on the Policies Map. Some changes are proposed via **MM92** to ensure that the policy is consistent with national planning policy. A cross-reference to the NPPF is also necessary (**MM93**). A new criterion within the policy (**MM90**) will also make clear that the erection of small ancillary buildings and structures would be permissible in areas designated as Local Green Spaces (LGS). **MM91** removes reference to "local urban green space" from Policy GB1 and is necessary for consistency and clarity. Changes to the supporting text of Policy GB1 would also be necessary to clarify how development in areas designated as LGS would be considered against local policies and national planning policy (**MM94**).
122. The Plan seeks to re-define some areas defined as Green Wedges as LGS. This was supported by the recommendations and conclusions of the Joint Green Belt Review. In redefining these areas the Council agrees with the study in that they no longer reflect the purposes of Green Belt, particularly in relation to the separation of settlements or the managed growth of urban areas. Where they still remain relevant is in relation to their recreational, ecological and biodiversity value and in providing a valuable local amenity. The proposed amendments to GB1 and its supporting text would help to

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<sup>50</sup> NPPF paragraph 90

protect these areas by restricting development to that which supports the sites' purposes as green space.

123. The NPPF<sup>51</sup> does not recommend LGS designations for large tracts of land such as Green Wedges. Whilst the proposed LGS designation along the Sowe Valley may be seen as large, it is not extensive or unrelated to local communities<sup>52</sup>. PPG<sup>53</sup> reflects the NPPF in respect of large tracts of land not being designated as LGS but also says that there are no hard or fast rules about how big LGS can be. Development in these locations would effectively be limited to infill or controlled growth thus reducing the likelihood of urban sprawl. Furthermore, in defining the areas of LGS the Council has sought to minimise any harm to the remainder of the Green Belt.

#### *Reserved or Safeguarded Land in the Green Belt*

124. The submitted Plan sought to reserve land in the Green Belt that was separated by two administrative boundaries – namely, Coventry City Council and Warwick District Council. The Council sought to support any approved allocation by Warwick District Council in that area and to avoid creating Green Belt 'islands' in Coventry. However, the status of 'reserved' land is unclear as it is not set out in national planning policy. It is also uncertain how such land would come forward within the Plan period if necessary, other than through a Plan review. As such, to provide clarity **MM95** amends Policy GB2 to refer to this land as 'safeguarded' rather than 'reserved' and clarifies that safeguarded land would be considered as part of any subsequent Plan review if the development proposals in Warwick District Council come forward during the Plan period (**MM96** and **MM97**). I consider these changes to be necessary in order to be consistent with national planning policy and for the effective delivery of the Plan.

#### Keresley SUE Allocation

125. It is proposed that the allocation will include development of approximately 3,100 dwellings of which 25% will be affordable housing. In addition, two new primary schools, a secondary school, a local health facility, two new local centres as well as green and blue infrastructure. The Council assessed a number of constraints as part of the SA/SEA process which led to the selection of the area proposed for the SUE. A summary of these is provided in the Council's statement for Hearing Session 8<sup>54</sup>. The Green Belt Matrix Assessment<sup>55</sup> includes an assessment of all of the Green Belt parcels. The Development of this site would clearly represent some reduction in openness. However, key views and features would be protected and given the immediate context of existing development, the reduction in openness would not be significant. It would not have a significant effect on the purposes of including land in the Green Belt in this case.
126. One of the key aspects of delivery of the site will be the proposed link road. This piece of infrastructure will be necessary to support the distribution of

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<sup>51</sup> NPPF paragraph 77

<sup>52</sup> CCC Hearing Statement to Hearing Session 8 (LP205)

<sup>53</sup> Paragraph:015 Reference ID: 37-015-20140306

<sup>54</sup> CCC Hearing Statement to Hearing Session 8 (LP205)

<sup>55</sup> Examination Document LP77

traffic around the site and wider area. The Council will work with Highways England and the County Council to consider medium-longer term enhancements to the M6 junction 3 and the strategic route that connects the M6 to the north and the A45 to the west.

127. The new link road would be included as part of this wider strategic connectivity. The Council is also exploring options for the growth of Pro Logis Park which would help justify connectivity of the link road. However, this remains part of ongoing discussions with N&BBC as it is outside Coventry's administrative boundary. Longer term, the Council anticipates wider strategic improvements to the M6 to be supported by devolution deal funding and other sources of finance. This is anticipated to come on stream between 2021 and 2026 to assist completion of the link road which would support the subsequent delivery of later phases of the SUE. Proposed changes to Policy H2:1 (**MM54**) would refer to the need for appropriate junction improvements together with the protection of Jubilee Woodland and the need for appropriate screening to the existing residential areas.
128. Transport assessments were undertaken including traffic counts against the multi-modal Coventry Area Strategic Model (CASM) developed by Coventry CC and Highways England. The model was calibrated using a 2013 baseline and modelled various scenarios up to 2031 with a number of committed and planned highway measures in place. Account was taken of new development within and potentially adjacent to the City boundary. Highway modelling scenarios were run on a 'worst-case' basis with no adjustments made for demand management, peak spreading, increased public transport patronage or walking and cycling. From the Keresley SUE site 3,100 houses would generate 1,680 vehicular trips in the AM peak. The model shows that traffic would disperse fairly evenly when leaving the site in the morning peak hour. Similarly, there would be no unacceptable impacts resulting from planned development during the PM peak hours.
129. During the examination the CASM was updated<sup>56</sup> to take account of different scenarios with a forecasting year of 2034. In addition to the LP development scenarios, an assessment was also undertaken to ascertain the impact on the highway network for various stages of the Keresley development, without the Keresley link road. The model shows that as the number of houses increases, without the link road, there would be an increase in traffic but that these increases would be less than 5% and could be accommodated on the highway network.
130. With the link road in place, there would be journey time improvements but more traffic on some connecting roads. However, these could be accommodated without any unacceptable impacts on traffic congestion. The link road would also reduce traffic volumes on Tamworth Road and Sandpits Lane. The monitoring framework (as amended via **MM151**<sup>57</sup>) would monitor progress of delivery of the new link road prior to full completion of the SUE as well as completion of the new A45 junction. Development progress would be monitored and occupation linked to relevant triggers within the monitoring framework.

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<sup>56</sup> Transport Modelling Update (December 2016): Examination Document LP259

<sup>57</sup> Examination Document MOD.10

131. Whilst the assumptions and projections represent a snap shot in time and will require delivery of supporting infrastructure, I am satisfied that the proposed SUE could be delivered without unacceptable impacts on the highway network. Policy AC3 would ensure that each phase of development is supported by appropriate and timely travel planning and assessment at the planning application stage.
132. I have already considered the spatial strategy and the need to deliver sufficient housing to meet the Plan's requirements. I have also concluded that changes to the Green Belt boundaries are required to meet the identified need for growth. These factors, along with limited opportunities outside of the Green Belt elsewhere in the City amount to exceptional circumstances which justify altering the boundaries of the Green Belt in order to allocate the Keresley SUE. The proposed allocation is justified, effective and consistent with national policy.

### Eastern Green SUE Allocation

133. It is proposed to develop approximately 2,250 dwellings including 25% affordable houses, 15 ha of employment land, a new local health facility, a primary school and a new Major District Centre together with blue and green infrastructure at the Eastern Green SUE. The Council acknowledge that one of the key challenges of delivering this site will be securing appropriate site access. The master planning work to-date has explored the options of pedestrian and public transport connections to the existing local highway network. In addition a new junction to the A45 would resolve existing access issues. This would need to be delivered up front to support access to the site. As outlined above, the Council are considering the exact details of this junction including a grade separated junction – upon which the strategic transport modelling has been based. The new Policy DS4 will set out specific master planning principles for the site including the need to make appropriate provisions for new transport infrastructure and highway improvements to support comprehensive delivery of the site.
134. Policy H2:2 as submitted, requires that the 15ha of employment land is brought forward in advance of the residential development. Whilst the Council is concerned that the employment element of the mixed-use site would not come forward until after development of the residential element, as currently worded, the policy implies that there would be an inflexible phasing approach imposed on the site. This may hinder the ability to deliver the site and to ensure that there is a timely delivery of new homes, including much needed affordable homes. As such, the wording of the policy needs to be changed to clarify that the employment land should be developed in tandem with the residential element (**MM54**). Other changes to Policy H2:2 proposed by **MM54** would refer to the necessary junction improvements and to screening to manage the transition of land use into the wider Green Belt.
135. The Meriden Gap is not formally designated but refers to the area of land separating Coventry from the wider urban edge of Greater Birmingham (starting at Solihull). The village of Meriden is broadly located at the centre of that 'gap' along with a number of other villages. The Council has considered the relationship between Coventry and each of these locations, including the spatial relationship and the distance between them and proposed development

within the Plan. This has also been considered through the DtC with Solihull BC as the majority of the gap and villages within it lie within its administrative boundary. The gap between Coventry and Solihull extends approximately 5 miles at its narrowest point and when the proposed development at Eastern Green is considered, this gap does not reduce. This area of development has been supported in principle by Solihull BC which has promoted development around the HS2 station proposed in this area. This development would reduce the gap by approximately 1 mile.

136. The Council's Green Belt reviews identify the possible reduction of the gap and the impact on its wider setting. However, in relation to the Eastern Green development, the Green Belt assessment conducted in 2007 identified the southern part of the site as having potential for development. The study conducted in 2015 also scored the area lower in recognition of the urbanising features towards the north east of the site around the golf course and hotel. There is also the Meriden Business Park along the northern edge of the A45 and Land Rover dealership which provide an urban frontage in this area.
137. The gap between Coventry and Meriden would not be reduced by development at Eastern Green. The Council is working with Solihull BC to ensure that a strategic gap between Coventry and Solihull will be retained through the ongoing DtC work. Furthermore, I agree with the Council that when travelling to and from Coventry and Meriden along the A45, the village is not visible from the road or from the western edge of Coventry.
138. The gap between Coventry and Hampton in Arden would remain unchanged by the proposed allocation. In relation to the proposed development at Cromwell Lane the impact would not be significant given its location beyond Balsall Common and Berkeswell. The development would be approximately 4.4 miles from the settlement. I have considered the Inspector's comments in relation to the Meriden Gap for the CS (2009) examination. However, there has been a significant change in circumstances given the level of growth now identified for Coventry. Furthermore, there are fewer opportunities for development given that some of the alternative sites identified for the CS (2009) have now been developed. In any case, the direction of growth planned for the SUE would not reduce the physical or visual separation between the western edge of Coventry and Meriden. Pickford Green would be kept separate through a green buffer zone defining the north western extent of the development. As outlined above, changes to Policy H2:2 would set out this requirement clearly. Development of the SUE would not have a significant effect on the purposes of including land in the Green Belt.
139. The Eastern Green SUE would not have a significant impact on the local highway network in terms of delay or average speed. Local roads would see an increase in traffic as a result of the development but would have the capacity to accommodate it. Journey times on roads close to the development are anticipated to increase by up to 42 seconds on a journey of over 8 minutes which equates to a 9% increase. I consider this later in my report.
140. For the above reasons, there are exceptional circumstances which justify altering the Green Belt in this case. The proposed site allocation at Eastern Green is justified, effective and consistent with national policy.

Are the Local Plan's policies and proposals for other allocated sites in the Green Belt justified and deliverable?

141. The Walsgrave Hill Farm site would be developed for housing within the Green Belt adjacent to the existing built up area of Eastern Coventry. It is proposed to retain significant areas of green infrastructure to support the required drainage and flood risk mitigation in the area. Highways England propose a new grade separated junction along the A46 which would support a new spine road through the site allowing an appropriate access as well as supporting cross boundary development in Rugby BC. Proposed changes to Policy H2:3 would include reference to this as well as necessary drainage and flood risk infrastructure (**MM54**).
142. The site at Browns Lane would provide approximately 475 houses. Part of the site adjoins an employment site – Lyons Park - but it is surrounded on other sides by residential development. The Council has considered the site's relationship with the Coundon Wedge and found that extending the allocation to the highway would allow for better access and not impact on it. I find no reason to disagree and appropriate green infrastructure and landscaping could enable the development to be screened from the highway. **MM54** would reinforce the importance of retaining important trees and hedgerows as well as the need to focus the primary access at Coundon Wedge Drive.
143. The allocation at Sutton Stop would provide approximately 285 dwellings as well as a marina and 1.5 ha of employment land. One half of the site benefits from extant planning permission. Development of the rest of the site would provide an opportunity for highway improvements to support the allocation and help alleviate existing highway pressures in the area. It would also offer opportunities to link with the canal towpath network incorporating rights of way and promoting active travel. The Joint Green Belt review describes the area as sitting between Coventry and Bedworth. However, the parcel of Green Belt land does not play a separating role between the two settlements as the two have effectively merged by the development to the west.
144. The site at Cromwell Lane comprises 4 parcels and would provide approximately 240 dwellings. The importance of providing a clear boundary and buffer to the wider Green Belt is set out in Policy H2:8. **MM54** makes reference to ensuring there would be defensible boundaries to listed buildings within and adjacent to the site through appropriate screening including to existing residential areas. **MM54** would also include reference to the need for junction improvements. The site is located on the edge of the Coventry urban area. The recent redevelopment of the former sports centre reflects a western expansion of the City's urban area in this direction. However, the proposed allocation would not intrude further west than the existing urban area. The site would make a substantial contribution to the supply of housing land. Development would not have a significant effect on the purposes of including land in the Green Belt. As set out above, there are exceptional circumstances which justify altering the boundaries of the Green Belt.
145. The gap between Coventry and Balsall Common and Berkswell was also considered as part of the Joint Green Belt Review in 2015. The distance between the narrowest point between the east of Balsall Common and the western edge of Cromwell Lane is approximately 1.4 miles which would reduce

to 1.3 miles should the allocation be developed out to the City boundary (which is not proposed but presents a worst case scenario). The allocation would thus not have any significant impact on the openness or separation between Coventry and Balsall Common. The Green Belt assessment of 2009 considered this site as the least constrained parcel and although concerns were raised at the CS examination, there are some notable differences from that scheme to the one now proposed, with particular regard to the proposed woodland planting, reduced density and extent of the proposed allocation which would have less of an impact on the wider Green Belt in this location. Solihull BC has not raised any concerns in this regard through the DtC joint work. Proposed green infrastructure to the western edge of the site would assist with screening the development from the wider Green Belt.

146. The Council acknowledge that concerns were raised by residents in respect of securing an appropriate access and traffic congestion. Initial highway modelling has not identified any significant concerns. The CASM predicted that the volume of trips associated with the development would be low, representing under 7% of traffic on the local highway network. The development would slightly increase traffic on Cromwell Lane but would not have a significant impact on delay or average speed. Journey times near the development would remain very similar with only a few seconds increase whilst increases in junction delay would be less than 20 seconds.
147. Nonetheless, the Council are exploring how to manage more detailed access and junction improvement options in advance of any planning application in partnership with Warwickshire County Council and the transport arm of the West Midlands Combined Authority. It is also considering how to alleviate parking and highway pressures that exist due to the Tile Hill railway station park and ride facility including increasing the number of parking spaces and expanding the residents' parking permit scheme. The Council consider that there are no insurmountable barriers to development of the site and I see no reason to disagree.
148. The London Road/Allard Way site would provide approximately 200 dwellings within the existing urban area of Coventry between the residential areas of Whitley and Willenhall and is well served by public transport as well as being near to key services and facilities. The two locally listed structures on the site would need to be retained and incorporated into the site and this is set out clearly in Policy H2:9 (**MM54**)<sup>58</sup>.
149. In light of the above, and my wider conclusions in relation to the significant growth anticipated in the area, the City's tight administrative boundaries together with the shortage of suitable, available land there are exceptional circumstances to justify alterations to the Green Belt boundary in order to allocate these sites, and the others identified in the Plan, for development. The proposed allocations are justified, effective and consistent with national policy.

#### Other Site Allocations

150. The allocation at Whitmore Park would comprise of residential and employment development. Part of the site has already been developed with

<sup>58</sup> Examination Document MOD.3

106 dwellings completed, 47 under construction and 76 with extant planning permission. The remainder of the site is subject to ongoing pre-application discussions between the developer and the Council.

151. The development of Paragon Park would offer opportunities to develop and regenerate a former employment site for approximately 700 houses and to link these new homes to employment within the surrounding area. The allocation has an extant planning permission which includes an initial masterplan layout.

Should other Green Belt or greenfield allocations be made?

152. There is no compelling evidence before me that development needs during the Plan period or beyond it would justify allocating other Green Belt sites for development. The evidence supports the soundness of the allocations proposed in the Green Belt and the Council's decision not to allocate any other Green Belt sites in the Plan.

*Conclusion on Issue 4*

153. For the above reasons I conclude that, subject to the MMs that are necessary for soundness, the Plan complies with national planning policy in its approach to the Green Belt; that the allocations of Green Belt land, including the SUEs at Eastern Green and at Keresley, would not have a significant effect on the purposes of including land in the Green Belt, either alone or in combination with the other allocations of land in the Green Belt and are justified and deliverable; and that no other Green Belt or greenfield allocations are necessary. Furthermore, the allocated sites are appropriate and deliverable and the detailed requirements for their delivery are clear and justified.

**Issue 5 – Does the Local Plan provide the infrastructure necessary to support the delivery of development?**

154. The Plan sets out how the Council will work in partnership with neighbouring local authorities, Local Enterprise Partnerships, the West Midlands Combined Authority (WMCA) and others to deliver the necessary infrastructure to support growth. Policy H2 and new Policy DS4 (Part A to Part D) identify key infrastructure requirements for the SUEs and larger strategic sites. In addition, the IDP sets out the infrastructure required as well as details of costs, timing and funding options. This will be kept up to date in order to inform the master planning process and/or decision making.
155. **MM146** and **MM150** clarify that the IDP will be managed to reflect strategic cross-boundary infrastructure that will be delivered outside Coventry but will support the growth of the City as part of the DtC collaborative work. In addition, **MM147** would add clarity by setting out that category 1 'Essential Infrastructure' identified in the IDP and/or the Regulation 123 list would be the focus of developer contributions in order to support delivery of the Plan's growth. This would help to set out the Plan's priorities for contributions linked to delivery of the Plan strategy. In tandem with these changes, proposed changes to the IDP would identify category 1 infrastructure that would be necessary to enable development to proceed.



156. **MM145** and **MM149** change Policy IM1 and its supporting text to set out the most up-to-date position in respect of the Devolution Deal as part of the WMCA. Also, to set out that the IDP will be linked to the Monitoring Framework as an integral part of the evidence base to determining the need to review the Plan in accordance with Policy DS1.

### *Transport Infrastructure*

157. The IDP identifies major highway infrastructure, including that required for delivery of the SUEs, as the highest priority for delivery. All known transport infrastructure to support the SUEs has been identified in the IDP, including an update regarding the Eastern Green and Keresley SUEs and some updated information around initial timescales for delivery, priority and costs<sup>59</sup>. **MM31** and **MM119** ensure that highway infrastructure to support improved access to Whitley Business Park is identified as key to delivery of the Plan's objectives.
158. As outlined above, the CASM considered the impacts of proposed development in the Plan across the City having regard to localised pressure points and infrastructure options. During the examination, this work was developed further with specific regard to the Eastern Green and Keresley SUEs to define the quantum of development that could take place before the identified road infrastructure became essential<sup>60</sup>. This was undertaken to inform the timing or phasing of such infrastructure. In addition, Policy AC3 sets out the need for Travel Assessments and Travel Plans. However, in recognition that assessments for the SUEs would require more detailed modelling of each site to determine the demand for new trips, the impact on existing networks and any required mitigation, the Council updated the CASM in order to define in greater detail the infrastructure required and the timing of its delivery. This information has also informed the update to the IDP, Policy H2 and the new proposed policies DS4 (Part A to Part D) on master planning principles.
159. The CASM estimates that planned LP growth will lead to an 18% increase in the number of trips made by all modes by 2034. Proposed developments on the outskirts of Coventry would predominantly use the car whilst development close to the City centre would lead to a greater proportion of trips being made by public transport, walking and cycling. It is anticipated that a higher proportion of new residents would travel out of Coventry to work in the future. This is due to there being a reduction in the number of jobs compared to workers, thus drawing workers to jobs outside the local authority area.
160. The CASM shows that the increase in traffic associated with the LP growth would lead to an increase in the distance travelled by car and delay experienced by car journeys across Coventry. Also, some of the spare capacity in the local highway network would be filled, particularly around the key development sites, the A45 and A46. This would result in up to a 37% increase in highway network delay for vehicles equating to up to 34 seconds and a reduction in average speed of 3KPH over the City as a whole. Junctions that would experience the most increase in delays would be on key routes in and around Coventry, particularly the A45 and around the M6. However, to

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<sup>59</sup> Examination Document LP134

<sup>60</sup> Transport Modelling Update Report December 2016: Examination Document LP259

put this into perspective, only 3 junctions in the AM peak and 4 junctions in the PM peak would experience increased delays of over 1 minute 20 seconds. The CASM has assessed junctions to identify where pressures may occur in future. These would be further assessed when planning applications come forward to investigate the most appropriate mitigation, including delivery of any necessary infrastructure to ensure that the highway network continues to operate effectively.

161. The CASM did not include details of HS2 as the Council are currently awaiting traffic management plans and other information. The CASM takes account of known factors but in the absence of specific details in respect of the precise route alignment, HS2 could not be factored into the CASM at this stage. However, once these details are known the CASM can be updated. In the meantime, the situation will be monitored and any necessary infrastructure provision or mitigation could be facilitated through travel assessments and the monitoring framework. Any adjustments could be made to the Plan if necessary via a plan review. Proposed changes to the Plan via **MM118** and **MM121** would set out the most up-to-date position in the Plan, following the latest CASM work.
162. Whilst the Plan is clear about the need for new development sites to be well linked to existing networks, the Council agreed during the hearings that the Plan is not sufficiently clear in some cases, about the specific need to extend routes to serve the SUEs. Proposed changes to Policy AC3 and the supporting text would address this (**MM123**). The West Midlands Strategic Transport Plan sets out the overarching transport strategy for the area and the Plan's policies have regard to it. In particular, policies that support strategic connectivity such as rail, HS2 and rapid transit. However, **MM115** and **MM117** clearly identify this link as well as confirming the Plan's vision of a metropolitan tier with a metropolitan rail and rapid transit network and cycle network. The master plans would also provide opportunities to provide connectivity both within the sites and externally to neighbouring areas. They would be designed to maximise the use of public transport, including the provision of new and extension of existing services as well as walking and cycling.
163. The Plan's proposals for a rapid transit network align with the West Midland Strategic Transport Plan. There is ongoing work to refine the routes and phasing linked to the Devolution Deal as part of the new WMCA. Integration of the rapid transit network with new development would be considered through the master planning process which would help to inform the precise route alignments. As part of its joint working, the Council is working with Transport for the West Midlands (TfWM) - the transport arm of the WMCA - to ensure that development proposed in the Plan would be taken into account when planning future public transport and network requirements. **MM44** and **MM122** would set out how the Council is working with TfWM.
164. Provision for integrating the rapid transit route within the Eastern Green SUE would be made in the proposed new Policy DS4 (Part D). The policies in the Plan (as proposed to be amended) would provide an overarching framework with sufficient detail at this stage to guide more detailed master planning for the transport infrastructure required for the strategic sites and for links to surrounding areas. Amendments to the Plan are necessary to make reference

to Rapid Transit and bus as a means of transportation (**MM14**) whilst **MM15** would ensure that explicit reference to the provision of a high quality public transport network which integrates with walking and cycling routes is made within the Vision and Strategy objectives of the Plan.

165. Changes to Policy AC5 and the supporting text are required to emphasise this partnership approach and clarify how the Plan would support delivery of the Strategic Transport Plan's objectives, particularly in relation to providing quality bus services to new developments and how it would comply with the TfWM access standards (**MM114** and **MM125 to MM128**). Furthermore, whilst Policies AC1 and AC4 require new development proposals to incorporate new cycle routes and ensure that they are well linked to the existing cycle network, **MM116** and **MM124** would explain the role of the West Midlands Cycle Charter and include reference to the need for cycle parking at new sites and along the wider public transport network at transport interchanges and stations, such as Pool Meadow Bus Station, as appropriate.
166. In addition, **MM58** modifies Policy H3 to add a new criterion to say sustainable transport and supporting infrastructure in new housing schemes should be considered from the outset to improve access to public transport, cycling and walking. Changes to Policy DE1 regarding design would ensure that the integration of through routes for public transport and the incorporation of bus priority measures where appropriate would be considered for all development proposals (**MM106**). This would also be reflected in changes to Policy JE7 (**MM45**). These changes are considered necessary to ensure that the Plan is effective.

#### *Modal Shift*

167. The Council acknowledge that the Plan target for a 10% modal shift from single occupancy car use to more sustainable forms of travel will be challenging. However, it is considered to be realistic based on the anticipated level of investment in infrastructure as well as evidence of changing travel habits such as an increase in home working, walking and use of public transport. The NPPF aims to extend transport choice, reduce congestion and encourage the use of sustainable modes of transport. It expects this to be achieved through improving accessibility, promoting walking, cycling and use of public transport, promoting a mix of uses for larger scale developments to encourage shorter journey lengths for employment, education, shopping and leisure as well as improving traffic management and infrastructure<sup>61</sup>.
168. Whilst it would be unrealistic to expect traffic to flow unimpeded at peak times or to attempt to build sufficient road capacity to accommodate and prioritise the convenience of car users, the CASM assessed the impact of new development on the highway network on a worst case scenario based on current travel behaviour without the 10% modal shift target. The model showed that increases in traffic could generally be mitigated without it.
169. It is intended to measure progress in achieving the modal split via the monitoring framework (**MM151**<sup>62</sup>). The monitoring framework would include indicators to measure impacts and mitigation measures of approved TAs and

<sup>61</sup> NPPF paragraphs 29 to 32 and 34 to 38

<sup>62</sup> Examination Document MOD.10

an assessment of the provision of transportation infrastructure. This would be used to update the IDP as well as inform investment priorities through S106/CIL. It would also inform updates to the CASM in order to identify any necessary remedial actions including review of the Plan where necessary. Updated information in the IDP would identify all development projected to come forward together with information on the infrastructure requirements. This would ensure that there is a benchmark for monitoring delivery of infrastructure which would be linked to the monitoring framework to provide additional clarity and ensure that the necessary infrastructure is delivered at the appropriate stage.

170. This approach would provide the Council with a delivery and funding implementation timetable which would inform the master planning process as well as ensure the funding is in place to enable the relevant infrastructure to be provided at the appropriate stage. Furthermore, it would provide a basis for the Council to monitor progress by setting out a programme and key progression points for the critical infrastructure and to identify what action would be taken if the delivery of infrastructure fails to progress as expected.

171. **MM12** emphasises the need to balance the needs of public transport, cycling and walking in the key issues and opportunities table.

#### *Air Quality*

172. The whole of Coventry is designated as an Air Quality Management Area (AQMA). The Plan acknowledges that emissions from road transport are the major source of pollution in the area, with emissions from industry also having a negative impact on air quality. The Plan sets out how the Council is working together with its West Midlands neighbours – as a partner of the Low Emissions Towns and Cities programme – to reduce emissions from road transport.

173. Changes to the supporting text of Policy EM6 would clarify that the West Midlands Metropolitan Transport Emissions Framework (WMMTEF) and its associated policies set out transport's role in tackling air quality issues (**MM138**). In addition, changes to Policy EM6 would make clear that major development proposals should be in accordance with the WMMTEF and associated policies (**MM138**). These changes are necessary to ensure that the policy is effective. Policy EM6 'Air Quality' would change to Policy EM7 as a result of a new policy EM6 'Redevelopment of Previously Development Land' being included in the Plan (referred to in more detail below).

174. The AQMA would be monitored and an indicator would be included in the monitoring framework via **MM151**<sup>63</sup> to monitor background and peak levels of air quality to seek an improvement with a view to removing parts of the City from the AQMA status. In addition, the provision of new air quality monitoring stations is identified in the IDP as necessary new infrastructure.

#### *Conclusion on Issue 5*

175. The Council has undertaken a thorough and robust assessment of the transport implications of development in the Plan and is satisfied that the

<sup>63</sup> Examination Document MOD.10

effects of the strategic sites and allocations on traffic and transport can be adequately mitigated. The Plan will provide effectively for delivery of development, including any necessary supporting infrastructure. There would be sufficient scope to review transport, infrastructure and mitigation measures as the development of the strategic sites progress to ensure that the transport network is accessible and opportunities are taken to improve connectivity.

### **Issue 6 – Does the Local Plan make adequate and appropriate provisions to meet employment development needs?**

176. Coventry's economic base has shifted from a predominance of manufacturing over recent decades. Today the majority of jobs are in healthcare and education. These trends have meant changing needs in terms of employment land and premises. The growth in employment and diversification is predicted to continue throughout the Plan period. The Council's employment land review<sup>64</sup> has considered recent take up rates based on annualised averages and actual completions. It has also had regard to projected employment growth, market signals and the City's relationship to employment land on its boundary. It recommends that there is a gross employment land requirement of around 215 ha over the Plan period, which includes a 58 ha 5 year supply margin. In terms of the Coventry and Warwickshire LEP area, the recent employment land use study conducted for the wider area recommends that between 500 and 660 ha of employment land is required up to 2031.
177. Approximately 64 ha of employment land in Coventry is identified in the SHLAA as potentially suitable for housing, whilst since the start of the Plan period around 90 ha of employment land has been granted planning permission or developed for employment uses. Thus when considering employment growth needs as a whole, adding this additional 154 ha to the 215 ha identified, the City's employment land requirement is 369 ha. There is thus an identified shortfall. This is planned to be provided within Coventry and also in Warwickshire but adjacent to the City boundary - principally at Ansty Park, Ryton Park and Coventry Gateway which are being actively promoted by neighbouring Councils. The proposed redistribution has been agreed as part of the Coventry and Warwickshire Employment Land MOU<sup>65</sup>. **MM22** would set out the land supply position and agreed redistribution across the sub-region more clearly.
178. Coventry's employment land supply is approximately 146.5 ha within or immediately adjacent to the City boundary. However, if recent completions are taken into account this figure falls to approximately 101 ha. With signs of strong growth in the demand for new employment land around Coventry and Warwickshire, the Council's evidence base points to the need to boost supply in the medium to longer term. Immediate supply within the area is identified as being sufficient but longer term supply is flagged as being problematic due to a reliance on a number of large sites and constraints imposed by Green Belt policy. As such, the Council seeks to allocate additional land for employment development within the Green Belt as well as supporting its Warwickshire

<sup>64</sup> G L Hearn Employment Land Review 2015: Examination Document LP30

<sup>65</sup> Coventry & Warwickshire Employment Land MOU: Examination Document LP209

neighbours' intentions to allocate additional sites adjacent to the City boundary within the wider Green Belt.

179. Policy JE2 sets out the provision of employment land and premises for the Plan period including a rolling land supply of 58 ha. Proposed main modifications to the policy and its reasoned justification – including the table which provides a breakdown of the components of employment land supply – are necessary in the interests of clarity (**MM39** to **MM43**). The proposed employment land provisions set out in Policy JE2 (as proposed to be amended) would meet identified needs throughout the Plan period. This includes quality office space, start up premises, grow-on space for planned expansions as well as land supply for B2 and B8 Use Class development.
180. In order to ensure that the Plan refers to the strongest employment growth sectors **MM35** and **MM36** amend the supporting text of Policy JE1. This is necessary to ensure that the Plan reflects the latest position in the evidence base as the sectors listed in the submitted Plan reflect an earlier draft of the employment study. In addition, **MM38** refers to the importance of supporting the two Universities. Proposed changes to the Vision and Strategy objectives of the Plan would ensure that reference is made to support for the Universities and their importance as engines for research, innovation and culture in the City (**MM13**). These changes would ensure that the Plan is effective by making explicit reference to the recognition of the role the Universities have as drivers of job creation and the LP and AAP's roles in supporting and facilitating their continued growth and expansion.
181. Ongoing monitoring of the delivery of employment land and premises within and adjacent to Coventry will be monitored on an annual basis through the Council's AMR process as well as forming part of the sub-regional monitoring programme to support the employment land MOU and delivery of the CWLEP's Strategic Economic Plan. Furthermore, changes to Policy DS1 (**MM27**) would ensure that a failure to provide the necessary employment land would result in a need to review the policy and identify additional sites to ensure that adequate land was available to support the identified economic growth.
182. The evidence suggests that the supply of employment land would be aligned to economic and labour market forecasts and takes into account Coventry's population projections, economic activity, unemployment rates and commuting patterns. The Plan provides for an appropriate geographical correlation between the distribution of employment and housing. Overall, it would provide for an appropriate level of growth in the context of the wider C&W LEP area and would be sufficiently flexible to accommodate the level and type of growth forecast. The Plan's approach is thus considered sound.
183. The automotive manufacturing sector is heavily influenced by the operations of a few key companies – particularly Jaguar Land Rover (JLR). The sector has seen strong performance and jobs growth in recent years. The Council recognises the importance of JLR to the economy of the City, the sub-region and nationally and fully supports its continued future growth and expansion both within and adjacent to Coventry. A separate policy to support this growth is not necessary, given that the JLR sites in Coventry are in areas where the Plan already proposes employment based development or links to land outside Coventry. Land around the Whitley Business Park, where JLR is

based, is included for allocation in Policy JE2 as well as land to the south east which is allocated for an extension to the existing operations.

184. Furthermore, the Plan makes provision for removal of land for the Gateway/Whitley South development proposals from the Green Belt (JE2:4). This could facilitate further expansion opportunities for JLR. New policy DS4 (Part B) would support joint working with WDC as well as positive consideration of the ecology and biodiversity issues associated with the site. For the reasons outlined above, and my wider conclusions in relation to the need to accommodate the anticipated growth and the limited opportunities for development elsewhere in the area given the City's tight administrative boundaries, there are exceptional circumstances which justify altering the boundaries of the Green Belt to accommodate the planned development and allocate the site at Gateway/Whitley South.

185. Taken together, the Plan's policies and proposals would clearly support the future expansion of JLR. However, in order to emphasise the strategic importance of JLR to the City, modifications to the Plan to include additional text to the introductory section of chapter 3 (**MM3** and **MM21**) as well as additional reference in Policy JE1 (**MM37**) and Policy DS2 (**MM30**) are necessary. In addition, new Policy DS4 (Part B) would relate directly to master planning at the Whitley employment hub site, and refer explicitly to the future expansion of JLR (**MM31**). Changes to the supporting text of Policy JE2 (**MM39**) would also make reference to the growth aspirations of JLR in relation to Whitley South (within Warwick District). I consider these changes to be necessary in the interests of clarity and to ensure that the Plan is effective.

#### *Conclusion on Issue 6*

186. In conclusion, subject to the MMs identified as necessary for soundness, the Plan provides adequate and appropriate provision to meet the identified need for employment land and sufficient flexibility to support employment generating development proposals.

#### **Issue 7 –Does the Local Plan make appropriate provision for retail, leisure, tourism and related uses? Are the Local Plan's policies for the hierarchy of retail centres positively-prepared, justified and effective?**

187. The Council's retail strategy is underpinned by a number of studies including the City Wide Shopping and Centres study<sup>66</sup> which used data from Experian as well as primary research around shopper trends and habits in the area and a review of the retail based catchment area. The study factored in allowances for growth in market share, linked to planned improvements in the City centre as well as an allowance for e-retailing which recognises the growth in market share for internet shopping but includes the need for retail floor space with links to click and collect services.

188. It considered projections for retail needs linked to both a constrained level of housing growth and the total population growth projected for the City up to 2031. This approach reflects the joint Coventry and Warwickshire SHMA work. Through consultation and its on-going DtC work, the Council has

<sup>66</sup> Coventry City Wide Shopping and Centres Study NLP (2014) Examination Document LP59

planned for the total level of retail need to meet the City's full projected population growth to 2031. This is to reflect the City centre's position as a sub-regional centre together with its accessibility and its aspirations in terms of several key regeneration schemes, such as Friargate.

189. A total of 106,834 sq m of gross retail floor space has been identified as the requirement over the Plan period. Tables 5.1 and 5.2 of the Plan set out this total retail need, broken down by type. Amendments to these tables are necessary to update these figures and set out in a footnote that an allowance has been made in the short term projection for at least 10,000 sq m of new retail floor space at City Centre south (**MM74** and **MM75**). I return to this below. Changes to Table 5.2 would provide additional clarity by setting out the total retail need broken down into periods – to 2021, 2021-2031 and the Plan period from 2011 to 2031 (**MM75**).
190. The NPPF advises that local planning authorities should define a network and hierarchy of centres that is resilient to anticipated future economic changes<sup>67</sup>. Coventry City centre sits at the top of the Council's centres hierarchy as the main focus for comparison shopping as well as employment, leisure and entertainment. It is clear from the evidence that it is necessary to ensure that the City centre is regenerated and revitalised in order to maximise its City-wide catchment, compete with surrounding areas and support the City as a whole. Alongside the Local Plan, the Council's Area Action Plan (AAP) contains specific policies which focus on the City centre. The Primary Shopping Area is designated through the AAP.
191. The hierarchy is set out in LP Policy R3 which identifies Major District Centres (MDCs), District Centres (DCs) and Local Centres (LCs) which sit below the City centre. The Council's Local Centres Assessment<sup>68</sup> has considered the management of the hierarchy as a whole to ensure that it supports rather than competes with the City centre. This is set out in the Plan. The Council's evidence recognises that retail and the role of town centres are changing and that there is a need for centres to diversify and bring in a greater level of leisure, tourism and entertainment uses. In view of this, the retail strategy aims to maximise flexibility in terms of how retail space is allocated. Rather than specifying A1 uses and risking higher vacancy rates, retail need has been grouped within a broader use class range (A1 – A5) to ensure that floor space is flexible and can adapt to market needs quickly.
192. Table 5.3 sets out how the overall retail needs will be met over the Plan period by setting out the components of the supply including existing commitments and allocations. Amendments to this table to provide a breakdown of convenience, comparison (A1) and other retail (A2 – A5) provision (**MM76**) provide the necessary clarity in terms of how the needs for both comparison and convenience retail floor space would be met. In addition, the figures in this table would be updated to reflect the most up-to-date position since the study was undertaken in terms of completions, sites with planning permission and sites under construction.
193. Proposed changes to Policy DS1 (**MM24** and **MM26**) would set out the level of retail based floor space across use classes A1 to A5 that would be required

<sup>67</sup> National Planning Policy Framework paragraph 23

<sup>68</sup> Local Centres Assessment (2015) Examination Document LP60



over the Plan period whilst the addition of the word "based" after "retail" in Policy R1 would clarify that whilst retail provisions are the basis of the policy and floor space allocations, other supporting uses (within A1 - A5) would be acceptable in principle. This would provide additional flexibility within the policy to support the Plan's objective of providing a comprehensive portfolio of retail floor space and to reflect permitted development rights. It would also set out clearly the level of gross convenience floor space needed to 2031 and that at least 70,000 sq m would be allocated in the City centre.

194. A greater proportion of floor space is proposed to be allocated in the City centre – over and above the initial projections in the Shopping and Centres Study. This reflects the Plan's retail strategy to ensure that the City centre remains the focal point for new retail based investment and to support its role at the top of the hierarchy capitalising on its City-wide catchment and accessibility. It would also support the Council's regeneration objectives by focusing investment in the centre in order to benefit the City as a whole and to ensure that its role within the sub-region is not undermined. The study identifies that additional floor space could help to increase market share in the City by attracting greater footfall and opportunities to make qualitative improvements in the retail offer to meet changing demands.
195. There is adequate evidence that sufficient new retail floor space could be delivered within the City centre when developments with extant planning permission and other commitments in the area are taken into consideration. Furthermore, the proposed allocations for retail uses in other centres within the hierarchy would enable opportunities to support and complement rather than compete with the City centre. In order to be sufficiently flexible, changes to the supporting text of Policy R1 are necessary to make clear that if it is not possible to provide new retail opportunities within the Primary Shopping Area or wider City centre through the sequential assessment process then the focus should be on the other centres within the hierarchy as appropriate (**MM73**).
196. The Council's retail study<sup>69</sup> identified a floor space requirement of 17,667 sq m for comparison goods for the City centre. However, this requirement includes an uplift of 10,000 sq m to take into account the City Centre South scheme which was included as an existing commitment. The projections in the retail study thus identified retail floor space needs over and above that to be provided at City Centre South. Distinguishing this allowance from the rest of the identified requirement reflects that the scheme is a central element to the delivery of the City's retail strategy and will ensure that the contribution from this development will not be double counted when the Council allocate provisions against the overall need.
197. The retail study identifies a need for approximately 21,800 sq m retail warehouse floor space over the Plan period. It says that additional floor space should be accommodated within the designated centres where possible but the study also highlights the opportunities to focus retail warehouse demand towards the City centre. In line with the sequential approach in the NPPF, the Plan seeks to focus retail warehousing and the types of users that occupy

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<sup>69</sup> Coventry City Wide Shopping and Centres Study NLP (2014) Examination Document LP59

these units within the City. This would also provide a potential opportunity to promote the Council's wider regeneration objectives. However, changes to table 5.1 are required to more accurately show the total warehouse need as a requirement across the City centre and rest of the City (**MM74**).

198. Policy R1 seeks to restrict further retail development at Arena Park Major District Centre (APMDC) unless it can be shown that it will not directly impact on the City centre. The retail study identifies it as having a large volume of retail floor space which, if expanded further, could compete with rather than complement the City centre. It is understood that the APMDC is fully occupied and trading well. However, there are limited opportunities to extend it with the only vacant land nearby already benefiting from planning permission for leisure uses. Nonetheless, I agree that further retail expansion of this centre would have the potential to adversely affect the City centre.
199. In order to align with the NPPF, **MM77** changes Policy R1 by replacing the words "impact" with "significant adverse impact". This will also ensure that the Plan is clear that any expansion proposals would need to be accompanied by robust evidence that it would not harm the vitality and viability of the City centre. Each of the centres will be monitored in terms of their performance and position within the hierarchy to ensure that any emerging issues can be identified and that the Plan's policies are appropriate in terms of helping to reduce vacancy rates and meet local and wider- catchment needs.
200. Policy R3 sets out the network of centres that comprise the retail hierarchy. However, some changes put forward by the Council are necessary to ensure that it is sufficiently flexible to enable identified retail needs to be met across the hierarchy. The policy is clear that the centres would be the preferred locations for new retail development and other town centre and community uses that do not serve a City-wide catchment. As submitted, the policy wording would contradict the statement that these centres in the hierarchy are the preferred locations to support the City centre. The deletion of the words "and are not more appropriately sited in the City centre" (**MM81**) is necessary in order to ensure that the policy is not overly restrictive.
201. Policy R3 seeks to support development in MDCs and DCs provided that it does not impact negatively on the City centre and will support the needs of their area of the City within a specified radius area – 3 km for MDCs, 2 km for DCs and 1 km for LCs. However, the Council agreed that the specified radii had not been justified by any detailed evidence to show that it would be necessary to adhere to these distances in order to ensure that they would not compete with the City centre. As such the requirement would be unduly onerous and serve little purpose. The deletion of these stipulated distances through **MM82** is thus necessary.
202. The NPPF requires a sequential assessment for all main town centre proposals outside of a designated centre and sets a threshold of 2,500 sq m for impact assessments, unless lower thresholds can be supported by appropriate evidence having regard to local circumstances. The Plan identifies the average unit size across all centres as being less than 400 sq m (for accuracy these figures have been updated via **MM78**). Policy R4 requires an impact test for proposals that exceed 400 sq m on the basis that the existing designated centres comprise predominantly of smaller units.

203. However, there is no substantive evidence to suggest that allowing proposals of 400 sq m would have a significant adverse effect on the role of the City centre or that impact assessments for proposals of this scale would be justified. During the examination the Council undertook its own analysis which showed that recent out of centre proposals range in size between 120 sq m to 1700 sq m, whilst the out of centre retail parks contain units which average around 900 sq m – 1200 sq m. The Council thus proposed to increase the thresholds for impact tests from 400 sq m to 1000 sq m. This is on the basis of the average unit size of the City's out of centre retail parks which would be the most likely focus for out of centre proposals.
204. PPG says that in setting a locally appropriate threshold it will be important to consider a number of factors, including the scale of proposals relative to town centres, existing vitality and viability of town centres, the impact on planned investment and the likely effects on any town centre strategy<sup>70</sup>. In this context the Council has considered the impact of a scale lower than the default threshold in the NPPF but a level which is considered to be more aligned to the average unit size across the City. This would allow for proper consideration of the potential impacts on the vitality and viability of the City centre. Thus whilst the proposed threshold is below than that set out in the NPPF, the Council has had regard to local circumstances. I consider that, based on the evidence, this threshold would be appropriate in order to ensure that the Plan's town centre strategy is not undermined (**MM83**). Policy R4 would also allow for sufficient flexibility by stating that catchment areas for sequential and impact tests would be considered on a case by case basis.
205. Policy R4 requires the sequential assessment to include vacant units within the out of centre retail warehouse parks and local shopping parades. However, this requirement would not accord with the approach set out in the NPPF and may affect the delivery of sufficient retail floor space to meet the Plan's identified need by being unduly onerous and inflexible. **MM84 to MM87** rectify this conflict.

#### *Conclusion on Issue 7*

206. The Plan makes appropriate provision for retail, leisure, tourism and related uses and subject to the MMs necessary for soundness, the Plans policies for its network of centres are positively-prepared, justified and effective.

#### **Issue 8 – Whether the policies for the Natural and Historic Environment, green space, the mitigation of flood risk and adaptation to climate change are justified and effective?**

207. Policy GE1 seeks to maintain a strategic network of green and blue spaces such as woodlands, parks, ponds, canals and rivers and the links between them. Proposed changes to Policies GE1 and R2 to include specific measures to encourage the retention or reinstatement of tributaries or culverts where appropriate would strengthen support for their retention (**MM80** and **MM98**). **MM98** would strengthen support for the maintenance and enhancement of existing green infrastructure through specific reference to improving and maintaining connectivity, accessibility, biodiversity, flood risk management

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<sup>70</sup> Planning Policy Guidance Paragraph: 016 Reference ID: 2b-016-20140306

and integrating proposals where possible to further improve green infrastructure.

208. The Council has adopted a Green Space Strategy which sets out minimum local standards for green space provision. Policy GE2 seeks to ensure that development would not create a deficiency of green space and sets out criteria that would need to be met if development would lead to its loss. Changes to add the word 'or' after each criterion (**MM99**) are necessary to add clarity to the policy and to ensure that it would be effective.
209. Policy GE3 seeks to ensure that any negative effects on biodiversity through development would be avoided or adequately mitigated where necessary. **MM100** and **MM104** would add a new criterion stating that development proposals should ensure that legally protected species and those covered by national, regional or local Biodiversity Plans are preserved. **MM101** sets out that biodiversity offsetting would be considered only in exceptional circumstances and **MM102** sets out that ancient and newly planted woodlands and heritage assets will be protected. A cross reference to Policy HE2 is necessary to clarify that all practical measures must be taken to assess and record archaeological remains.
210. Policy GE4 relates to tree protection. **MM105** clarifies that any unacceptable loss of trees or woodlands would be mitigated through their replacement with new trees as part of a well-designed landscape scheme.
211. Policy HE2 relates to conservation and heritage assets. **MM109** changes the wording of the policy to substitute the word 'conserve' with 'preserve' and to the supporting text (**MM107**) would ensure that the policy is consistent with the NPPF and the statutory test<sup>71</sup>. In addition, **MM110** would add other categories to buildings most associated with the City's industrial heritage. Further changes to the supporting text via **MM108** would provide the most accurate number of buildings which have been selected for local listing.
212. Policy HE3 relates to the creation of a proposed new City Heritage Park in the grounds of the Charterhouse. **MM111** and **MM112** change the policy wording and supporting text to convey the importance of developing a master plan to support delivery of the Heritage Park, the expansion/reconfiguration of the school sports grounds, naturalisation of the river valley and enhancement of the setting of the Charterhouse and surrounding area. These changes are necessary to provide sufficient clarity and to ensure that the policy is effective.
213. Policy EM1 relates to planning for climate change adaptation. Changes to the policy to refer to the need to seek opportunities to develop new blue infrastructure as appropriate (**MM129**), are necessary to improve its effectiveness. Submitted policies EM2 and DS3 require modification (**MM29b** and **MM130**) for consistency with national planning policy<sup>72</sup> to ensure that they do not set any specific standards for residential development, beyond those within the Building Regulations.

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<sup>71</sup> Planning (Listed Buildings and Conservation Areas) Act 1990

<sup>72</sup> Written Ministerial Statement: Planning Update dated 25 March 2015

214. Policy EM3 relates to renewable energy generation. The supporting text says that around 90% of Coventry is unsuitable for wind turbines due to insufficient wind speeds and the density of development. This is supported by a local wind mapping study. A further Written Ministerial Statement dated 18 June 2015 sets out considerations to be applied to wind energy development. It is thus necessary to amend the supporting text to clarify that the policy does not apply to wind energy developments, which will be considered against national policy and guidance (**MM132**). This change is necessary for consistency with national policy.
215. **MM133** and **MM134** make substantial amendments to policy EM4 and the supporting text in light from advice from the Environment Agency. The changes, which take appropriate account of viability considerations, are necessary to ensure the policy is effective in managing flood risk and protecting and enhancing water resources in a manner consistent with national policy.
216. In addition, proposed changes to Policy EM5 and the supporting text following advice from the Environment Agency are necessary to ensure that the policy is clear that all development must address flood risk from new developments, apply sustainable drainage systems (SDS) and should ensure that surface water runoff is managed as close to its source as possible (**MM135** and **MM136**). These changes, together with some consequential amendments to the supporting text are necessary to ensure that the policy is effective.
217. Further advice from the Environment Agency led the Council to propose a new policy during the examination. This would ensure that the Plan includes appropriate measures to address any potential risk to groundwater through the redevelopment of previously developed land. New policy EM6 and its supporting text (**MM137**) would also ensure that the Plan reflects the most recent published information in support of the Severn River Basin management plan. In addition, it would include measures to protect valuable water resource assets in Coventry that are deteriorating. These changes would also ensure that the Plan is effective.

#### *Conclusion on Issue 8*

218. Subject to these necessary modifications to ensure their effectiveness, the Plan contains sound policies to protect and manage the natural and historic environment, green infrastructure, open space as well as to mitigate against flood risk and adapt to climate change.

#### **Issue 9 – Is the Local Plan's approach to Minerals and Waste planning justified, effective and consistent with national planning policy?**

##### Waste

219. Policy EM7 reflects national planning policy in the NPPF as well as the Council's Waste Management Strategy in seeking to reduce the amount of waste sent to landfill. Around 92% of municipal solid waste in Coventry is incinerated in an Energy from Waste facility with the remainder going to landfill. The Plan recognises that the planned new growth will lead to a rise in all waste production and that recycling levels will need to be maintained and

increased throughout the Plan period in line with the Council's Waste Management Strategy. However, existing waste treatment facilities have been located in older industrial areas. The regeneration of these areas may mean that they are no longer compatible with new, more modern treatment facilities. As such, the Plan seeks to ensure that existing waste treatment facilities should be improved where necessary and safeguarded.

220. **MM140** is necessary to ensure that existing waste management facilities or land allocated for such uses would be protected from encroachment from incompatible land uses that are more sensitive to odour, noise, dust and other impacts. **MM140** would also make clear that waste management facilities would only be permitted where they would not have an unacceptable impact on surface or groundwater resources. This modification followed from advice from the Environment Agency and is necessary to help protect valuable water assets. Modifications are also required to delete the repetition of criterion d) and the re-numbering of the policy from EM7 to EM8 due to the insertion of new policy EM6 as outlined above (**MM139** and **MM142**).

### Minerals

221. The NPPF requires Minerals Planning Authorities [MPAs], of which the City Council is one, to prepare an individual or joint Local Aggregate Assessment [LAA], the primary purpose of which is to assess requirements for and supply of minerals in the LAA area. Local Plans should define Minerals Safeguarding Areas [MSAs] so that specific minerals resources of local or national importance are not sterilised by other development, and include policies for the extraction of those resources. The NPPF also places emphasis on the use of secondary or recycled minerals in preference to primary extraction.
222. The West Midlands local authorities have a joint partnership arrangement to manage aggregate supply. The Local Aggregate Assessment 2016<sup>73</sup> sets out the aggregate supply over the Plan period. The 2009 sub national guidelines suggest that 165 million tonnes of sand and gravel and 82 tonnes of crushed rock will be required in the former West Midlands region from 2005 to 2020. The Aggregate Working Party Secretariat produced an indicative set of apportionments based on previous trends in sales. The proposed apportionment was 0.55 million tonnes of sand and gravel per year with no apportionment of crushed rock as there are no viable resources remaining.
223. There is limited potential for a land-won supply of aggregates from the West Midlands area. However, there is currently a land-bank of over 9 years' supply<sup>74</sup>, well above the required figure to provide a 7 year land bank, and this has been identified as the requirement in the Plan. There are sufficient reserves of sand and gravel to enable production to continue at the level of past apportionments but no realistic prospect of increasing it in view of the constraints to mineral extraction in the area. Recycled aggregates also make an important contribution to the supply but it is unlikely that this will increase significantly over the Plan period. Nonetheless, proposed changes to the supporting text of Policy EM9 (previously EM8) are necessary to make clear that the Council will continue to work collaboratively with its neighbours to assess future supply options (**MM143**).

<sup>73</sup> Examination Document LP89

<sup>74</sup> Coventry City Council Statement to Hearing Session 11: Examination Document LP212

224. Mineral Safeguarding Areas (MSAs) were identified using British Geological Survey maps and industry sources and are defined on the Policies Map. Whilst the minerals resources identified in Coventry are unlikely to be worked during the Plan period, the processing of secondary and recycled aggregate material does occur. Policy EM9 thus delineates MSAs and establishing the need for safeguarding important minerals such as sand and gravel. In addition, the Council propose a new Policy EM10 to ensure that non mineral development in MSAs would not sterilise any potential future mineral extraction should this become viable and appropriate (**MM144**). It would also ensure that development proposals in MSAs would be evaluated in partnership with the Coal Authority to assess any impact from past mining.
225. The Council propose a modification to the Policies Map in order to rectify a cartographical error which omits part of the Sowe Valley from the MSA.
226. Following advice from the Coal Authority, **MM131** is necessary in order to identify the potential risks to development from past coal mining legacy in respect of unstable land.

#### *Conclusion on Issue 9*

227. Subject to the MMs identified as necessary for soundness, the Plan's policies for waste and minerals are justified and effective.

#### **Issue 10 – Does the Plan set out effective arrangements for implementing and monitoring the achievement of its policies and proposals?**

228. The Monitoring Framework sets out a series of indicators against which implementation of its policies and proposals will be measured. **MM151**<sup>75</sup> amends a number of these and adds new ones to ensure that monitoring will be effective. In particular, these additions include monitoring indicators for delivery of the Plan's key growth targets for housing, key infrastructure, employment land, offices and retail. The modifications include monitoring indicators to measure patronage of public transport and changes in modal share as well as the development of greenfield sites and land which had previously been designated as Green Belt.
229. The proposed amendments also relate to measuring delivery of planned housing and employment growth outside the City that is required to meet the shortfall in Coventry. Furthermore, the Monitoring Framework specifies the measures that will be taken, including early review of the Plan, in accordance with new Policy DS1 if monitoring reveals that the necessary progress is not being made.

#### *Conclusion on Issue 10*

230. I conclude that, subject to the necessary modifications, the Monitoring Framework sets out effective arrangements for implementing and monitoring the achievement of the Plan's policies and objectives.

## **Assessment of Legal Compliance**

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<sup>75</sup> Examination Document MOD.10

231. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

| LEGAL REQUIREMENTS  |  |
|---|--|
| Local Development Scheme (LDS)                                    | The Local Plan has been prepared in accordance with the Council's LDS 2015.  |
| Statement of Community Involvement (SCI) and relevant regulations | The SCI was adopted in 2012. Consultation on the Local Plan and the MMs has complied with its requirements.                |
| Sustainability Appraisal (SA)                                     | SA has been carried out and is adequate.   |
| Habitats Regulations Assessment (HRA)                             | The Habitats Regulations AA Screening Report January 2016 sets out why AA is not necessary. Natural England supports this. |
| National Policy   | The Local Plan complies with national policy except where indicated and MMs are recommended.                               |
| 2004 Act (as amended) and 2012 Regulations.                       | The Local Plan complies with the Act and the Regulations.  |

## Overall Conclusion and Recommendation

232. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

233. The Council has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix, the Coventry Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

*R. Phillips*

Inspector

This report is accompanied by an Appendix containing the Main Modifications.





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# **Report to Coventry City Council**

**by Rebecca Phillips BA(Hons) MSc DipM MRTPI MCIM**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Date 7 November 2017**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the Coventry City Centre Area Action Plan 2011 - 2031**

The Plan was submitted for examination on 1 April 2016

The examination hearing was held on 20 October 2016

File Ref: PINS/U4610/429/7

## Abbreviations used in this report

|        |                                       |
|--------|---------------------------------------|
| AA     | Appropriate Assessment                |
| AAP    | Coventry City Centre Area Action Plan |
| DtC    | Duty to Co-operate                    |
| HER    | Historic Environment Record           |
| HMA    | Housing Market Area                   |
| HRA    | Habitats Regulations Assessment       |
| LDS    | Local Development Scheme              |
| LP     | Local Plan                            |
| APP/MM | Main Modification                     |
| NPPF   | National Planning Policy Framework    |
| PPG    | Planning Practice Guidance            |
| SA     | Sustainability Appraisal              |
| SCI    | Statement of Community Involvement    |
| SHMA   | Strategic Housing Market Assessment   |
| WMS    | Written Ministerial Statement         |

## **Non-Technical Summary**

This report concludes that the Coventry City Centre Area Action Plan provides an appropriate basis for the planning of the City centre provided that a number of main modifications [MMs] are made to it. Coventry City Council has specifically requested me to recommend any MMs necessary to enable the Plan to be adopted.

The MMs all concern matters that were discussed at the examination hearing. Following the hearing, the Council prepared schedules of the proposed modifications and carried out sustainability appraisal of them. The MMs were subject to public consultation over a six-week period. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The MMs can be summarised as follows:

- To ensure that the levels of housing, employment, offices and retail development to be provided over the period of the AAP are accurately identified and that the means to deliver the required development is clear;
- To ensure that there are effective policies to protect the historic and natural environment and open spaces;
- To ensure that there are effective policies to deal with flood risk and adaptation to climate change;
- To identify accurately the necessary transport and public realm improvements;
- To ensure that the AAP's policies are justified, effective and compliant with national policy; and
- To ensure that the policies provide a sound monitoring framework for the AAP.

## Introduction

1. This report contains my assessment of the Coventry City Centre Area Action Plan (AAP) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (paragraph 182) makes it clear that in order to be sound a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The AAP, submitted in April 2016 is the basis for my examination. It is the same document as was published for consultation in February 2015.

## Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications (MMs) necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearing, are necessary. The MMs are referenced in bold in the report in the form **AAP/MM1, AAP/MM2, AAP/MM3** etc. and are set out in full in the Appendix.
4. Following the examination hearings, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal of them. The MM schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report.

## Assessment of Duty to Co-operate

5. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
6. The AAP was submitted together with the Local Plan for examination. I deal with the assessment of the Duty to Co-operate (DtC) in my report into the soundness of the Local Plan.
7. Overall I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

## Assessment of Soundness

### Main Issues

8. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearing I have identified four main issues upon which the soundness of the Plan depends. Under these

headings my report deals with the main matters of soundness rather than responding to every point raised by representors.

### **Issue 1 – Whether the policies for the mitigation of flood risk and adaptation to climate change and the preservation of the Historic Environment are justified and effective?**

#### *Flood Risk Mitigation and Climate Change Adaptation*

9. The AAP acknowledges the cultural and historic importance of the River Sherbourne to Coventry City centre. The braided sections of the River Sherbourne and its tributaries were culverted to make way for roads and buildings. The AAP seeks to explore opportunities to de-culvert lengths of it as part of wider regeneration aspirations in the City centre. The Environment Agency (EA) says that the river is currently classed as having poor ecological status but the aspiration is that it should improve to meet good ecological status by 2027.
10. Further to the EA's advice, the Council proposes to add an additional criterion to Policy CC1 to emphasise the importance of supporting the reintroduction of green and blue infrastructure throughout the City centre and opportunities for de-culverting wherever possible (**AAP/MM12**). This is necessary to ensure that opportunities are taken to improve the River Sherbourne to support it meeting the target of good ecological potential.
11. In addition, changes to Policies CC8 and CC25 and the supporting text (**AAP/MM23**, **AAP/MM24** and **AAP/MM54**) would set out clearly that opportunities to de-culvert or "daylight" and restore the River Sherbourne and its tributaries would be supported in principle and that doing so would meet the objectives of the Severn River Basin Management Plan.
12. Further to advice from the EA, changes to Policy CC9 are necessary to emphasise that for new development, opportunities to reflect the alignment of the River Sherbourne and its tributaries should be taken (**APP/MM28**). Also, where development proposals lie adjacent to the existing de-culverted River Sherbourne that a natural sinuous river channel should be retained and that consideration should be given to removing water bodies from culverts where appropriate. This will be vital to create multi-functional green and blue spaces within the City centre (**APP/MM30**).
13. A cross reference in Policy CC9 to Policy EM5 of the Local Plan is necessary to ensure that there is a comprehensive policy framework within which to ensure that Sustainable Drainage Systems are put in place where appropriate to properly manage surface water runoff in new development (**APP/MM29**).

#### *Historic Environment*

14. Policy CC2 relates to conservation and heritage assets. **APP/MM21** changes the wording of the policy to substitute the word 'and' with 'or' would ensure that the policy is consistent with the NPPF and the statutory test<sup>1</sup>. In addition, **APP/MM20** would provide additional supporting text, on the advice of Historic

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<sup>1</sup> Planning (Listed Buildings and Conservation Areas) Act 1990

England, to emphasise the Council's commitment to work together with Historic England to undertake further research into the City's post-war buildings, spaces and places in order to ensure that the significance of the historic environment is appreciated and its potential is harnessed and integrated into aspirations for regenerating the City centre. This is necessary to ensure that the Plan's policies are effective.

15. This would be further supported via **APP/MM47** which would clarify in the supporting text to Policy CC14 that development proposals in the area adjoining the Civic area, in particular the historic Cathedral area to the north and primary retail area to the west, would need to give specific consideration to the Council's evolving HER to reflect the heritage and conservation value of the area.
16. **APP/MM20** would also express the Council's commitment to update its local list and continue to identify heritage assets of local importance as well as support for the centre's Heritage Action Zone status. Changes to Table 17a are necessary to ensure that the map showing the heritage assets within the PSA is accurate and includes the most up-to-date designations (**APP/MM52**). These changes are necessary to ensure that the Plan's policies are effective.
17. **APP/MM22** is necessary to ensure that the map of City centre heritage assets is correct and reflects the most up-to-date position.

#### Conclusion on Issue 1

18. Subject to the necessary modifications outlined above, the AAP contains sound policies to preserve the historic environment as well as to mitigate against flood risk and adapt to climate change.

#### **Issue 2 – Whether the City Centre Area Action Plan makes appropriate provision for retail development in the City centre and whether its retail policies are justified and effective?**

19. As outlined in my report into the soundness of the LP, the Council's retail strategy is underpinned by a number of studies including the City Wide Shopping and Centres study<sup>2</sup> which used data from Experian as well as primary research around shopper trends and habits in the area and a review of the retail based catchment area. The study factored in allowances for growth in market share, linked to planned improvements in the City centre as well as an allowance for e-retailing which recognises the growth in market share for internet shopping but includes the need for retail floor space with links to click and collect services.
20. It considered projections for retail needs linked to both a constrained level of housing growth and the total population growth projected for the City up to 2031. This approach reflects the joint Coventry and Warwickshire Strategic Housing Market Assessment (SHMA) work. Through consultation and its on-going DtC work, the Council has planned for the total level of retail need to meet the City's full projected population growth to 2031. This is to reflect the City centre's position as a sub-regional centre together with its accessibility

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<sup>2</sup> Coventry City Wide Shopping and Centres Study NLP (2014) Examination Document LP59

and its aspirations in terms of several key regeneration schemes, such as Friargate.

21. A total of 106,834 sq m of gross retail floor space has been identified as the total requirement within the wider Coventry area over the Plan period. LP Policy R1 sets out that allocations within the City centre would support the provision of at least 70,100 sq m of retail A1 – A5 use. **APP/MM13** clarifies this and sets out the correct figures in the AAP.
22. Table 3 of the AAP sets out this total retail need in the City centre, broken down by type. Amendments to the table are necessary to provide a breakdown of convenience, comparison (A1) and other retail (A2 – A5) provision to provide the necessary clarity. The changes would also set out in a footnote that an allowance has been made in the short term projection for at least 10,000 sq m of new retail floor space at City Centre south. I return to this below. The changes to Table 3 of the AAP are set out in **APP/MM14**. The amended table would also provide additional clarity by setting out the total retail need broken down into periods – to 2021, 2021-2031 and the Plan period from 2011to 2031.
23. Table 4 of the AAP sets out the overall retail needs in Coventry from 2014 to 2031. However, for clarity, it is proposed to delete this table and incorporate a more comprehensive breakdown of retail needs over the Plan period within the adjusted Table 3 (**APP/MM50**).
24. The NPPF advises that local planning authorities should define a network and hierarchy of centres that is resilient to anticipated future economic changes<sup>3</sup>. Coventry City centre sits at the top of the Council's centres hierarchy as the main focus for comparison shopping as well as employment, leisure and entertainment. It is clear from the evidence that it is necessary to ensure that the City centre is regenerated and revitalised in order to maximise its City-wide catchment, compete with surrounding areas and support the City as a whole. Alongside the LP, the AAP contains specific policies which focus on the City centre. The Primary Shopping Area (PSA) is designated through the AAP.
25. The hierarchy is set out in LP Policy R3 which identifies Major District Centres (MDCs), District Centres (DCs) and Local Centres (LCs) which sit below the City centre. The Council's Local Centres Assessment<sup>4</sup> has considered the management of the hierarchy as a whole to ensure that it supports rather than competes with the City centre. This is set out in both the LP and the AAP.
26. The Council's evidence recognises that retail and the role of town centres are changing and that there is a need for centres to diversify and bring in a greater level of leisure, tourism and entertainment uses. In view of this, the retail strategy aims to maximise flexibility in terms of how retail space is allocated. Rather than specifying A1 uses and risking higher vacancy rates, retail need has been grouped within a broader use class range (A1 – A5) to ensure that floor space is flexible and can adapt to market needs quickly.
27. The addition of the word "based" after "retail" in Policy CC12 via **APP/MM45** would clarify that whilst retail provisions are the basis of the policy and floor

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<sup>3</sup> National Planning Policy Framework paragraph 23

<sup>4</sup> Local Centres Assessment (2015) Examination Document LP60

space allocations in the business area, other supporting uses (within A1 - A5) would be acceptable in principle. This would provide additional flexibility within the policy to support the Plan's objective of providing a comprehensive portfolio of retail floor space and to reflect permitted development rights.

28. A greater proportion of floor space is proposed to be allocated in the City centre – over and above the initial projections in the Shopping and Centres study. As outlined in my LP report, this reflects the Plan's retail strategy to ensure the City centre remains the focal point for new retail based investment and to support its role at the top of the hierarchy capitalising on its City-wide catchment and accessibility. It would also support the Council's regeneration objectives by focusing investment in the centre in order to benefit the City as a whole and to ensure that its role within the sub-region is not undermined. The study identifies that additional floor space could help to increase market share in the City by attracting greater footfall and opportunities to make qualitative improvements in the retail offer to meet changing demands.
29. There is adequate evidence that sufficient new retail floor space could be delivered within the City centre when developments with extant planning permission and other commitments in the area are taken into consideration. Furthermore, the proposed allocations for retail uses in other centres within the hierarchy would enable opportunities to support and complement rather than compete with the City centre.
30. The Council's retail study<sup>5</sup> identified a floor space requirement of 17,667 sq m for comparison goods for the City centre. However, this requirement includes an uplift of 10,000 sq m to take into account the City Centre South scheme which was included as an existing commitment. The projections in the retail study thus identified retail floor space needs over and above that to be provided at City Centre South. Distinguishing this allowance from the rest of the identified requirement in Table 3, reflects that the scheme is a central element to the delivery of the City's retail strategy and will ensure that the contribution from this development will not be double counted when the Council allocate provisions against the overall need.
31. **APP/MM51** would add a new criterion to Policy CC18 to clarify that the PSA is expected to accommodate at least 40,000 sq m of new floor space covering a range of retail needs (A1 to A5) in accordance with Table 3 (as amended). This change would ensure that the Policy is effective.
32. The retail study identifies a need for approximately 21,800 sq m retail warehouse floor space within the wider Coventry area over the Plan period. It says that additional floor space should be accommodated within the designated centres where possible but the study also highlights the opportunities to focus retail warehouse demand towards the City centre. In line with the sequential approach in the NPPF, the Plan seeks to focus retail warehousing and the types of users that occupy these units within the City. This would also provide a potential opportunity to promote the Council's wider regeneration objectives. **APP/MM14** and **APP/MM16** clarify that included within the floor space provision up to 2031, an allowance for approximately

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<sup>5</sup> Coventry City Wide Shopping and Centres Study NLP (2014) Examination Document LP59



22,000 sq m of retail warehouse space which should be directed to the City centre, where appropriate.

33. A similar approach is taken with A2 provision which accounts for approximately 9,700 sq m. However, in order to be sufficiently flexible, **APP/MM16** is necessary to make clear that if it is not possible to provide new retail opportunities within the PSA or wider City centre through the sequential assessment process then the focus should be on the other centres within the hierarchy as appropriate.
34. Changes to Figure 16 via **APP/MM48** would ensure that the map includes the most up-to-date information in respect of the leisure and entertainment area of the City centre.

### Conclusion on Issue 2

35. Subject to these modifications which are necessary to ensure their effectiveness, the AAP's policies for retail development in the City centre are sound.

### **Issue 3 – Whether the City Centre Area Action Plan's policies for enhancing accessibility are effective?**

36. The AAP seeks to create a highly accessible City centre where people will find it easy to access, understand and move around in. The AAP recognises that the economic geography will change during the life of the Plan, most notably a likely increase in focus of economic activity towards southern parts of the City centre as the Friargate and Southern Precinct developments come forward. As such, the AAP says that it is essential that the City has a comprehensive integrated transport network in place to ensure new development opportunities are highly accessible making them more attractive for new business growth and well connected to other parts of the City.
37. The LP sets out how the Council will work in partnership with neighbouring local authorities, Local Enterprise Partnerships, the West Midlands Combined Authority (WMCA) and others to deliver the necessary infrastructure to support growth. The West Midlands Strategic Transport Plan sets out the overarching transport strategy for the area and the LP's policies, in particular those that support strategic connectivity such as rail, HS2 and rapid transit, are consistent with that strategy. As part of its joint working, the Council is working with Transport for the West Midlands (TfWM) - the transport arm of the WMCA - to ensure that development proposed in the LP would be taken into account when planning future public transport and network requirements.
38. Changes to the supporting text of Policy CC11 via **APP/MM32** set out how the Council is working with TfWM on the Strategic Transport Plan whilst **APP/MM33** and **APP/MM42** provide additional clarity in respect of walking and cycling routes which should be connected to new development sites and link to the existing public transport network. These changes also clarify that the pedestrian and cycle routes should connect to the public transport network and to the TfWM strategic cycle network as set out in the Strategic Transport Plan.

39. **APP/MM36** to **APP/MM39** would clarify how the Council will work with TfWM to develop the bus network and measures to support development through intelligent mobility schemes and improving the reliability of bus journey times on key routes. The MMs also set out the vision for a network of Rapid Transit routes to be fully integrated with national and regional rail services and local bus services. Further changes to the supporting text of Policy CC11 (**APP/MM35**) would place greater emphasis on the importance of rail facilities, in particular, Coventry station. These changes would set out that a master plan has been developed for the station area which will provide for improved linkages and a transport interchange linked to a new cycle parking hub.
40. **APP/MM40** refers to how consideration should be given to the parking standards in the Strategic Transport Plan in new development as well as to park and ride schemes which will support the City centre by increasing access to the metropolitan rail and rapid transit network. This would better reflect the Strategic Transport Plan.
41. Further changes to Policy CC11(**APP/MM44**) would clarify how redevelopment of listed car parks in the City centre should have regard to TfWM's parking policy objectives as well as balancing parking needs with promoting the use of public transport, cycling and walking. These changes would ensure that the Policy reflects fully the objectives of the Strategic Transport Plan. In addition, an additional criterion in part d. of the Policy would ensure that development proposals would have regard to, and where appropriate, make provision for the development of Rapid Transit (**APP/MM43**). This would also support the objectives of the LP and Strategic Transport Plan.

#### Conclusion on Issue 3

42. Subject to the MMs identified as necessary for soundness, the AAP's policies for transport and accessibility are justified and effective.

#### **Issue 4 – Are the AAP policies effective and does the AAP set out effective arrangements for implementing and monitoring the achievement of its policies and proposals?**

43. The LP seeks to provide at least 24,600 homes over its lifetime and sets out how this requirement will be met. Some of this new housing is proposed to be delivered within the City centre and the AAP seeks to encourage the development of more homes within the City centre. Approximately 15% of all new homes have been built in the centre in the last 10 years. Changes to Table 1 and its introductory text via **APP/MM9** and **APP/MM10** provide updated, more accurate figures in respect of the number of completions within the City centre and outside it over the last 10 years (2006/7 to 2015/16). These changes are necessary to provide the most accurate figures and to ensure that ongoing monitoring of the number of homes delivered within the City centre would be effective.
44. In addition, changes to the AAP to provide up-to-date figures for the number of completed purpose built student accommodation in the City centre would ensure that there is an accurate figure in the AAP which could be monitored effectively (**APP/MM11**). **APP/MM11** would also ensure that a more

accurate figure is shown in respect of completed conversions of offices to homes in the City centre.

45. Policy CC24 relates to the City centre's University and enterprise area and sets out requirements for development proposals in this area. Changes set out in **APP/MM53** would add clarity to the policy's requirements by confirming that high quality building(s) would be supported on land to the east of the Computer and Engineering Building on Gulson Road. Also, proposals for the Grade I listed Whitefriars Monastery should not have a detrimental impact upon the surrounding public realm (in addition to the architectural and historic interest of the building). Proposals should also respect the design unity of this part of the University and Enterprise area.
46. The Monitoring Framework sets out a series of indicators against which implementation of its policies and proposals will be measured. **APP/MMC** amends a number of these and adds new ones to ensure that monitoring will be effective. In particular, these additions include monitoring indicators for delivery of the AAP's targets for the delivery of housing, employment land, offices and retail. The modifications include monitoring indicators to measure delivery of key regeneration schemes as well as public realm projects.

#### *Conclusion on Issue 4*

47. Subject to the MMs identified as necessary, the AAP's policies are sound and there are effective arrangements for implementing and monitoring the achievement of the AAP's policies and objectives.

## **Assessment of Legal Compliance**

48. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

| LEGAL REQUIREMENTS  |   |
|---|---|
| Local Development Scheme (LDS)                                    | The City Centre Area Action Plan has been prepared in accordance with the Council's LDS 2015.                                     |
| Statement of Community Involvement (SCI) and relevant regulations | The SCI was adopted in 2012. Consultation on the City Centre Area Action Plan and the AAP/MMs has complied with its requirements. |
| Sustainability Appraisal (SA)                                     | SA has been carried out and is adequate.  |
| Habitats Regulations Assessment (HRA)                             | The Habitats Regulations AA Screening Report January 2016 sets out why AA is not necessary. Natural England supports this.        |
| National Policy   | The City Centre Area Action Plan complies with national policy except where indicated and AAP/MMs are recommended.                |
| 2004 Act (as amended) and 2012 Regulations.                       | The City Centre Area Action Plan complies with the Act and the Regulations.   |

## **Overall Conclusion and Recommendation**

49. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.
50. The Council has requested that I recommend AAP/MMs to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Coventry City Centre Area Action Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

*R. Phillips*

Inspector

This report is accompanied by an Appendix containing the Main Modifications.

## Schedule of proposed modifications – Local Plan and City Centre Area Action Plan - November 2017

The tables below lists both the minor and main modifications that have been undertaken upon the Coventry Local Plan and the City Centre AAP for varying reasons. Please note that only specific alterations have been listed, and changes to the formatting/layout or grammatical corrections have been considered as a single reference number – see LP/MOD.A and LP.MOD.B etc.

The tables are presented in the following order:

1. **Local Plan Minor Modifications** – these relate to changes that are not necessary to support matters of soundness and largely relate to matters of factual correction, presentation and/or grammatical considerations.
2. **Local Plan Main Modifications** – these relate to changes that are deemed necessary to support the soundness of the Plan. They predominantly relate to policies or supporting text and respond to the Inspectors Action Points.
3. **City Centre AAP – Minor Modifications**
4. **City Centre AAP – Main modifications**

| Modification Reference Number         | Page Number / Policy Reference | Proposed Amendment  | Justification and Reasoning             |
|---------------------------------------|--------------------------------|---|---|
| <b>LOCAL PLAN MINOR MODIFICATIONS</b> |                                |   |   |
| LP/MOD.A                              | Throughout LP Document         | All figure numbers in the LP policies, introductory/supporting text and figure/table captions themselves, have been amended so that they are referenced accurately and consistently, and tables and figures are presented in numerical order. Where appropriate figure/table numbers have been changed to reflect this. | To ensure accuracy throughout the Plan. |
| LP/MOD.B                              | Throughout LP Document         | The document has been reviewed in its entirety in order to ensure it is consistently formatted and presents correct grammar throughout. This includes minor changes such as spelling and grammatical corrections.   | To ensure accuracy throughout the Plan. |
| LP/MOD.1                              | p.3, List of Key Abbreviations | SUDS - Sustainable <del>Urban</del> Drainage Systems  | Correction to acronym.                  |
| LP/MOD.2                              | p.3, List of Key Abbreviations | Additional abbreviation – PHE – Public Health England   | Additional abbreviation and acronym.    |

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| LP/MOD.4  | p.5, Purpose and Role of the Draft Local Plan – introductory text     | The Local Plan <del>is currently at 'publication stage' meaning this is the version of the Plan the Council believes is suitable to submit for public examination. It has been prepared under the Planning and Compulsory Purchase Act (2004) meaning the Council is seeking representations on the "soundness" and "legal compliance" of these proposals under regulations 19 and 20 of and</del> the Town and Country Planning Regulations (2012). <del>Subject to this final stage of statutory engagement and the representations received by the Council, the Local Plan will be submitted to the Secretary of State for public examination by an independent inspector.</del> | To prepare the document for conversion from 'Proposed Draft' to 'ready for adoption' stage.                                       |
| LP/MOD.5  | p.6, Background – How the Plan has been Developed – introductory text | The <del>existing</del> <u>previous</u> Coventry Development Plan was adopted in 2001, with the Regional Strategy adopted in 2004.<br>The table below sets out the range of engagement activity that <del>has been undertaken over the course of the last 10 years.</del> <u>supported the development of this Plan.</u>  | To prepare the document for conversion from 'Proposed Draft' to 'ready for adoption' stage.                                       |
| LP/MOD.6  | p.6, Table 1  | <u>March 2017 - New Local Plan – Proposed Modifications</u>   | To prepare the document for conversion from 'Proposed Draft' to 'ready for adoption' stage.                                       |
| LP/MOD.7  | p.6, Key Date and Engagement Events – introductory text               | <u>The Local Plan is also supported by a Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA), a Habitat Regulations Assessment (HRA) and Health Impact Assessment (HIA).</u>   | Additional paragraph to add clarity to introductory text by making explicit reference to specific documents in the evidence base. |
| LP/MOD.8  | p. 7, Key Dates and Engagement Events – introductory text             | As such, the housing needs of the HMA have been established through a range of research <u>largely</u> completed by the 6 Local Planning Authorities and GL Hearn planning consultants between 2013 and 201 <u>6</u> <del>5</del> .   | Additional wording to improve accuracy of text<br>+<br>Change of date to acknowledge progression of time.                         |
| LP/MOD.9  | p.8, The Duty to Cooperate – introductory text                        | <u>Agreed Memorandum of Understanding across Coventry and Warwickshire relating to housing requirements and employment land (2015 and 2016);</u>  | Additional bullet point to add clarity to introductory text and ensure the most up to date documentation is referenced.           |
| LP/MOD.10 | p.8, The Duty to Cooperate – introductory text                        | Establishment of a Coventry and Warwickshire and South East Leicestershire <del>Shadow Economic Prosperity Board</del> <u>Joint Committee</u> for council leaders and the LEP;  | Alteration to reflect the change of name.   |

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| LP/MOD.11 | p.9, The Duty to Cooperate – introductory text | <p><u>Establishment of the West Midlands Combined Authority:</u><br/>+<br/>Subsequent references to the WMCA.</p>   | Additional bullet point to acknowledge the formation of the WMCA during the LP process.                                      |
| LP/MOD.17 | p.13, Community and Stakeholder Engagement     | <p><del>Community and Stakeholder Engagement</del></p> <p><del>As set out above this Plan contains a suite of policies the Council feels are sound, legally compliant, and suitable to submit to the Secretary of State for public examination. The Council does however recognise the statutory need to engage with local communities and stakeholders to test its views and proposed policies prior to submission.</del></p> <p><del>This statutory process will commence on the 18th January 2016 and run for 6 weeks until 29th February 2016.</del></p> <p><del>As part of the process specific events will be held across the city with local communities and key stakeholders to help the Council understand areas of support and challenge.</del></p> <p><del>A Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA) has been undertaken at each stage of the Plan and used to help shape policies and proposals, including within this Publication Draft. The final version of the SA/SEA is available to view as part of the supporting documents released by the Council that relate to this period of engagement on the new Local Plan.</del></p> <p><del>The Local Plan is also supported by a Habitat Regulations Assessment (HRA) and Health Impact Assessment (HIA).</del></p> <p><del>All responses should be submitted to the Council by 5pm on 29th February 2016 and should preferably be submitted via email to: <a href="mailto:localplan@coventry.gov.uk">localplan@coventry.gov.uk</a></del></p> <p><del>Alternatively responses can be submitted to the following address:<br/>Coventry City Council Planning Policy Department<br/>Floor 3, Civic Centre 4<br/>Much Park Street,<br/>Coventry<br/>CV1 2PY</del></p> | Complete deletion of sub-section to prepare the document for conversion from 'Proposed Draft' to 'ready for adoption' stage. |

|  |  | <del>Or, handed in at any one of the city's Libraries, so long as they are clearly marked for the attention of the Council's Planning Policy department (as above).</del>  |  |                       |  |             |   |            |  |           |  |             |                                   |            |                       |                     |  |
|--|--|--|--|-----------------------|--|-------------|---|------------|--|-----------|--|-------------|-----------------------------------|------------|-----------------------|---------------------|--|
| LP/MOD.23  | p.19, Retail Floor Space Needs – introductory text | Within its boundaries Coventry contains a wide range of designated centres of varying sizes and scales which support the city centre at the top of the <u>retail centres</u> hierarchy. The council's new <u>retail town centre</u> policies have been informed by a range of evidence documents, but most importantly the update to the Shopping and Centres Study completed by Nathaniel Litchfield and Partners in 2014 <sup>5</sup> . This study undertook an assessment of the city's retail <u>based</u> needs, looking at 2 levels of population growth linked to capacity and needs.   | Alteration of wording to improve accuracy of text<br>+<br>Change of date to acknowledge progression of time. |                       |  |             |   |            |  |           |  |             |                                   |            |                       |                     |  |
| LP/MOD.29a   | p.23, Policy DS2 – supporting text                 | <u>Highways England</u>  | Insertion of public body to correct a previous omission.   |                       |  |             |   |            |  |           |  |             |                                   |            |                       |                     |  |
| LP/MOD.41  | p.46, Table 3.1                                    | <table border="1"> <thead> <tr> <th><u>Supply Components</u></th> <th><u>Site Size (Ha)</u></th> </tr> </thead> <tbody> <tr> <td><u>Completions 2011-2016 (includes Ryton, Ansty &amp; within Coventry)</u></td> <td><u>70.3</u></td> </tr> <tr> <td><u>Under Constructions in Coventry (excluding proposed allocations)</u></td> <td><u>3.1</u></td> </tr> <tr> <td><u>Extant Permissions in Coventry (excluding proposed allocations)</u></td> <td><u>14</u></td> </tr> <tr> <td><u>Extant Permissions and under constructions at Ryton &amp; Ansty</u></td> <td><u>53.4</u></td> </tr> <tr> <td><u>Proposed Site Allocations*</u></td> <td><u>107</u></td> </tr> <tr> <td><b><u>Total**</u></b></td> <td><b><u>247.8</u></b></td> </tr> </tbody> </table> <p>*57.7<del>9</del>ha of land within proposed allocated sites already benefits from planning</p> | <u>Supply Components</u>   | <u>Site Size (Ha)</u> | <u>Completions 2011-2016 (includes Ryton, Ansty &amp; within Coventry)</u> | <u>70.3</u> | <u>Under Constructions in Coventry (excluding proposed allocations)</u> | <u>3.1</u> | <u>Extant Permissions in Coventry (excluding proposed allocations)</u> | <u>14</u> | <u>Extant Permissions and under constructions at Ryton &amp; Ansty</u> | <u>53.4</u> | <u>Proposed Site Allocations*</u> | <u>107</u> | <b><u>Total**</u></b> | <b><u>247.8</u></b> | Deletion of previous version of table, and insertion of new table which displays the same information as preceding copy, although presented in slightly different format,<br>+<br>Includes updated figures to reflect date changes associated with progression of plan |
| <u>Supply Components</u>   | <u>Site Size (Ha)</u>                              |  |  |                       |  |             |   |            |  |           |  |             |                                   |            |                       |                     |  |
| <u>Completions 2011-2016 (includes Ryton, Ansty &amp; within Coventry)</u> | <u>70.3</u>  |  |  |                       |  |             |   |            |  |           |  |             |                                   |            |                       |                     |  |
| <u>Under Constructions in Coventry (excluding proposed allocations)</u>    | <u>3.1</u>   |  |  |                       |  |             |   |            |  |           |  |             |                                   |            |                       |                     |  |
| <u>Extant Permissions in Coventry (excluding proposed allocations)</u>     | <u>14</u>  |  |  |                       |  |             |   |            |  |           |  |             |                                   |            |                       |                     |  |
| <u>Extant Permissions and under constructions at Ryton &amp; Ansty</u>     | <u>53.4</u>  |  |  |                       |  |             |   |            |  |           |  |             |                                   |            |                       |                     |  |
| <u>Proposed Site Allocations*</u>  | <u>107</u>   |  |  |                       |  |             |   |            |  |           |  |             |                                   |            |                       |                     |  |
| <b><u>Total**</u></b>  | <b><u>247.8</u></b>                                |  |  |                       |  |             |   |            |  |           |  |             |                                   |            |                       |                     |  |



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|            |                                       | permission for employment development.<br><br><u>** 4.5ha of the allocated allowance at Lyons Park has been completed in 2015/16 monitoring year. This is captured in the completions row of the above table. The allocations row is reduced accordingly to avoid double counting</u>  |  |
| LP/MOD.50  | p.60, Policy H1 – supporting text     | Through the housing trajectory though, the requirement <del>will be stepped</del> <del>is however proposed to be phased</del> to allow for the necessary step change in housing delivery to be managed in a sustainable and appropriate way... Policy H1 sets out the proposed <del>phasing</del> <u>stepped trajectory of the</u> requirements. | Alteration of wording to reflect change to Policy H1 – see LP/MOD.49                                   |
| LP/MOD.64  | p.75                                  | Amend reference to policy H6 – should be to H7 instead.  | Factual correction.  |
| LP/MOD.71  | p.83, Policy H11 – supporting text    | In parallel with the performance of local centres and services, concentrations of HiMO's ( <u>small and large</u> ), shared accommodation and the private rented sector in general will be monitored closely as part of implementing this Local Plan and supporting the Housing Strategy.  | Provision of further clarity in supporting text.   |
| LP/MOD.72  | p.85, Retail and Town Centre Uses     | <b>Coventry's Retail <u>Based</u> Needs</b>  | Change reflects action taken to satisfy Inspector Action Point 25 of Hearing Session 16.               |
| LP/MOD.79  | p.91                                  | Amend reference to Policy JE8 – should reference JE6.  | Factual correction.  |
| LP/MOD.88  | p.108, Policy CO3 – supporting text   | Coventry has <del>threetwo</del> Parish Councils at Keresley, <u>Finham</u> and Allesley <del>and a further emerging Parish Council at Finham</del> , which have the autonomy to prepare either a Parish Plan or Neighbourhood Plan.   | To reflect the situation change as the plan process has progressed since draft document was published. |
| LP/MOD.103 | p.125, Policy GE3 – supporting text   | In order to restore good levels of biodiversity across the Warwickshire, Coventry and Solihull sub-region, it is important to have urban areas that are permeable for wildlife, with havens for wildlife through the <del>city</del> <u>conurbation</u> and connected corridors linking sites.   | Change of wording to add clarity to supporting text.   |
| LP/MOD.120 | p.146 1 <sup>st</sup> main para.      | <del>All The initial</del> scenarios have been run on a 'worst-case' basis to understand the potential impacts from additional vehicular traffic.  | To add clarity to supporting text.   |
| LP/MOD.123 | p.156, Policy AC5 – introductory text | Options are also being considered for improved public transport connectivity to proposed HS2 interchange and the UK Central proposal in Solihull <u>through the HS2 Connectivity Package</u> .   | Additional wording to add clarity to introductory text.  |

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| LP/MOD.125 | p.159, Policy AC6, para. 4 | Further details are set out in the Coventry Connected SPD, <del>and</del> Coventry Rail Investment Strategy <u>and the West Midlands Strategic Transport Plan</u> . | To acknowledge the publication of a new document subsequent to publication of draft Local Plan. |
| LP/MOD.141 | P. 177 and 178             | References within the supporting text to EM7 are amended to EM8.  | To ensure consistency with new policy numbering.  |

| <b>LOCAL PLAN MAIN MODIFICATIONS</b> |   |  |   |
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| LP/MOD.3                             | p.5, Introduction   | It also allows for the city to maximise the benefits and connectivity to the proposed HS2 interchange and supporting development at UK Central as well as continued job creation at Ansty Park, Ryton, ProLogis Keresley, University of Warwick and the planned Coventry and Warwick Gateway <u>(including the JLR proposals at Whitley South)</u> . | Additional wording to add clarity to introductory text.   |
| LP/MOD.12                            | p.10, Issues and Opportunities table                                | <u>Balance the needs of public transport, cycling and walking with those of the car</u>  | Additional wording to acknowledge a required balance between sustainable transport modes and private methods.   |
| LP/MOD.13                            | p.11 (point 1) + 12 (point 4), Vision Strategy and Objectives table | <u>Build on the universities as an engine for research, innovation and culture in the city.</u><br><u>Support the city's two world class universities as they continue to strengthen their national and global reputation.</u>   | Additional bullet points to ensure explicit reference is made to the progression of the cities two universities across the plan period.   |
| LP/MOD.14                            | p.11 (point 2), Vision and Objectives table                         | Making the city more accessible for business, visitors and local people through better road, rail, <u>bus, Rapid Transit</u> and digital connections.  | Additional wording to make explicit reference to Rapid Transit and to correct the omission of bus as a means of transportation.<br>+<br>To reflect the inclusion of bus and rapid transit provision included through;<br><i>Inspector Action Point 7 of Hearing Session 10 and Inspector Action Point 17 of Hearing Session 12.</i> |

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| LP/MOD.15 | p.11 (point 4) + 12 (point 7),<br>Vision and Strategy Objectives table                      | <p><u>Provide a high quality public transport network which integrates with walking and cycling routes</u></p> <p><u>Ensure all housing is accessible by sustainable modes of transport</u></p>   | Additional bullet point to ensure explicit reference is made to the improvement of the cities' public transport system and its aim of providing a balanced offering of transport modes across the plan period. |
| LP/MOD.16 | p.10 (point 1) + 11 (point 2 and 3) + 13 (point 9),<br>Vision and Strategy Objectives table | <p>Additional reference added to Policy DS4 to all listed points.</p> <p>Reference added to Policy H2 in relation to point 2 only.</p>  | Reflects the introduction of new Policy DS4 and updates to infrastructure requirements.  |
| LP/MOD.18 | p.15, Policy DS1, Introduction – introductory text  | <p><u>As part of the Local Plans public examination a detailed review of the 2014 based sub-national population projections (ONS), the respective household projections (DCLG) and the 2015 mid-year population estimates was undertaken. This reflected the timely release of this data during the examination process. The information was reviewed as part of a joint Coventry and Warwickshire commission and showed a continued growth in housing need in Coventry. This growth was however offset by a decrease in growth projections for Warwickshire meaning the overall needs of the Coventry and Warwickshire Housing Market Area are actually projected to decrease by 35 homes a year. For the avoidance of doubt this assessment highlights the city's population to grow by in excess of 100,000 people with a revised housing need of 47,320. Again, though this additional growth is to be offset by a decline in growth pressure within Warwickshire. As such, the updated information has very little impact on the ability of the: Local Plans for Coventry and Warwickshire to meet the needs of the HMA in accordance with national guidance. For this reason no adjustment was made to the policy structure of this Plan. Should the situation change in future years however then the Plan will be reviewed in accordance with Policy DS.1</u></p> | Additional paragraph to add clarity to introductory text. This also helps respond to the Inspectors Action Point 1 of Hearing Session 14.  |

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| LP/MOD.19 | p.16, Housing Needs - introductory text            | <u>As set out above, although the 2014 based data suggests an increase in the OAN for the city it also shows that this is more than offset by a decrease in OAN across Warwickshire. As such, the housing needs of the HMA remain stable. In this context though the city's OAN will continue to be considered as a minimum level of provision for the purposes of this Plan.</u>  | Additional wording to clarify the housing OAN following the release of updated data in 2016. To partly satisfy Inspector Action Point 1 of Hearing Session 14. |
| LP/MOD.20 | p.16, Housing Need - introductory text             | As a result, the Council have worked openly and constructively with its neighbouring authorities, <del>particularly over the last 18 months</del> to agree a Joint Memorandum of Understanding (MoU) on housing delivery <del>(2015)</del> to support all Local Plans for Coventry and Warwickshire. <u>This MOU is unchanged following the 2014 based data as the overall needs of the HMA remain stable and continued to be planned for in a positive way.</u>   | Deletion of unnecessary wording, + Likewise to LP/MOD.17, additional text to clarify the Council's position on the OAN updated figures for housing.            |
| LP/MOD.21 | p.17, Employment Land Needs – introductory text    | Coventry and Warwickshire Gateway (including Whitley Business Park <u>and Whitley South</u> ) – Significant investment in advanced manufacturing, logistics, and hi-tech research and development opportunities to the south and south east sides of the city <u>supported by the global headquarters of JLR</u> ;   | Additional wording ensure explicit reference is made to Whitley South and JLR regarding the support of economic growth projects.                               |
| LP/MOD.22 | p.19, Employment Land Needs – introductory text    | <u>This redistribution has been agreed through a Coventry and Warwickshire Employment Land MOU (2016). The MOU has also agreed the site opportunities referenced above, and although 2016 monitoring suggests a slight improvement in the city's employment land position, there remains a significant shortfall against the overall requirement and an on-going need for deliverable employment land across the sub-region. This also reflects the minimum nature of the requirement identified in Policy DS1.</u>  | Additional wording to paragraph which reflects changed to policy DS1.  |
| LP/MOD.24 | p.20, Retail Floor Space Needs – introductory text | Having regard to the city's position at the heart of the sub-region, the regeneration opportunities within the city centre and the identification of much of Warwickshire within the Coventry retail catchment area, the Local Plan makes provisions for the city's full retail <u>based</u> needs. In this context a total need of <del>843,952sq.m</del> <u>843,952sq.m</u> of <del>comparison retail</del> floor space is required (A1-A5 including bulky goods retail) and a further 21,882sq.m of convenience retail floor space. This totals approximately 1076,000sq.m of retail <u>based</u> floor space. In delivering this floor space it is expected that around 20,200sq.m of comparison space will be reoccupied through existing vacant units leaving a further <del>865,800sq.m</del> <u>865,800sq.m</u> to be planned for. | Alteration of figures, and deletion of wording to improve accuracy of introductory text.   |

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| LP/MOD.25 | p.20, Policy DS1, para. 1a + b.    | <p><u>A minimum of 24,600</u> additional homes.</p> <p><u>A minimum of 128ha</u> of employment land within the city's administrative boundary</p> <p>Where necessary the phrase: <u>at least</u>, has been inserted prior to the respective housing figures respectively throughout the document.</p>   | To satisfy Inspector Action Point 2 of Hearing Session 2.   |
| LP/MOD.26 | p.20, Policy DS1, para. 1c         | <p>84,900sq.m gross <del>comparison</del>-retail <u>based</u> floor space (<u>across use classes A1-A5 (including bulky goods)</u>) and 21,900sq.m gross convenience floor space by 2031, of which at least 70,000sq.m is to be allocated to Coventry city centre.</p>  | To satisfy Inspector Action Point 1 of Hearing Session 7(b).<br>+<br>Addition and deletion of text and figures to ensue factual accuracy. |
| LP/MOD.27 | p.21, Policy DS1, para. 3          | <p><u>The Council will undertake a comprehensive review of national policy, the regional context, updates to the evidence base and monitoring data before 31st March 2021 to assess whether a full or partial review of the Plan is required. In the event that a review is required, work on it will commence immediately.</u></p> <p><u>Furthermore, the Plan will be reviewed (either wholly or partially) prior to the end of the Plan Period in the event of one or more of the following circumstances arising: -</u></p> <ul style="list-style-type: none"> <li><u>a) Through the Duty to Co-operate, the unmet housing and employment needs of the city are proven to be undeliverable within the Local Plans of Warwickshire authorities;</u></li> <li><u>b) Updated evidence or changes to national policy suggest that the overall development strategy should be significantly changed;</u></li> <li><u>c) The monitoring of the Local Plan (in line with the Plan's Monitoring Framework having particular regard to the monitoring of housing delivery) demonstrates that the overall development strategy or the policies are not delivering the Local Plan's objectives and requirements;</u></li> <li><u>d) Any other reasons that render the Plan, or part of it, significantly out of date.</u></li> </ul> | To satisfy Inspector Action Point 2 of Hearing Session 1.   |
| LP/MOD.28 | p.21, Policy DS1 – supporting text | <p><u>Local Plan Review</u></p> <p><u>In the event that the Plan as a whole or a key part of it becomes out of date, it will be necessary to undertake a full or partial review of the Plan. Further to part 3 of Policy DS1 there are a number of factors that could render the Plan out of date:</u></p>  | To satisfy Inspector Action Point 2 of Hearing Session 1.   |

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|  |  | <p><u>a) Should one or more of the City's Warwickshire neighbours be unable to deliver the relevant proportion of the city's unmet development needs (for housing and employment as appropriate) as informed by the relevant MOU's then the city will explore all options to review its Local Plan. A failure to deliver the development needs in accordance with existing MOU's however should be evidenced by a public examination and subsequent adoption of the relevant Local Plan and have full regard to the Duty to Cooperate process.</u></p> <p><u>b) The Coventry and Warwickshire Memorandum of Understanding (MOU) may need to be updated to reflect changing circumstances and evidence. In the event that a new or revised Memorandum of Understanding would require substantive revisions to the Local Plan proposals, then a partial or full review is likely to be necessary. However a new or revised MOU will not necessarily require a review of the Plan where the changes can be accommodated within the Plan's existing strategy.</u></p> <p><u>c) National planning guidance is clear that updated evidence (such as new ONS population and respective household projections) will not necessarily render the Plan out of date. However where evidence signals a substantial and sustained change (either up or down) to the context of the Local Plan, this will trigger a review (partial or whole) of it.</u></p> <p><u>d) The delivery of the Local Plan's objectives, including the overall annual housing requirement will be closely monitored. Where the Plan's proposals and policies are clearly failing to deliver the Plan's overall strategy and objectives, the Plan will require a review.</u></p> <p><u>To ensure the Plan remains up to date and relevant, the Council is also committed to undertaking a comprehensive review of national policy, the regional context, updated evidence and monitoring data. The outcomes of this review will be reported to the Council before the end of March 2021 with a clearly justified recommendation as to whether a partial or comprehensive review of the Plan is required.</u></p> <p><u>During this period to 2021, the Council will also continue to work with the CWLEP</u></p> |  |
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|            |  | <u>and its Warwickshire neighbours to consider whether a statutory Single Spatial Strategy should be prepared to cover the HMA or part of it. In the event that the Council takes part in preparing a statutory Single Spatial Strategy, this will constitute a review of the Local Plan in accordance with this Policy.</u>  |  |
| LP/MOD.29b | p.25, Policy DS3, para. 1.                         | a) access to a variety of high quality green and blue <u>infrastructure spaces</u> ;<br><br>e) <del>low and, wherever possible, zero carbon homes</del> ;   | To satisfy Inspector Action Point 4 of Hearing Session 9 and Inspector Action Point 14 of Hearing Session 3.   |
| LP/MOD.30  | p.24, Policy DS2, para. 6                          | <u>6. Of particular relevance to parts 4 and 5 of this policy are the continued growth and expansion of:</u><br><u>a. Jaguar Land Rover at Whitley;</u><br><u>b. the University of Warwick;</u><br><u>c. The wider Coventry Gateway proposals;</u><br><u>d. Ansty Park;</u><br><u>e. Pro-Logis Park at Keresley; and</u><br><u>f. Proposed residential developments to the south of the city's administrative boundary.</u>   | <i>To satisfy Inspector Action Point 3 of Hearing Session 7(a).</i>  |
| LP/MOD.31  | p.25-31, Policy DS4 and supporting text            | New Policy (DS4) with associated supporting text which sets out the Master-planning principles for general development (part A) and with a specific focus on the proposed developments at Whitley (Part B) and the 2 SUE's (Part C and D).  | <i>To satisfy Inspector Action Point; 6 of Hearing Session 3, 4 of Hearing Session 7(a), 10 of Hearing Session 8, 3 of Hearing Session 10, 4 of Hearing Session 15, and 7 of Hearing Session 16.</i>                     |
| LP/MOD.32  | p.35, Policy HW1 – supporting text                 | <u>These guidelines will form a platform to support the Council's HIA SPD.</u>  | Additional wording to aid clarity of supporting text.  |
| LP/MOD.33  | p.35 + p.36, Policy HW1 – supporting text (part 1) | <u>To support this process the Council will develop a HIA SPD. This will also build upon the current Health Impacts Tool Kit being developed by Birmingham City Council and which is expected to be rolled out across the WMCA in 2017. The development of this toolkit to date has involved partnership working with representatives from the development industry and Public Health England (PHE). Once launched it is expected to carry with it an associated accreditation supported by PHE. In the event that this tool kit is not rolled out across the WMCA or the toolkit is shown to be inappropriate for a specific development proposal, the HIA</u> | <i>To satisfy Inspector Action Point 12 of Hearing Session 3.</i><br>+<br>Addition of wording to improve clarity of text and ensure the proposed approach is more reflective of national guidance and the local context. |

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|           |   | <u>SPD will provide guidance as to alternative tool kits that will support health considerations in new developments across Coventry.</u>  |  |
| LP/MOD.34 | p.36, Policy HW1 – supporting text (part 2) | <p>(c) all forms of residential development where:<br/>           (i) the number of homes to be provided is <del>150+0</del> or more; or<br/>           (ii) the site area is <del>0.5</del> hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);</p> <p>d) all forms of <del>urban commercial</del> development (<u>not involving housing</u>) where:<br/>           (i) the <del>area of development exceeds 1ha</del><del>floor space to be created by the development is 1,000 square metres or more</del>; or<br/>           (ii) <del>in the case of industrial estate development exceeds 5ha</del><del>the site area is 1 hectare or more.</del></p> <p><u>Notwithstanding the identified thresholds, all developments, including those below them, will be encouraged and recommended to complete the toolkit identified above and/or have full regard to how health benefits can be realised through development as part of the design process. By considering the use of this toolkit for sites below the threshold this could carry added benefit, especially within some of the city's more deprived areas where health and wellbeing concerns are more concentrated and in areas where issues are more isolated and/or related specifically to the proposed development or location of development. This process will also help in the consideration of the Local Plans policies on air quality, green spaces and active travel. Any consideration of benefits or impacts should have full regard to both the existing and new population that may live and/or work in or around the proposed site.</u></p> | <p><i>To satisfy Inspector Action Point 12 of Hearing Session 3.</i></p> <p>+<br/>           Deletion/addition of wording to improve clarity of text and ensure the proposed approach is more reflective of national guidance.</p> |
| LP/MOD.35 | p.38, Jobs and Economy – introductory text  | <ul style="list-style-type: none"> <li>• <u>Financial, Legal and Business Support Services – 3,11,1200 FTE jobs;</u></li> <li>• <u>Education – 23,8600 FTE jobs;</u></li> <li>• <u>Health – 3,800 FTE jobs;</u></li> <li>• <u>Retail Trade – 2,0800 FTE jobs;</u></li> <li>• <u>Construction – 2,700 FTE jobs;</u></li> <li>• <u>Wholesale Trade – 24,4600 FTE jobs; and</u></li> <li>• <u>Architectural and Engineering Services – 2,000 FTE jobs.</u></li> <li>• <del>Health – 1,400 FTE jobs;</del></li> <li>• <del>Water, Sewerage and Waste – 1,200 FTE jobs; and</del></li> <li>• <del>Residential and Social Care – 1,200 FTE jobs.</del></li> </ul>  | <p>Additional information to add clarity to supporting text. Also to satisfy Inspector Action Point 2 of Hearing Session 7 (part A – employment).</p>  |



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| LP/MOD.36 | p.39. Jobs and Economy – introductory text                  | <p><u>In particular, Jaguar Land Rover has established itself as a global business and is the UK's largest automotive employer, creating both direct and indirect jobs across the city, sub-region and UK as a whole. Jaguar Land Rover's existing site at Whitley Business Park is home to its global headquarters and is an advance engineer's facility, as well as the Jaguar Design department. The site currently employs in excess of 5,200 people with this figure expected to grow substantially in the coming years as Jaguar Land Rover continues to push forward with its own expansion plans. The City Council is committed to working jointly with Jaguar Land Rover and Warwick District Council in particular to help support the planned growth of Jaguar Land Rover in the most appropriate way. This includes the City Council's commitment to supporting the Whitley South proposals in Warwick District but also the allocation of land adjacent to Whitley Business Park at Baginton Fields. This site will help to create an employment hub for the south east corner of Coventry which could help support the longer term expansion of Jaguar Land Rover at Whitley, support the sustainable growth of its supply chain or provide a stand-alone inward investment opportunity.</u></p> | To strengthen the reference to JLR as a significant part of the city's economy and job creation.  |
| LP/MOD.37 | p.41, Policy JE1, para. e                                   | Support companies, <u>including Jaguar Land Rover</u> , in retaining, expanding and/or relocating their headquarters operations within the city <u>and support the provision of new infrastructure that encourages these companies to grow.</u>  | Additional wording in policy to specifically acknowledge JLR in terms of the role they play within Coventry's economy and employment base as requested by JLR.  |
| LP/MOD.38 | p.41, Policy JE1, para. i                                   | <u>i) Support the continued growth of the city's two universities and in doing so maximise the economic development and other community benefits associated with them.</u>   | Additional paragraph in policy to make explicit reference of the universities roles in Coventry's economy and employment base as requested by UoW and CU.   |
| LP/MOD.39 | p.44 + 45, Provision of Employment Land – introductory text | <p>These comprise firstly completions to date during the early part of the plan period during the financial years of 2011/2012 to 2015<del>4</del>/2016<del>5</del>. Such completions include those at the Ansty <u>Park</u> and Pro-logis Ryton sites within Rugby Borough Council's administrative area because these sites lie adjacent to the city's boundary and are therefore considered to form part of the city's employment land supply.</p> <p>Employment land completions for this period total <u>a little over 70ha</u><del>57ha</del> comprising <u>26<del>15</del></u>ha of completions on land within the city's administrative area,</p>  | Updated dates to indicate the progression of time since submission of draft Local Plan, consequently with updated figures to reflect this,<br>+ Addition to, and deletion of, wording to clarify supporting text. |

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|  |  | <p>30ha at Pro-logis Ryton and <del>14</del>12ha at Ansty.</p> <p>The next supply components <del>s</del> comprises <del>e</del> extant planning permissions for employment development <u>and sites under construction</u>. <del>Some</del> <u>Certain</u> of the proposed employment allocations in Policy JE2 (or part there of) also benefit from extant permissions and therefore these have been excluded from these <del>se</del> <u>extant permissions</u> components to avoid double counting as allocations also form part of the city's employment land supply. Bearing in mind the above, land with extant permission for B class employment uses totals <del>70</del>59ha comprising <del>11</del>17ha of land within the city's administrative boundary, 27ha at Pro-logis Ryton and <del>26</del>0ha at Ansty.</p> <p>Bearing in mind all of the above it proposed to allocate 8 sites for employment development which in total amount to <del>10</del>74ha.</p> <p>The <del>23</del>16.5ha previously developed Lyons Park site at Coundon Wedge Drive in the north west of the city is allocated for a mix of B1, B2 and B8 uses in accordance with the extant planning permission covering this site. Construction <del>is currently nearing completion on</del> of 5 industrial/warehouse units on <del>4</del>5ha of the site <u>has now been completed</u>. The remaining <del>19</del>ha <del>of</del> of the site <del>either</del> <u>currently</u> remains undeveloped <u>or has commenced development in early 2017 so is subject to the allocation figure in Policy JE2</u>.</p> <p><del>30</del>26.5ha of greenfield land at Whitley Business Park in the south east of the city are also allocated for a mix of research and development, industrial and storage/distribution uses (B1, B2 and B8) in accordance with previous planning approvals for employment development on this site.</p> <p>Detailed planning approval has recently been granted for a large B8 unit on <del>12</del>8ha of the site <u>with a further 9ha of the site expected to contribute towards the growth aspirations of JLR in association with the land at Whitley South (in Warwick District)</u> <del>and another planning application has recently been submitted for an industrial/warehouse unit (B1/B2/B8) on a further 3ha.</del></p> |  |
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| LP/MOD.40 | p.46, Provision of Employment Land - introductory text | It can be seen that the supply components total <del>248.6</del> ha which <u>relate positively towards the identified needs</u> <del>broadly aligns with the employment need of around 215ha</del> suggested by GL Hearn for the Plan period. <u>This level of provision both within and adjacent to Coventry also supports the Coventry and Warwickshire employment Land MOU and the aspirations of the LEP and its Strategic Economic Plan.</u> |  |             |                    |                | Alteration to wording in order to provide an accurate reflection of changes to Table 3.1 – see LP/MOD.41                          |
| LP/MOD.42 | p.47, Policy JE2, para. 1                              | JE2:2   | Lyons Park   | Bablake     | <del>19.6.5</del>  | B1, B2 & B8    | Correction to figures in order to ensure factual accuracy.  |
|           |  | JE2:3   | Whitley Business Park  | Cheylesmore | <del>30.26.5</del> | B1b&c, B2 & B8 |   |
| LP/MOD.43 | p.47, Policy JE2, para. 1 + 2                          | JE2:8   | <del>Former Electric Power Station Land off at Aldermans Green Road and Sutton Stop</del> (part of mixed use site) | Longford    | 1.5                | B1c & B8       | To satisfy Inspector Action Point 5 of Hearing Session 7(a),<br>+<br>To satisfy Inspector Action Point 6 of Hearing Session 7(a). |
|           |  | The Friargate, A45 Eastern Green, Whitmore Park, <del>and</del> Durbar Avenue <u>and Alderman's Green Road and Sutton Stop</u> employment allocations are to be progressed as part of wider mixed-use re-development schemes and should be supported by comprehensive Masterplans.  |  |             |                    |                |   |

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| LP/MOD.44 | p.54, Accessibility to Employment Opportunities – introductory text | <p><u>Within the West Midlands Integrated Transport Authority's Strategic Transport Plan, there are a number of policies promoting 'Economic Growth and Economic Inclusion'. These promote improvements in transport infrastructure including Rapid Transit, improved bus services and enhanced walking and cycling measures, alongside policies to improve junction pinch points. Investments in such infrastructure are considered throughout this Plan and will serve new employment sites, to enable new travel demands to be met successfully through sustainable forms of travel. As such, new development must be well designed to accommodate the needs of all transport modes and must be fully integrated with existing transport networks. Sustainable travel improvements will then allow employment sites to be developed, enabling new travel demand to be met by sustainable forms of travel.</u></p> | Additional paragraph added to provide stringer links to the Strategic Transport Plan and its link to sustainable access to jobs in order to support economic growth. |
| LP/MOD.45 | p.54, Policy JE7, para. b   | <p><u>Developments must be well designed to accommodate the needs of all transport modes and must be fully integrated with existing transport networks.</u></p>  | Additional paragraph to enhance the clarification of the policy.   |
| LP/MOD.46 | p.56 + 57, Delivering Coventry's Housing Needs – introductory text  | <p>Since 2006 however the annual average has dropped to approximately <del>85</del><u>79</u> dwellings.</p> <p>The level of urban regeneration proposed by this Local Plan will see a continuation of demolition, especially within the areas of Wood End, Henley Green, Manor Farm and Canley, with at least <del>350</del><u>300</u> further homes expected to be cleared up to 2031.</p> <p>Notwithstanding this reduction, there remain approximately 1,<del>100</del><u>300</u> long-term vacant properties within the city, which with intervention could be brought back into use, helping to meet local housing needs.</p>   | Alteration to figures to ensure they display factually correct information.  |
| LP/MOD.47 | p.59, Scale of Housing Development – introductory text              | <p>As previously highlighted in earlier sections of this plan however, <u>the cities OAN needs to be considered in the context of its HMA as</u> not all of these homes can be delivered within the city's boundaries. Following a thorough consideration of sustainable development principles, the constraints identified in the NPPF and a thorough assessment of land options through the Council's updated SHLAA 2015, a capacity of <del>approximately up to</del> 25,000 homes has been identified.</p>   | Addition and alteration of wording to add clarity to introductory text.  |
| LP/MOD.48 | p.59, Table 4.1   | <p><b>Table 4.1: Components of housing supply 2011 to 2031</b></p>   | To satisfy Inspector Action Point 2 of hearing Session 3.  |

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|  |  | <b>Housing Land Supply Components</b>                  | <b>Number of Homes (net)</b>  |  |  |
|  |  | <del>Past Net Completions*</del>                       | <del>4,114</del>              |  |  |
|  |  | <del>Sites With Planning Permission*</del>             | <del>5,419</del>              |  |  |
|  |  | <del>Sites Under Construction*</del>                   | <del>1,126</del>              |  |  |
|  |  | <del>SHLAA Sites</del>                                 | <del>3,767</del>              |  |  |
|  |  | <del>Proposed Site Allocations (Local Plan)*</del>     | <del>8,915</del>              |  |  |
|  |  | <del>Proposed Site Allocations (City Centre AAP)</del> | <del>1,330</del>              |  |  |
|  |  | <del>Small Site Windfall Allowance</del>               | <del>352</del>                |  |  |
|  |  | <b>Total</b>   | <b>25,023</b>                 |  |  |
|  |  | <b><u>Housing Land Supply Components</u></b>           | <b><u>Number of Homes</u></b> |  |  |
|  |  | <u>Past Net Completions*</u>                           | <u>5,550</u>                  |  |  |
|  |  | <u>Sites With Planning Permission*</u>                 | <u>5,900</u>                  |  |  |
|  |  | <u>Sites Under Construction*</u>                       | <u>945</u>                    |  |  |
|  |  | <u>SHLAA Sites</u>                                     | <u>3,058</u>                  |  |  |
|  |  | <u>Proposed Site Allocations (Local Plan)*</u>         | <u>8,920</u>                  |  |  |
|  |  | <u>Proposed Site Allocations (City Centre AAP)**</u>   | <u>649</u>                    |  |  |
|  |  | <u>Small Site Windfall Allowance</u>                   | <u>350</u>                    |  |  |

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|           |                                   | <p><u>Total</u></p> <p><u>25,372</u></p>  |  |
|           |                                   | <p>* In addition to the number of homes under the Proposed Site Allocations (Local Plan), <del>169,406</del> dwellings have been completed <u>as of April 1<sup>st</sup> 2016</u> <del>in 2014/15</del> and <del>962,033</del> homes have planning permission or are already under construction (at April 1<sup>st</sup> 2016<del>5</del>). These are included in the relevant headings in the table and are not double counted.</p>  |  |
| LP/MOD.49 | p.60, Policy H1, para. 2          | <p><u>As part of the housing trajectory (Appendix 1),</u> <del>t</del>his requirement is to be <del>stepped</del><u>phased</u> in the following way:</p>  | To satisfy Inspector Action Point 4 of Hearing Session 3.                        |
| LP/MOD.50 | p.60, Policy H1 – supporting text | <p><del>Through the housing trajectory though, the requirement will be stepped</del> <del>is however proposed to be phased</del> to allow for the necessary step change in housing delivery to be managed in a sustainable and appropriate way... Policy H1 sets out the proposed <del>phasing</del><u>stepped trajectory of the</u> requirements.</p>  | Alteration of wording to reflect change to Policy H1 – see LP/MOD.49             |
| LP/MOD.51 | p.60, Policy H1 – supporting text | <p><del>for 2 successive years. As such, the land supply position</del></p>   | Deletion of text which reflects the changes to trigger points throughout the LP. |
| LP/MOD.52 | p.60, Policy H1 – supporting text | <p><u>To ensure a robust assessment of land supply is undertaken monitoring will consider the Sedgefield approach and factor in a 5% supply buffer as standard unless there is evidence of persistent under delivery against the housing trajectory which supports Policy H1 of this plan. Through the AMR, land supply will also be assessed against a 20% buffer and give consideration to the Liverpool approach. This additional sensitivity monitoring will also be utilised as an early warning mechanism to identify any potential need for an early review of the SHLAA or early preparation of the ‘Supporting Housing Delivery DPD. This monitoring approach.....</u></p> | To satisfy Inspector Action Point 1 of Hearing Session 3.                        |
| LP/MOD.53 | p.61, Policy H1 – supporting text | <p>Through its <del>AMR monitoring process</del> the Council will therefore <u>monitor closely the proportion of development on brownfield sites. This is with a view to encouraging and supporting</u><del>cook to achieve</del> a majority of annual completions on brownfield sites. Should this fail to materialise for 2 consecutive monitoring years then the Council will consider this a secondary trigger in the delivery of its ‘Supporting Housing Delivery Development Plan Document’. <u>Such monitoring data would not in itself however constitute a reason for refusing a greenfield development proposal.</u></p>  | To satisfy Inspector Action Point 11 of Hearing Session 16.                      |

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| LP/MOD.54 | p.61-64, Table 4.2       | Various changes to 'Essential Site Specific Requirements and Other Uses' column. This relates to sites at Keresley, Eastern Green, Walsgrave Hill Farm, Whitmore Park, Browns Lane, Sutton Stop, Cromwell Lane, London Road / Allard Way and Grange Farm. This also results in some small adjustments to the site boundaries which are outlined in the supporting documentation (where appropriate).   | To add clarity and certainty to the information relating to proposed site allocations for housing. |
| LP/MOD.55 | p.64, NB to Table 4.2    | <i>Site capacities have been rounded and add up to 96 dwellings more than the figures in Table 4.1, which reflects permissions and phasing to date.</i>  | Factual correction to figure.  |
| LP/MOD.56 | p.63 and 65.             | <p><u>In order to support the sustainable access to the sites identified above a number of cases are envisaged whereby local transport infrastructure will require either partial or entire construction upon land that will remain within the Green Belt. Paragraph 90 of the NPPF states "Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. Para 90 goes on to clarify that this includes "local transport infrastructure which can demonstrate a requirement for a Green Belt location".</u></p> <p><u>Having regard to national policy alongside the essential requirements outlined in Policy H2, the Master planning principles outlined in policy DS4 and the proposed Green Belt boundaries in policy GB1 the following sites will require local transport infrastructure that clearly demonstrates a requirement for a Green Belt location.</u></p> <ul style="list-style-type: none"> <li>• <u>Keresley SUE – Highway proposals associated with the Link Road between Winding House Lane and Long Lane</u></li> <li>• <u>Eastern Green SUE – The new junction from the A45 will require land to the north of the A45 to ensure traffic flows on the road are not compromised</u></li> <li>• <u>Walsgrave Hill Farm – highway proposals associated with the new junction at the A46 and the blue light access</u></li> <li>• <u>Sutton Stop – junction improvements to Alderman's Green Road</u></li> <li>• <u>The Grange Children's home, Waste Lane – possible access improvements at Waste Lane and/or Brownhill Green Road</u></li> </ul> <p><u>In the case of land at Eastern Green and Sutton Stop this will also relate to policy JE2 should the employment elements of the site be brought forward separately.</u></p> | <i>To partly satisfy Inspector Action Point 4 of Hearing Session 15, + 2 of Hearing Session 5.</i> |
| LP/MOD.57 | p.65, Policy H3, para. 4 | <u>Wherever possible n</u> New developments should also be:  | <i>To satisfy Inspector Action Point 7 of 3.</i>   |

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| LP/MOD.58 | p.66, Policy H3, para. 6          | <u>Sustainable transport provision and the infrastructure required to support housing development must be considered from the onset, to ensure all sites have easy access to high quality public transport and walking and cycling routes</u>   | <i>Additional paragraph to add clarity to policy.</i>                                  |
| LP/MOD.59 | p.66, Policy H3, para. 7          | <del>Developer Contributions via Community Infrastructure Levy and/or Section 106 Obligations may be required to address any deficiency.</del>  | <i>To partly satisfy Inspector Action Point 8 of Hearing Session 3. See LP/MOD.60.</i> |
| LP/MOD.60 | p.66, Policy H3 – supporting text | <u>Should development come forward that is deficient against the criteria in policy H3 then the site specific circumstances will be considered to understand the extent to which the criteria are not met. Should it be deemed appropriate and justified without excessively impacting on development viability, developer contributions will be required via a Section 106 agreement and/or CIL. This will be managed through Policy IM1.</u>  | <i>To partly satisfy Inspector Action Point 8 of Hearing Session 3. See LP/MOD.59.</i> |
| LP/MOD.61 | p.66, Policy H3 – supporting text | <p>When considering public transport options in particular new homes should <u>comply with the TfWM's access standards of 400m to a bus stop and</u> seek to maximise connectivity to the existing network and facilitate extensions to this network where practicable. <u>This should include new and improved bus connections with good service frequency to serve new larger sites where appropriate and practical.</u></p> <p>In responding to Government objectives of facilitating the delivery of self-build homes and starter homes the Council have considered that some limited provision of these could <u>in accordance with national Green Belt policy,</u> represent acceptable development within the Green Belt, but only where they represent limited infill opportunities within existing ribbon developments and complement the existing street scene.</p> | <i>Additional wording to paragraph to add clarity to supporting text.</i>              |
| LP/MOD.62 | p.68, Policy H4, para. 2          | In assessing the housing mix in residential schemes the Council may take into account the following circumstances where it may not be appropriate to provide the full range of housing types <del>and sizes</del> in accordance with the latest Strategic Housing Market Assessment:  | <i>To satisfy Inspector Action Point 9 of Hearing Session 3.</i>                       |
| LP/MOD.63 | p.72, Policy H6, para. 5          | Where the specified level of affordable housing cannot be provided, <u>including for reasons of viability,</u> robust evidence must be presented to justify a reduced or alternative form of contribution.  | <i>To satisfy Inspector Action Point 3 of Hearing Session 2.</i>                       |



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| LP/MOD.65 | p. 76, Policy H7 – supporting text  | Should on-going monitoring identify a continuation of recent trends and demonstrate that this is not a short term deviation then the council will <u>consider the need for a targeted review of this Local Plan in accordance with Policy DS1 and the monitoring framework which supports this Plan.</u> <del>bring forward allocated sites as part of its 'Supporting Housing Delivery Development Plan Document'.</del>   | <i>To satisfy Inspector Action Point 2 of Hearing Session 1.</i>   |
| LP/MOD.66 | p.76, Policy H7 – supporting text   | By way of reasonable travelling distance, national guidance <del>likens</del> <u>draws some similarities between</u> sites for Gypsy and Travellers <del>and to</del> sites for general bricks and mortar housing. As such, the standards set out in policy H3 should be considered when determining applications for Gypsy and Traveller sites.  | <i><u>To support the Policy position and help clarify the land supply approach for Gypsy and Traveller sites</u></i> |
| LP/MOD.67 | p.77m Policy H8 – introductory text   | To support future housing pathways, <u>opportunities for new Extra Care provision at least 10% of new homes built</u> within the Urban Extensions at Keresley and Eastern Green should <u>be considered at the Master planning stage.</u> <del>therefore be provided to support Extra Care provision.</del> <u>Within the urban extensions and through city wide development in general</u> whilst further opportunities should be taken to <del>focus</del> <u>make</u> new provisions around designated centres, with the recent development at the Butts a prime example of what can be achieved across the city   | <i>To satisfy Inspector Action Point 4 of Hearing Session 2.</i>   |
| LP/MOD.68 | p.78, Policy H8 – supporting text   | <del>New dwellings should however also be built to, or be easily adaptable to Lifetime standards. Lifetime homes incorporate features, which make the dwellings easily adaptable to changing family needs, and enable everyone to live independently.</del>   | <i>To satisfy Inspector Action Point 15 of Hearing Session 3.</i>  |
| LP/MOD.69 | p.80, Policy H10 – introductory text  | The supplementary evidence has identified the continuation of this trend, with in excess of <del>3,500</del> <u>2,500</u> bed spaces currently with extant planning permission.   | Updated figures which reflect a progression in time as the document has progressed.                                  |
| LP/MOD.70 | p. 83, Policy H11, para. d  | <u>The amenity value and living standards of future occupants of the property, having specific regard to internal space, garden/amenity space and</u>   | Additional paragraph to enhance clarity of policy.   |
| LP/MOD.73 | p.86, Retail and Town Centre Uses: Coventry's Retail Based Need – introductory text | The allocation of <u>convenience floor space, A2 provision and</u> retail warehouse need towards the city centre reflects the recommendations <u>and overarching principles</u> of the Shopping and Centres Study and the need to consider such provisions sequentially through the hierarchy. As such, new <del>retail warehouse</del> opportunities should be provided within the Primary Shopping Area or wider city centre wherever possible <u>to meet these needs unless otherwise identified in Policy R1.</u> <u>If this does not prove possible through the Sequential Assessment process then provisions should be focused towards the other centres within the hierarchy as appropriate.</u> | <i>To partly satisfy Inspector Action Point 3 of Hearing Session 7, along with LP/MOD.74.</i>                        |

| <p>LP/MOD.74</p>                                | <p>p.86, Table 5.1</p> | <table border="1"> <thead> <tr> <th></th> <th>Convenience</th> <th>Comparison*</th> <th>A2</th> <th>A3-A5</th> <th>Retail Warehouse</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>City Centre</td> <td>10,000</td> <td>27,667</td> <td>8,700</td> <td>10,009</td> <td>21,758</td> <td>78,134</td> </tr> <tr> <td>Rest of City</td> <td>11,881</td> <td>13,175</td> <td>0</td> <td>2,630</td> <td>0</td> <td>27,686</td> </tr> <tr> <td><b>Total</b></td> <td><b>21,881</b></td> <td><b>40,842</b></td> <td><b>8,700</b></td> <td><b>12,639</b></td> <td><b>21,758</b></td> <td><b>105,820</b></td> </tr> </tbody> </table><br><table border="1"> <thead> <tr> <th rowspan="2"></th> <th colspan="5"><u>to 2031</u></th> </tr> <tr> <th><u>Convenience</u></th> <th><u>Comparison (A1)*</u></th> <th><u>A2</u></th> <th><u>A3-A5</u></th> <th><u>Retail Warehouse</u></th> </tr> </thead> <tbody> <tr> <td>City Centre</td> <td rowspan="2">21,882</td> <td>27,667</td> <td rowspan="2">9,712</td> <td>10,010</td> <td rowspan="2">21,758</td> </tr> <tr> <td>Rest of City</td> <td>13,175</td> <td>2,630</td> </tr> <tr> <td><b>Total</b></td> <td><b>21,882</b></td> <td><b>40,842</b></td> <td><b>9,712</b></td> <td><b>12,640</b></td> <td><b>21,758</b></td> </tr> </tbody> </table> <p>* <u>An allowance for at least 10,000sq.m of new retail floor space at City Centre South has been added into the short term projection.</u><br/> <u>NB: all figures are for gross floor space</u><br/> <u>NB: Source: Coventry Shopping and Centres Study (2014).</u></p> |                   | Convenience        | Comparison*             | A2             | A3-A5   | Retail Warehouse | Total             | City Centre       | 10,000                                    | 27,667            | 8,700             | 10,009            | 21,758   | 78,134 | Rest of City | 11,881 | 13,175 | 0 | 2,630 | 0 | 27,686 | <b>Total</b> | <b>21,881</b> | <b>40,842</b> | <b>8,700</b> | <b>12,639</b> | <b>21,758</b> | <b>105,820</b> |  | <u>to 2031</u> |  |  |  |  | <u>Convenience</u> | <u>Comparison (A1)*</u> | <u>A2</u> | <u>A3-A5</u> | <u>Retail Warehouse</u> | City Centre | 21,882 | 27,667 | 9,712 | 10,010 | 21,758 | Rest of City | 13,175 | 2,630 | <b>Total</b> | <b>21,882</b> | <b>40,842</b> | <b>9,712</b> | <b>12,640</b> | <b>21,758</b> | <p>To partly satisfy Inspector Action Point 3 of Hearing Session 7b, along with LP/MOD.73.</p> |
|---|------------------------|---|-------------------|--------------------|-------------------------|----------------|---|------------------|-------------------|-------------------|---|-------------------|-------------------|-------------------|--|--------|--------------|--------|--------|---|-------|---|--------|--------------|---------------|---------------|--------------|---------------|---------------|----------------|--|----------------|--|--|--|--|--------------------|-------------------------|-----------|--------------|-------------------------|-------------|--------|--------|-------|--------|--------|--------------|--------|-------|--------------|---------------|---------------|--------------|---------------|---------------|--|
|   | Convenience            | Comparison*   | A2                | A3-A5              | Retail Warehouse        | Total          |   |                  |                   |                   |   |                   |                   |                   |  |        |              |        |        |   |       |   |        |              |               |               |              |               |               |                |  |                |  |  |  |  |                    |                         |           |              |                         |             |        |        |       |        |        |              |        |       |              |               |               |              |               |               |  |
| City Centre                                     | 10,000                 | 27,667  | 8,700             | 10,009             | 21,758                  | 78,134         |   |                  |                   |                   |   |                   |                   |                   |  |        |              |        |        |   |       |   |        |              |               |               |              |               |               |                |  |                |  |  |  |  |                    |                         |           |              |                         |             |        |        |       |        |        |              |        |       |              |               |               |              |               |               |  |
| Rest of City                                    | 11,881                 | 13,175  | 0                 | 2,630              | 0                       | 27,686         |   |                  |                   |                   |   |                   |                   |                   |  |        |              |        |        |   |       |   |        |              |               |               |              |               |               |                |  |                |  |  |  |  |                    |                         |           |              |                         |             |        |        |       |        |        |              |        |       |              |               |               |              |               |               |  |
| <b>Total</b>                                    | <b>21,881</b>          | <b>40,842</b>   | <b>8,700</b>      | <b>12,639</b>      | <b>21,758</b>           | <b>105,820</b> |   |                  |                   |                   |   |                   |                   |                   |  |        |              |        |        |   |       |   |        |              |               |               |              |               |               |                |  |                |  |  |  |  |                    |                         |           |              |                         |             |        |        |       |        |        |              |        |       |              |               |               |              |               |               |  |
|   | <u>to 2031</u>         |   |                   |                    |                         |                |   |                  |                   |                   |   |                   |                   |                   |  |        |              |        |        |   |       |   |        |              |               |               |              |               |               |                |  |                |  |  |  |  |                    |                         |           |              |                         |             |        |        |       |        |        |              |        |       |              |               |               |              |               |               |  |
|   | <u>Convenience</u>     | <u>Comparison (A1)*</u>   | <u>A2</u>         | <u>A3-A5</u>       | <u>Retail Warehouse</u> |                |   |                  |                   |                   |   |                   |                   |                   |  |        |              |        |        |   |       |   |        |              |               |               |              |               |               |                |  |                |  |  |  |  |                    |                         |           |              |                         |             |        |        |       |        |        |              |        |       |              |               |               |              |               |               |  |
| City Centre                                     | 21,882                 | 27,667  | 9,712             | 10,010             | 21,758                  |                |   |                  |                   |                   |   |                   |                   |                   |  |        |              |        |        |   |       |   |        |              |               |               |              |               |               |                |  |                |  |  |  |  |                    |                         |           |              |                         |             |        |        |       |        |        |              |        |       |              |               |               |              |               |               |  |
| Rest of City                                    |                        | 13,175  |                   | 2,630              |                         |                |   |                  |                   |                   |   |                   |                   |                   |  |        |              |        |        |   |       |   |        |              |               |               |              |               |               |                |  |                |  |  |  |  |                    |                         |           |              |                         |             |        |        |       |        |        |              |        |       |              |               |               |              |               |               |  |
| <b>Total</b>                                    | <b>21,882</b>          | <b>40,842</b>   | <b>9,712</b>      | <b>12,640</b>      | <b>21,758</b>           |                |   |                  |                   |                   |   |                   |                   |                   |  |        |              |        |        |   |       |   |        |              |               |               |              |               |               |                |  |                |  |  |  |  |                    |                         |           |              |                         |             |        |        |       |        |        |              |        |       |              |               |               |              |               |               |  |
| <p>LP/MOD.75</p>                                | <p>p.87, Table 5.2</p> | <table border="1"> <thead> <tr> <th></th> <th><del>To 2021</del></th> <th><del>to 2031</del></th> <th>Total</th> </tr> </thead> <tbody> <tr> <td><del>Total Convenience Retail floor space</del></td> <td><del>8,000</del></td> <td><del>13,791</del></td> <td><del>21,881</del></td> </tr> <tr> <td><del>Total Other Retail floor space</del></td> <td><del>25,987</del></td> <td><del>57,952</del></td> <td><del>83,939</del></td> </tr> </tbody> </table>  |                   | <del>To 2021</del> | <del>to 2031</del>      | Total          | <del>Total Convenience Retail floor space</del> | <del>8,000</del> | <del>13,791</del> | <del>21,881</del> | <del>Total Other Retail floor space</del> | <del>25,987</del> | <del>57,952</del> | <del>83,939</del> | <p>To partly satisfy Inspector Action Point 1 of Hearing Session 7b.</p> |        |              |        |        |   |       |   |        |              |               |               |              |               |               |                |  |                |  |  |  |  |                    |                         |           |              |                         |             |        |        |       |        |        |              |        |       |              |               |               |              |               |               |  |
|   | <del>To 2021</del>     | <del>to 2031</del>  | Total             |                    |                         |                |   |                  |                   |                   |   |                   |                   |                   |  |        |              |        |        |   |       |   |        |              |               |               |              |               |               |                |  |                |  |  |  |  |                    |                         |           |              |                         |             |        |        |       |        |        |              |        |       |              |               |               |              |               |               |  |
| <del>Total Convenience Retail floor space</del> | <del>8,000</del>       | <del>13,791</del>   | <del>21,881</del> |                    |                         |                |   |                  |                   |                   |   |                   |                   |                   |  |        |              |        |        |   |       |   |        |              |               |               |              |               |               |                |  |                |  |  |  |  |                    |                         |           |              |                         |             |        |        |       |        |        |              |        |       |              |               |               |              |               |               |  |
| <del>Total Other Retail floor space</del>       | <del>25,987</del>      | <del>57,952</del>   | <del>83,939</del> |                    |                         |                |   |                  |                   |                   |   |                   |                   |                   |  |        |              |        |        |   |       |   |        |              |               |               |              |               |               |                |  |                |  |  |  |  |                    |                         |           |              |                         |             |        |        |       |        |        |              |        |       |              |               |               |              |               |               |  |

|   |                   |                   |                    |
|---|-------------------|-------------------|--------------------|
| <del>Total retail floor space (all forms)</del> | <del>34,077</del> | <del>71,743</del> | <del>105,820</del> |
| <del>% pre 2021</del>                           | <del>32%</del>    | <del>68%</del>    | <del>100%</del>    |

|  | <u>To 2021</u>       | <u>2021-2031</u>     | <u>Total 2011-2031</u> |
|--|----------------------|----------------------|------------------------|
| =  |                      |                      |                        |
| <u>Total Convenience Retail floor space</u>      | <u>8,090</u>         | <u>13,792</u>        | <u>21,882</u>          |
| <u>Total Comparison Retail floor space (A1)*</u> | <u>14,191</u>        | <u>26,651</u>        | <u>40,842</u>          |
| <u>Total A2 floor space</u>                      | <u>3,189</u>         | <u>6,523</u>         | <u>9,712</u>           |
| <u>Total A3-A5 floor space</u>                   | <u>7,183</u>         | <u>5,457</u>         | <u>12,640</u>          |
| <u>Total Retail Warehousing floor space</u>      | <u>2,425</u>         | <u>19,333</u>        | <u>21,758</u>          |
| <b><u>Total</u></b>                              | <b><u>35,078</u></b> | <b><u>71,756</u></b> | <b><u>106,834</u></b>  |

\* An allowance for at least 10,000sq.m of new retail floor space at City Centre South has been added into the short term projection.  
NB: all figures are for gross floor space  
NB: Source: Coventry Shopping and Centres Study (2014)

LP/MOD.76

p.88, Table 5.3

| Retail Floor Space Supply Components                   | Gross Retail floor space (sq.m) |                      |
|--|---------------------------------|----------------------|
|  | Convenience                     | Comparison/<br>Other |
| Sites With Planning Permission                         | 1,725                           | 2,502                |
| Sites Under Construction                               | 287                             | 1,430                |
| Occupation of vacant premises (outside of city centre) | 0                               | 10,600               |
| Proposed Site Allocations (city centre)*               | 10,000                          | 60,100               |
| Proposed Site Allocations (wider city)*                | 10,200                          | 10,000               |
| <b>Total</b>   | <b>22,212</b>                   | <b>84,632</b>        |

| Retail Floor Space Supply Components                          | Gross Retail floor space (sq.m) |                  |                                   |
|---|---------------------------------|------------------|-----------------------------------|
|   | Convenience                     | Comparison<br>A1 | Other Retail<br>based - A2-<br>A5 |
| <u>Completion since Study (2015-2016)*</u>                    | <u>125</u>                      | <u>1,430</u>     | <u>0</u>                          |
| <u>Sites With Planning Permission</u>                         | <u>1,813</u>                    | <u>1,491</u>     | <u>490</u>                        |
| <u>Sites Under Construction</u>                               | <u>818</u>                      | <u>0</u>         | <u>0</u>                          |
| <u>Occupation of vacant premises (outside of city centre)</u> | <u>0</u>                        | <u>10,600</u>    |                                   |
| <u>Proposed Site Allocations (city centre)**</u>              | <u>10,000</u>                   | <u>60,100</u>    |                                   |
| <u>Proposed Site Allocations (wider city)**</u>               | <u>10,200</u>                   | <u>10,000</u>    |                                   |
| <b>Total</b>  | <b>22,956</b>                   | <b>84,111</b>    |                                   |

Alteration to table to increase breakdown of figures given which reflect the changes made in LP/MOD.74.

|           |  |  |   |
|-----------|--|--|---|
|           |  | <p><u>* Completions since study refers to the level of completed floor space in Coventry since the completion of the NLP Study in 2014. This study identified the level of need which has informed the Local Plan.</u></p> <p><u>** Allocations within the city centre include 33,825,184sq.m of retail floor space (use class A1-A5) with planning permission or under construction. Allocations within the wider city Include 1,843sq.m of floor space with planning permission or under construction.</u></p>   |   |
| LP/MOD.77 | p.90, Policy R1, para. 3               | Further retail provision at Arena Park Major District Centre will not be supported during the plan period unless it is demonstrated that it will not <u>have a significant adverse impact</u> <del>directly impact</del> on the city centre or is an essential element of supporting the wider parks tourism functions.  | <i>To satisfy Inspector Action Point 4 of Hearing Session 7b.</i> |
| LP/MOD.78 | p.90 + 91, Policy R1 – supporting text | <p>Like other centres across the city, this provides a focus on smaller units with an average floor space of <u>115,113</u>sq.m and no single units larger than <u>457,450</u>sq.m.</p> <p>When defining small scale local provisions evidence identifies that such units within similar Coventry centres would be between <u>36,35</u>sq.m and <u>780,700</u>sq.m, although the upper limit is influenced by a small number of larger units which are largely utilised for convenience goods.</p> <p>The new small scale provisions referred to in Policy R1 should therefor reflect this range of unit sizes, with no one unit exceeding <u>800,700</u>sq.m.</p> | Updated figures to improve accuracy.                              |
| LP/MOD.80 | p.93, Policy R2, para. j + n +p        | <p><u>j. Provide a high quality public transport system that benefits from seamless integration and is well connected to existing and new infrastructure.</u></p> <p>n. Continuing to <u>support greater integration of the university within the wider city centre in accordance with the policies in the Area Action Plan</u>; <del>generate a balance and integration of the university with the wider city centre; and</del></p> <p><u>p. Supporting the reintroduction of green and blue infrastructure throughout the city centre, including opportunities for deculverting wherever possible.</u></p>   | <i>To satisfy Inspector Action Point 4 of Hearing Session 12.</i> |

|           |   |   |   |
|-----------|---|---|---|
| LP/MOD.81 | p. 95, Policy R3, para. 1                 | These Centres will be the preferred locations for new shops, and other Main Town Centre and community facility uses which do not serve a city-wide catchment, <del>and are not more appropriately sited in the city centre.</del>   | <i>To satisfy Inspector Action Point 6 of Hearing Session 7b.</i> |
| LP/MOD.82 | p.95, Policy R3, para. 3-5                | <p>They will complement but not compete with the city centre and will contain a scale of development which is demonstrated to not impact negatively on the city centre and supports the needs of their part of the city <del>(around a 3km radius)</del> for:</p> <p>They will contain a scale of development which is demonstrated to not impact negatively on higher order centres and supports the needs of their district of the city <del>(a 2km radius)</del> for bulk convenience shopping as well as an element of comparison shopping, service and catering uses.</p> <p>They will contain an appropriate scale of development which is demonstrated to not impact negatively on higher order centres and supports their immediate locality <del>(a 1km radius)</del> for day-to-day convenience shopping and also some service and restaurant uses; and social, community and leisure uses.</p> | <i>To satisfy Inspector Action Point 7 of Hearing Session 7b.</i> |
| LP/MOD.83 | p. 97 + 98, Policy R4 – introductory text | <p>The Council's monitoring has identified an average unit size across all centres of <del>362267</del>sq.m, although this does decrease to <del>220496</del>sq.m when the city centre is excluded. In turn the average unit size within the city centre is <del>457384</del>sq.m.</p> <p><u>Notwithstanding, the city's out of centre retail parks, which would be the most likely focus for out of centre proposals, contain units which average around 900-1,200sq.m in size.</u> As such, the evidence base suggests that on balance a threshold of <u>1,000</u>sq.m would be appropriate to apply for impact tests across Coventry.</p> <p><i>All references to an Impact Assessment made throughout the document have subsequently been altered from 400sq.m. to 1000sq.m where necessary.</i></p>  | <i>To satisfy Inspector Action Point 5 of Hearing Session 7b.</i> |
| LP/MOD.84 | p. 98, Policy R4, para. 2c and part 3     | <p><del>Only where parts 2 a) and b) of this policy are satisfied the Sequential Assessment should have regard to:</del></p> <ul style="list-style-type: none"> <li>I. <del>Vacant units within the city's out of centre retail warehouse parks; and</del></li> <li>II. <del>Local shopping parades, where the proposal is appropriate in terms of scale.</del></li> </ul>  | <i>To satisfy Inspector Action Point 8 of Hearing Session 7.</i>  |

|           |   |   |   |
|-----------|---|---|---|
|           |   | Part 3 – adjust 400sq.m to be 1,000sq.m   |   |
| LP/MOD.85 |   | <p><del>In addition to the centre hierarchy, Coventry hosts a range of out of centre retail warehouse parks, which provide a range of larger bulky goods retail units. Although these locations do not reflect the overall service offer or connectivity to justify being defined centres, they do support the city's overall retail and service offer, often drawing trade from city wide or sub-regional catchments. Furthermore, the city also includes a large array of well established local shopping parades, which serve the needs of the immediate locality, but often lack the quantum and diversity of offer to justify being a defined centre. They generally serve, primarily for "top up" convenience shopping, limited services and limited small scale food and drink uses and often contain at least 4 existing units.</del></p> <p><del>The Council considers however that where it has been demonstrated that sequentially preferable opportunities within defined centres cannot be identified that such sites do offer a sequentially preferable option compared to an isolated or standalone provision. This is reflected in Policy R4 and provides additional flexibility to the centres hierarchy. It also supports a more sustainable option giving greater opportunities for linked trips and economies of scale.</del></p> <p><del><sup>+</sup> For the purpose of Policy R4, Coventry's out of centre retail parks include: Alvis Retail Park, Airport Retail Park, Central 6 Shopping Park and, Gallagher Retail Park.</del></p> | Deletion of wording to reflect changes made in LP/MOD.84.                 |
| LP/MOD.86 | p.99, Policy R4 – supporting text                           | <del>= <u>These will be considered on a site by site basis having regard to the location, size, scale and intended customer base of the proposal.</u></del>   | Additional wording to add clarity to supporting text.                     |
| LP/MOD.87 | p. 100, Policy R4 – supporting text                         | <del>As a starting point the Council will consider the initial catchment areas of its centre hierarchy (as set out in policy R3), which include a city wide catchment for the city centre. These should be considered through the Sequential Assessment and Impact Test where they overlap with the site proposal.</del> Further consideration can however be given to the <del>scale and</del> type of the proposal, its intended market area, drive time and access to both the highway and public transport.   | Deletions to wording which reflect changes made in LP/MOD.84 + LP/MOD.85. |
| LP/MOD.89 | p.110, Green Belt and Green Environment – introductory text | <b>Coventry's <u>Exceptional</u><del>Very Special</del> Circumstances</b><br><br><i>Accordingly, wherever 'very special' was used has been changed to 'exceptional' throughout the document as necessary and appropriate.</i>   | <i>To satisfy Inspector Action Point 5 of Hearing Session 8.</i>          |

|           |                                     |  |  |
|-----------|-------------------------------------|--|--|
| LP/MOD.90 | p.111, Policy GB1, para. 2b         | <u>Within areas designated as Local Green Space the erection of small buildings and structures which are ancillary to the primary use of the land may be acceptable. Other development will not be permitted unless very special circumstances are demonstrated.</u>   | To clarify the policy position around the new Local Green Space designation. This will provide a local policy platform to compliment the NPPF. |
| LP/MOD.91 | p. 112, Policy GB1, para. 4 + 4d    | The following areas will be removed from the Green Belt and re-designated as Local <del>Urban</del> Green Space and are shown on the Policies Map:<br>To <del>ce</del> il Wood Brook Stray   | Change of designated name,<br>+<br>Correction of spelling to satisfy Inspector Action Point 3 of Hearing Session 8.                            |
| LP/MOD.92 | P.113, Policy GB1, para. 7          | In addition to appropriate development in the Green Belt identified in the NPPF, limited infill development <del>amongst existing ribbon developments</del> would be considered appropriate <del>where provisions for starter homes and self build properties are proposed.</del>  | <i>To satisfy Inspector Action Point 4 of Hearing Session 8.</i>   |
| LP/MOD.93 | p.113, Policy GB1 – supporting text | <u>Furthermore, it is important to highlight that section 3 and 7 of policy GB1 sit in part at least alongside section 9 of the NPPF by considering appropriate and inappropriate development within the Green Belt. In this context it is important to draw links to the supporting text of Policy H2 in this Local Plan in so far as it relates to the appropriate delivery of local transport infrastructure within a Green Belt location.</u>  | <i>Additional paragraph to add clarity to supporting text and cross reference NPPF.</i>  |
| LP/MOD.94 | p.114, Policy GB1 – supporting text | <u>This approach will also be taken forward in relation to the land at around Charterhouse Heritage Park (policy HE3), the employment allocations at Whitley Business Park and Baginton Fields (Policy JE2) and the housing allocation at London Road / Allard Way (Policy H2:9).</u><br><br><u>National Guidance requires development proposals within areas designated as Local Green Space to be considered against local policies which are consistent with policy for Green Belts. This principle is broadly accepted through Policy GB1, however it is important to consider the context of Green Belt policy against that of Local Green Spaces. Any development within Local Green Spaces should for example not impact on the initial purpose of land being considered as a locally important green space or impact negatively on criteria set out in Paragraph 77 of the NPPF. Of particular importance is land used for recreational and leisure use, especially sports pitches. It is acknowledged that some developments may be</u> | Additional paragraphs to enhance clarity of supporting text around the new Local Green Space designation..                                     |



|                  |  |   |   |
|------------------|--|---|---|
|                  |  | <p><u>required to support the continued use of sites as high quality sports pitches (e.g. buildings for changing facilities and related teaching or training provisions) and this would be supported in principle. Other acceptable examples will include the provision of:</u></p> <ul style="list-style-type: none"> <li>• <u>new play equipment within parks and public spaces;</u></li> <li>• <u>appropriate and suitable parking facilities at parks and public spaces;</u></li> <li>• <u>appropriate lighting (in terms of scale and surrounding uses) to support sports facilities; and</u></li> <li>• <u>the provision of appropriate and suitable footpaths and cycle ways to enhance accessibility to high quality green spaces.</u></li> </ul> <p><u>In all cases development should be ancillary to the primary purpose of the Local Green Space. Should development prevent the continued use of land for sports pitches, or other forms of Local Green Space (as appropriate) however, this will not be supported.”</u></p>   |   |
| <p>LP/MOD.95</p> | <p>p.115, Policy GB2 – introductory text</p> | <p><del>Reserved</del> <b><u>Safeguarded Land in the Green Belt</u></b></p> <p><i>Accordingly, wherever ‘reserved land’ was used has been changed to ‘safeguarded land’ throughout the document as necessary.</i></p> <p>When considered alongside development options within Warwick District however the land could provide longer term possibilities for the release of land from the Green Belt to support cross boundary development <u>proposals</u> in Warwick District. <u>Given the nature of the areas involved though, the retention and delivery of infrastructure, most notably for highways, education or green spaces would be the main focus. This reflects the existing nature of these sites which largely comprise existing low density homes, existing education provisions or ancient woodland.</u></p> <p>It can however put a mechanism in place that responds to potential longer term development options meaning its own Plan <u>remains flexible and</u> <del>retains a strong degree of flexibility and</del> is able to respond to emerging circumstances in neighbouring areas.</p> | <p><i>To satisfy Inspector Action Point 6 of Hearing Session 8.</i></p> |

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|                  |                                   | <p>Land along the southern boundary of Coventry is therefore intended to be <u>designated as safeguarded land for consideration as part of the next Local Plan review. This will have explicit regard to development proposals within Warwick District that if brought forward for development over the course of this Plan period would create Green Belt policy 'islands' and therefore render the Green Belt policy designations in these areas inappropriate. In this context, these sites are safeguarded in so far as their long term designation as 'Green Belt' is dependent upon the development of adjoining land in a neighbouring local authority. As already highlighted, the sites themselves are largely utilised for a small number of low density homes, education provisions or undevelopable due to the presence of ancient woodlands.</u></p> <p><u>Should such development proposals not materialise within Warwick District however these sites will be considered for a formal return to the Green Belt due to the issues raised above.</u></p> <p><del>reserved for consideration for development as part of a delivery mechanism being triggered through the DtG with Warwick District Council or at the time of a subsequent Plan review.</del></p> |   |
| <p>LP/MOD.96</p> | <p>p.116, Policy GB2, para. 1</p> | <p><del>Land south of Grotna Road;</del></p> <p><u>Any development of these sites will be subject to consideration through a full or partial review of this Local Plan having explicit regard to development proposals in Warwick District.</u></p> <p><del>The land identified above will only be released from the Green Belt for development during this plan period where it forms an integral part of a comprehensive development scheme that involves both the Reserved Land within Coventry and the adjoining land in Warwick District — this could involve a range of development (including infrastructure). It would be with a view to delivering the wider development needs of the city and Housing Market Area. Until such time as the trigger set out above is enacted the land will continue to remain within the Green Belt and will be subject to the associated policies within the Local Plan.</del></p> <p><del>Any development within the reserved areas that would prejudice future</del></p>   | <p>Alteration to policy in response to Inspector Action Point 6 of Hearing Session 8.</p> |

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|           |                                     | <p><del>comprehensive development as described above will not be permitted.</del></p> <p><del>Upon enactment of this policy the Council may review its Local Development Scheme in accordance with Policy DS2 to support the development of cross boundary evidence or development plan documents (as appropriate).</del></p>   |   |
| LP/MOD.97 | p.116, Policy GB2 – supporting text | <p><u>Para 85 of the NPPF expressly mentions the opportunity to safeguard land within the Green Belt as part of a Local Plan. It is not however allocated for development at the present time and is instead identified for consideration through future Plan reviews. As such, planning permission for the permanent development of safeguarded land will only be granted following a Local Plan review which proposes the development. In this context, should cross boundary development proposals within Warwick District include the wider development of any of these areas as part of a comprehensive development proposal then the Council will consider the significance of this in relation to the sites and the wider proposals. The Council will then determine if a need exists to undertake a targeted review of its Local Plan in this regard. This would be in accordance with Policy DS1 of this Plan. Such an event would also trigger the review of the Council’s Local Development Scheme with a view to supporting the delivery of cross boundary evidence or development plan documents (as appropriate) in accordance with Policy DS2.</u></p> <p><u>Of particular relevance is the existing use and purpose of these sites. In this context the future review of these safeguarded areas is unlikely to trigger the comprehensive development or redevelopment of these areas. Instead it will respond to changes in Green Belt policy and seek to remove any cases of Green Belt islands having been created by adjoining development in Warwick District. This especially relates to the education facilities at Bishop Ullathorne and Finham Park (primary and secondary). In such cases development proposals must ensure that the city’s education requirements continue to be met and where appropriate support sustainable accessibility to school places for residents of new homes.</u></p> <p><del>There is potential however for the land identified in this policy to be brought forward during this plan period, but this is dependent on development proposals in Warwick</del></p> | Change of wording in supporting text which reflects changes made in LP/MOD.95 and 96. |

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|           |                                | <p><del>District. Consequently, it is not possible to identify areas as formally 'Safeguarded Land' as these would need to be set aside to meet potential long term development requirements in the next plan period. In addition release of the land would require a formal review of the city's development plan. To take this approach would therefore conflict with the NPPF and the potential outcomes of on going work with Warwick District Council through the DfC.</del></p> <p><del>The land in question is therefore reserved for future development but retained in the Green Belt until such time as the delivery mechanism is activated through the adoption of a Warwick District Council Local Plan that:</del></p> <ul style="list-style-type: none"> <li><del>• specifically allocates land for development that is adjacent to these sites within the Coventry boundary;</del></li> <li><del>• which in doing so highlights the land within the Coventry boundary as being required to contribute towards a comprehensive development; and</del></li> <li><del>• would render the retention of land within the Coventry boundary as Green Belt inappropriate as it would create a 'Green Belt island' and mean the land no longer served the purposes of Green Belt.</del></li> </ul> |   |
| LP/MOD.98 | p.119, Policy GE1, para. 5 + 6 | <p><del>Do culverting in the city centre should be considered, wherever possible, in accordance with the specific policies, set out in the City Centre Area Action Plan.</del> <u>Where a development proposal lies adjacent to a river corridor or tributary, a natural sinuous river channel should be retained or, where possible, re-instated. Culverts should be removed unless it can be demonstrated that it is impractical to do so.</u></p> <p><u>d) Improving its functionality, quality, connectivity and accessibility;</u></p> <p><u>e) Ensuring that a key aim of green infrastructure is the maintenance and improvement and expansion of biodiversity;</u></p> <p><u>f) Integrating proposals to improve green infrastructure in the delivery of new developments, particularly through area based regeneration initiatives and major proposals and schemes; and</u></p> <p><u>g) Flood risk management and improving surface water quality.</u></p>   | Deletion and additional wording to add clarity to policy. |
| LP/MOD.99 | p.123, Policy GE2              | Add "or" after parts 1a and 1b of the policy.  | To satisfy Inspector Action Point 8 of Hearing Session 8. |

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| LP/MOD.100 | p.124, Policy GE3, para. 1d                   | <u>d) preserve species which are legally protected, in decline, are rare within Coventry or which are covered by national, regional or local Biodiversity Action Plans.</u>  | <i>To satisfy Inspector Action Point 6 of Hearing Session 9.</i>                             |
| LP/MOD.101 | p.125, Policy GE3, para. 2                    | If mitigation measures are not possible on site, then compensatory measures involving biodiversity offsetting will be considered, <u>but only in exceptional circumstances.</u>  | <i>To partly satisfy Inspector Action Point 5 of Hearing Session 9. See also LP/MOD.104.</i> |
| LP/MOD.102 | p.125, Policy GE3, para. 3                    | Identified important landscape features, including Historic Environment assets, trees protected by preservation orders, individual and groups of ancient trees, <u>ancient and newly-planted</u> <del>and</del> woodlands, ancient hedgerows <u>and heritage assets,</u> <del>historic environmental assets and archaeological remains</del> of value to the locality, will be protected against loss or damage. <u>In and, in</u> the case of archaeological remains, all practical measures must be taken for their assessment and recording <u>in accordance with Policy HE2.</u>   | <i>To satisfy Inspector Action Point 2 of Hearing Session 9.</i>                             |
| LP/MOD.104 | p.126, Policy GE3 – supporting text           | Where this is not possible, mitigation measures should be identified, if these are not possible on site, then these should be offset elsewhere as a compensatory measure, <u>but only in exceptional circumstances. Such circumstances may include the comprehensive delivery of a planned strategic allocation in accordance with a Council approved Masterplan. In all such cases though, compensatory provisions should be made as close to the original site as possible.</u>  | <i>To partly satisfy Inspector Action Point 5 of Hearing Session 9. See also LP/MOD.101.</i> |
| LP/MOD.105 | p.126, Policy GE4, para. 1b + supporting text | trees not to be retained as a result of the development are replaced <del>within</del> <u>with new trees as part of</u> a well-designed landscape scheme;<br><br>Should loss be unavoidable, compensatory provision <u>of new trees</u> should be proposed <u>as part of</u> <del>within</del> a well-designed landscape scheme or within other areas of green space within the local community. This will ideally be within 400m of the site to reflect the <del>minimum</del> distance recommended within the Green Space Strategy. <u>All replacement trees should also be of an appropriate type and status to reflect those which have been lost.</u> | <i>To satisfy Inspector Action Point 7 of Hearing Session 9.</i>                             |
| LP/MOD.106 | p.129, Policy DE1, para. 3o                   | <u>o) Support the integration of through routes for public transport and incorporate suitable bus priority measures as appropriate;</u>  | <i>Additional wording which provides enhanced clarity to policy.</i>                         |
| LP/MOD.107 | p.131, Heritage: Conservation Areas –         | Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local planning authorities to designate as Conservation Areas any 'areas of special architectural or historic interest the character and appearance  | <i>To ensure supporting text is consistent with amended Policy HE2.</i>                      |

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|            | introductory text                           | of which it is desirable to <del>conserve</del> <del>preserve</del> or enhance’.   |   |
| LP/MOD.108 | p.133, Policy HE2 – introductory text       | In addition over <del>280</del> <del>500</del> buildings have been selected by the Council for Local Listing due to their importance to Coventry. The city also has 16 Conservation Areas (plus a further two proposed through this plan), 20 Scheduled <del>Ancient</del> Monuments, 4 Registered Parks and Gardens and thousands of other archaeological sites, historic structures and features recorded on the Coventry Historic Environment Record.   | Alteration of figures to provide accurate information,<br>+<br>correction of terminology. |
| LP/MOD.109 | p.133, Policy HE2, para. 1 + 7              | In order to help sustain the historic character, sense of place, environmental quality and local distinctiveness of Coventry, development proposals will be supported where they <del>conserve</del> <del>preserve</del> and, where appropriate, enhance those aspects of the historic environment which are recognised as being of special historic, archaeological, architectural, artistic, landscape or townscape significance.<br><br>All proposals should aim to sustain and reinforce the special character and <del>conserve</del> <del>preserve</del> the following distinctive historic elements of Coventry:  | <i>To satisfy Inspector Action Point 1 of Hearing Session 9.</i>                          |
| LP/MOD.110 | p.134, Policy HE2, para. 7d                 | Buildings associated with the city’s industrial heritage; ribbon weaving, <del>watch</del> <del>making</del> , cycle making, motor car manufacturing, brick making, coal mining, synthetic textiles, munitions, aeronautical engineering, canals and railways;   | <i>Additional wording to correct previous omission.</i>                                   |
| LP/MOD.111 | p.135 + 136, Policy HE3 – introductory text | Through the Local Plan and partnership working with Historic England and the Historic Coventry Charitable Trust, the Council are promoting through this Local Plan the creation of a City Heritage Park in the <del>Sherbourne Valley and the</del> grounds of the Charterhouse and London Road Cemetery.<br><br>These should include a riverside walkway along the exposed section of the River Sherbourne, connecting Far Gosford Street with Charterhouse along <del>the west side of the river crossing Gulson Road</del> <del>Harper Road</del> and Humber Avenue.<br><br>These enhancements in connectivity and green infrastructure <del>could</del> <del>may also</del> facilitate <del>comprehensive regeneration</del> <del>development</del> opportunities <del>of brownfield land along the River Sherbourne, most notably between Gulson Road and Gosford Street and in Harper Road</del> <del>within these areas</del> that will complement this part of the city. | To reflect and support the changes made in LP/MOD.112.                                    |

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|                   |  | <p>In addition, opportunities should be taken to improve the setting of the Charterhouse, <u>the naturalisation of the river valley and the views through to the viaduct.</u> <del>A prime examples include land</del> <u>is around Blue Coat School, where:</u><br/> <del>land is to be removed from the Green Belt to support the expansion of the school's facilities on the basis that</del></p> <ul style="list-style-type: none"> <li>• <u>the existing car park is to be removed from the area of the Charterhouse Scheduled Ancient Monument;</u> and</li> <li>• <u>The all-weather sports and playground facilities are to be relocated away from the riverside in an appropriate and sustainable way.</u></li> </ul> <p><u>These 2 areas should then be proactively re-naturalised or appropriately landscaped, adding to the Heritage Park where appropriate and supporting an extension to the current Local Green Space designation that is proposed for the land west of the river. The extension of the Local Green Space designation should be supported by new defensible boundary lines created as part of the Master planning process and brought forward in partnership with the local community, the school and the Charterhouse Trust.</u> <del>in an appropriate way.</del></p> <p><u>To ensure Bluecoats school continue to offer a high quality education offer to the city however, these facilities will then be relocated onto former allotment land to the east of the river, which will be removed from the Green Belt providing a firm boundary for future school expansion.</u></p> |   |
| <p>LP/MOD.112</p> | <p>p.136 + 137,<br/>Policy HE3 –<br/>para. 2 + 3</p> | <p>Land at Blue Coat School is to be removed from the Green Belt in accordance with policy <del>GBE</del><u>1</u> to support the expansion of school facilities on condition that the existing school car park is removed from the area of the Charterhouse Scheduled Ancient Monument. <u>In addition, the expansion of the school should also support the appropriate relocation of the all-weather sports facilities and playground areas to secure the enhancement of the riverside area. This should facilitate the <del>and proactively</del> re-naturalisation of the area <del>ed</del> in an appropriate way in order to enhance the setting of the Charterhouse, <del>and</del> its precinct <u>and the Heritage Park as a whole.</u></u></p> <p><u>The creation of the Heritage Park and expansion of Blue Coat School should be guided by a comprehensive Master plan, which reflects the policies of this Plan (including Appendix 4).</u></p>   | <p><i>To satisfy Inspector Action Point 3 of Hearing Session 9.</i></p> |

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| LP/MOD.113 | p.138, + 139,<br>Accessibility:<br>Relevant<br>Evidence Base +<br>Introduction –<br>introductory text | <ul style="list-style-type: none"> <li>Coventry Area Strategic Model (CASM) – WSP (2015 <u>and 2016</u>)</li> <li><u>Working towards achieving current road casualty reduction targets and making our roads safer for all.</u></li> </ul>   | To acknowledge updated publication of document to support the plan,<br>+<br>Additional bullet point to enhance clarity of introductory text. |
| LP/MOD.114 | p.139,<br>Accessibility:<br>Public Health and<br>Air Quality –<br>introductory text                   | <u>The Cycle Coventry Programme also helps support cycle infrastructure improvements and supporting Smarter Choice modes together with the TfWM's Strategic Transport Plan where it includes developing a metropolitan strategic cycle network to ensure seamless travel.</u>   | <i>To partly satisfy Inspector Action Point 7 of Hearing Session 10.</i>   |
| LP/MOD.115 | p.140,<br>Accessibility:<br>Strategic<br>Connectivity –<br>introductory text                          | <u>The approved Strategic Transport Plan for the West Midlands Metropolitan Area "Movement for Growth" sets out the overarching transport strategy for the West Midlands Metropolitan area. The plan's approach of a metropolitan tier with a metropolitan rail and rapid transit network, key route network and metropolitan strategic cycle network will help deliver a transport system which boosts our economy and improves the environment.</u>   | <i>Additional paragraph to provide further clarity to introductory text and strengthen links to Strategic Transport Plan.</i>                |
| LP/MOD.116 | p. 141 + 142,<br>Policy AC1 –<br>introductory text  | <p>This can only be achieved if the transport network offers a wide choice of convenient, <u>affordable</u> and reliable transport modes which meet the needs of the varying types of trips which people need to make.</p> <p>Help to focus development towards accessible locations making it easier for local people to access employment, <u>education and skills</u>, shops and leisure facilities and reduce the distance people need to travel;</p> <p>It will be important that everyone in the city has a good level of access to major public transport hubs such as Coventry Station <u>and Pool Meadow Bus Station</u> to boost the attractiveness of public transport services.</p>                               | Additional wording to add clarity to introductory text.  |
| LP/MOD.117 | p.144, Policy AC2<br>– introductory text  | <u>The emerging Key Route Network as highlighted in the West Midlands Strategic Transport Plan will be made up of main metropolitan roads - operating at agreed performance standards. This network will serve the main strategic demand flows of people and freight across the metropolitan area, and provide connections to the national strategic road network. It will also serve large local flows which use main roads and provide good access for businesses reliant on road based transport and will use highway capacity effectively to cater for movement by rapid transit and core bus routes, the Metropolitan Cycle Network, Heavy/Light Goods vehicles and private cars to support growth on key corridors.</u> | <i>Additional paragraph to provide further clarity to introductory text and strengthen links to Strategic Transport Plan.</i>                |



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| LP/MOD.118 | p.145                                 | <u>The model was also run to consider the total impacts of the growth planned within this Local Plan (by location) having specific regard to the impacts of the proposed SUE's. Finally, the <del>The</del> model has also been used to test the impact of potential growth in other local authority areas adjacent to the city, primarily in Warwickshire and Solihull and the impact this could have on the city's highways.</u>   | <i>Reflects new evidence developed in support of the hearings.</i>   |
| LP/MOD.119 | p.146 – new bullet point 3            | <u>Highway improvements at the A45, A46 and A444 to support improved access to Whitley Business Park. This will also include a new road bridge across the A45 to support access to the Whitley South development site (in Warwick District);</u>   | <i>To reinforce the importance of strategic highway infrastructure supporting the wider Whitley development sites.</i> |
| LP/MOD.121 | p.46 – text in support of Table 10.1  | The <u>further modelling work which takes account of all Local Plan growth proposals and planned <del>do something package of</del> road infrastructure measures reduces delay in the network to 33%<del>by 14%</del> in the AM peak and 28%<del>10%</del> in the PM peak. This equates to a reduction of over 20%</u> when compared to only the do minimum scenario. Although total vehicle kilometres increase, the overall uplift in journey making is indicative of the improved connectivity across Coventry which will support increased economic growth and activity  | <i>Reflects new evidence developed in support of the hearings.</i>   |
| LP/MOD.122 | p.150, Policy AC3 – introductory text | <u>Travel Plan support can be provided by the City Council and TfWM on the cheapest and most sustainable ways to travel including journey planning, ticket advice and any travel support.</u>  | <i>Additional paragraph to add clarity to introductory text.</i>   |
| LP/MOD.123 | p.151, Policy AC3, para. 4            | New development proposals which require changes to the highway network will be required to integrate with any existing UTMC and ITS infrastructure and strategy <u>and development of the Key Route Network</u>  | <i>Additional wording to add clarity to policy.</i>  |
| LP/MOD.124 | p.152, Policy AC4 – introductory text | <u>The West Midlands Cycle Charter also aims to raise cycling levels, and deliver change. The charter sees cycling as playing an important role in addressing the challenges the West Midlands face, which include reducing congestion, carbon and pollution, supporting economic growth and employment, tackling obesity and creating places where people want to live, work, learn, shop and do business.</u><br><u>The Cycle Charter also supports a Metropolitan Cycle Network which will be integrated with local cycle networks.</u><br><u>High quality cycle parking should also be provided at new sites and along the wider</u> | <i>To satisfy Inspector Action Point 15 of Hearing Session 12.</i>   |

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|            |  | <u>public transport network at interchanges and stations.</u>  |  |
| LP/MOD.125 | p.155, Policy AC5 – introductory text                    | <p><u>Coventry's Bus Network Development Plan and bus policies as highlighted in the Strategic Transport Plan demonstrate the importance of a partnership approach with TfWM. This will be vital in providing high quality bus services to new developments.</u></p> <p>To ensure bus travel is an attractive and convenient option, new development <u>must comply with TfWM access standards and</u> <del>will in most circumstances</del> be expected to have access to a bus stop within 400m <del>of the development site</del>, with <del>a</del> regular service patterns <del>of at least two buses per hour</del> serving the city centre. It is accepted that this may not be practicable for small scale development proposals in more remote parts of the city <u>but developers will be encouraged to liaise with the Council and TfWM to ensure access standards are fully met.</u> For larger development sites, in particular those in more peripheral locations, it will be important that bus services are fully integrated into the <u>whole sites footprint</u> with provision made to accommodate appropriate bus infrastructure including bus shelters and passenger information. <u>Through routes for buses along with suitable bus priority measures should also be provided wherever possible and</u> <del>T</del>the Council will work in consultation with developers, bus operators, <u>TfWM</u> and the Passenger Transport Executive to achieve this.</p> | <i>To partly satisfy Inspector Action Point 7 of Hearing Session 10.</i>               |
| LP/MOD.126 | p.155, 156 + Figure 10.4, Policy AC5 – introductory text | <p>The West Midlands Strategic Transport Plan sets out a strategy for a core bus network which is closely integrated with a high frequency rail and <del>Sprint</del> rapid transit network to enhance connectivity to other strategic centres across the <del>conurbation</del> <u>West Midlands.</u></p> <p>The West Midlands Strategic Transport Plan sets out comprehensive network of <del>SPRINT</del> <u>rail and</u> rapid transit routes across the Metropolitan area including a <del>SPRINT</del> <u>new Rapid Transit</u> network for the Coventry area.</p>   | Alteration of wording to correct terminology and provide clarity to introductory text. |
| LP/MOD.127 | p.157, Policy AC5, para. 1-3                             | <p>New major development proposals should have safe and convenient access to the existing bus network <u>and comply with the TfWM access standards.</u></p> <p>The development of a <del>mass</del> rapid transit network will be supported to improve accessibility to existing and new major trip attractors.</p>  | <i>To partly satisfy Inspector Action Point 7 of Hearing Session 10.</i>               |

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|            |   | Further details will be set out in the Coventry Connected SPD, <del>and the</del> West Midlands Strategic Transport Plan <u>and Coventry's Bus Network Development Plan.</u>  |  |
| LP/MOD.128 | p.159, Policy AC6 part 4                              | Further details are set out in the Coventry Connected SPD, <del>and</del> Coventry Rail Investment Strategy <u>and the West Midlands Strategic Transport Plan.</u>  | Strengthens reference and links to the Strategic Transport Plan  |
| LP/MOD.129 | p.163, Policy EM1, para. f                            | <u>f. seek opportunities to make space for water and develop new blue infrastructure to accommodate climate change.</u>   | Additional point added to policy to add further clarity and respond to SOCG with the Environment Agency  |
| LP/MOD.130 | p.163, Policy EM2, para. 1                            | New development should be designed and constructed to meet the relevant Building Regulations, as a minimum, <u>with a view to:</u> <del>and to sustainability standards</del> <u>which:</u> <ul style="list-style-type: none"> <li>a) Maximising<u>ing</u>e energy efficiency and the use of low carbon energy;</li> <li>b) Conserv<u>ing</u>e water and minimising<u>ing</u>e flood risk including flood resilient construction;</li> <li>c) Considering<u>ing</u> the type and source of the materials used;</li> <li>d) Minimising<u>ing</u>e waste and maximising<u>ing</u>e recycling during construction and operation;</li> <li>e) <del>Being</del><u>Are</u> flexible and adaptable to future occupier needs; and</li> <li>f) Incorporating<u>ing</u>e measures to enhance biodiversity value.</li> </ul> | <i>To satisfy Inspector Action Point 13 of Hearing Session 3,</i><br>+<br>Minor grammatical corrections. |
| LP/MOD.131 | p.164 + 165, Policy EM2, para. 3 and supporting text. | A Sustainable Buildings Statement <del>should</del> <u>te</u> demonstrate how the requirements of Climate Change policies in this Plan and any other relevant local climate change strategies have been met, <u>and consider any potential coal mining legacy issues including land stability.</u><br><br><u>Consideration of the city's coal mining legacy should also be included within the Sustainable Building Statement having regard to maps and information published by the Coal Authority.</u>  | <i>To satisfy Inspector Action Point 2 of Hearing Session 11.</i>  |
| LP/MOD.132 | p.165, Policy EM3 – supporting text                   | <u>As such Policy EM3 does not apply to any proposals for wind turbines or wind farms. Instead any such proposals will be considered in accordance with the most up to date national policy.</u>  | <i>To satisfy Inspector Action Point 10 of Hearing Session 9.</i>  |

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| LP/MOD.133 | p.166-168, Policy EM4                          | Fundamental alterations to policy in order for it to align with SOCG signed with the Environment Agency, most notably new parts 2, 3 and 4 with amendments to parts 1, 7 and 8. This responds to updates in national guidance since the Local Plan was published   | <i>To satisfy Inspector Action Point 9 of Hearing Session 9.</i>  |
| LP/MOD.134 | p.168, Policy EM4 – supporting text            | The Environment Agency has produced <del>indicative</del> flood zone maps for local and other watercourses, as well as surface water.<br><br>The Council has undertaken a <del>Stage level</del> one and <del>Stage level</del> two Strategic Flood Risk Assessment (2015), which has provided the evidence to directly inform the allocation of land for new development over the plan period.  | Deletion of text to improve clarity of supporting text,<br>+<br>Change of wording to correct terminology.                           |
| LP/MOD.135 | p.169, Policy EM5, para. 1                     | All development must apply SuDS <del>unless it can be clearly demonstrated there are practical reasons for not doing so</del> and should ensure that surface water runoff is managed as close to its source as possible.   | <i>To satisfy Inspector Action Point 11 of Hearing Session 9.</i>   |
| LP/MOD.136 | p.170, Policy EM5 – supporting text            | In addition, the LLFA is a statutory consultee on all major planning applications <del>and a consultee on a non-statutory basis on all minor applications whilst also advising and advises</del> on the approval of all sustainable drainage and related systems, surface flooding and ground water for all planning applications.   | Additional wording to add clarity to supporting text.   |
| LP/MOD.137 | p.170 + 171, Policy EM6 + supporting text      | New Policy and associated supporting text which has been created to provide a focussed policy grouped around waste water and previously developed land. This responds to the SOCG with the Environment Agency and responds to updates in national guidance since the Local Plan was published.   | <i>To satisfy Inspector Action Point 8 of Hearing Session 9.</i>  |
| LP/MOD.138 | p.172, Policy EM7, para. 1 + introductory text | <u>This is alongside the emerging 'West Midlands Metropolitan Transport Emissions Framework' which sets out transports role in tackling air quality issues and has proposed a range of policies.</u><br>Funded through the DEFRA Air Quality Grant, the aims of the LETCP <u>and West Midlands Transport Emissions Framework</u> are to:<br>NB: Policy has been renumbered from EM6 to EM7 to accommodate new Policy.<br>1. Major development schemes should promote a shift to the use of sustainable low emission transport (electric vehicles and vehicles that use biofuels) to minimise the impact of vehicle emissions on air quality. Development will be located where it is accessible to support the use of public transport, walking and cycling. All major development proposals should be suitably planned to design out any adverse impact on air quality <u>and be in accordance with the West Midlands Transport</u> | <i>Additional wording to add clarity to both policy and associated supporting text, following the publication of a new guidance</i> |

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|            |  | <u>Emissions Framework and associated policies.</u>  |   |
| LP/MOD.139 | p.175, Policy EM8, Part 1, para. D             | NB: Policy has been renumbered from Policy EM7 to EM8 to accommodate new Policy EM6<br><br><del>d) a requirement for development proposals to incorporate adequate storage for waste and recycling services along with safe access for collection vehicles; and</del>  | <i>To satisfy Inspector Action Point 1 of Hearing Session 11.</i> |
| LP/MOD.140 | p.175, Policy EM8, para. e + f                 | <u>e) Existing waste management facilities or land allocated for waste management uses being protected from encroachment by incompatible land uses that are more sensitive to odour, noise, dust and pest impacts; an</u><br><br><u>f) Proposals for waste management facilities only being permitted where they would not have an unacceptable impact on the quantity or quality of surface or groundwater resources.</u>   | Additional wording to provide further clarity to policy.          |
| LP/MOD.142 | p.179, Policy EM9                              | Policy EM7 has been renumbered having previously been EM8.   | This is to accommodate the new Policy EM6.                        |
| LP/MOP.143 | p.179, Policy EM9 – supporting text            | <u>The Council will continue to proactively work with its neighbours through joint working and collaborative efforts via the West Midlands Aggregate Working Party.</u>  | To satisfy Inspector Action Point 3 of Hearing Session 11.        |
| LP/MOD.144 | p.179 + 180, New Policy EM10 + supporting text | <b><u>Policy EM10 Non Mineral Development in Mineral Safeguarding Areas</u></b><br><br><u>All non-mineral development proposals in the designated Mineral Safeguarding Areas should assess and evaluate the legacy of past mining heritage and should consider this in accordance with Policy EM2. It should also ensure that development does not entirely sterilise any potential future mineral extraction should this become viable and desirable. This should be considered in partnership with the Coal Authority.</u><br><br>Supporting Text: <u>The policy aims to take a balanced approach to protecting minerals resources in Coventry against the need to attract investment and urban regeneration to a primarily built up area.</u><br><br><u>This policy ensures that all proposals for non-mineral working within the designated MSAs are properly considered and evaluated in partnership with the Coal Authority. The Policy also aims to ensure that development proposals within the Plan are</u> | <i>To satisfy Inspector Action Point 4 of Hearing Session 11.</i> |

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|            |   | <u>deliverable without complete sterilisation due primarily to the extensive deep cast coal reserves to the West and North West of the city. Within this location this has been further emphasised by the closure, and planned redevelopment of the Daw Mill Colliery, which would have provided the primary access point for the extraction of such reserves. Development identified within policies H2 and/or JE2 would not therefore be subject to this policy.</u>  |   |
| LP/MOD.145 | p.187, Policy IM1 – introductory text                     | <u>Cycling and walking routes</u>   | Additional wording to reflect other proposed changes.   |
| LP/MOD.146 | p.188, Policy IM1 – introductory text                     | <u>In addition, the City's IDP will be managed to reflect strategic cross boundary infrastructure that is to be delivered within Warwickshire but with a view to supporting the growth of the City (in part at least) and the delivery of the homes and employment land that have been redistributed through the Housing and Employment MOU's. This reflects the strategic importance of such infrastructure and the Councils on-going commitment to its Duty to Cooperate responsibilities with its neighbouring authorities.</u>  | <i>Additional paragraph to add clarity to introductory text.</i>  |
| LP/MOD.147 | p.188, Policy IM1, para. 4                                | <u>This will focus primarily on category 1 infrastructure as identified in the IDP and/or Regulation 123 list.</u>  | <i>To satisfy Inspector Action Point 10 of Hearing Session 3.</i>   |
| LP/MOD.148 | p.190, Implementation – supporting text                   | The Councils current 5 year housing land supply comprises <del>63</del> 75% of homes which already have planning consent or have started construction (at April 2016 <del>5</del> ). In addition, a further 15 <del>22</del> % is covered by sites allocated under policy H2, adding further certainty to the delivery of these schemes and their supporting infrastructure. The remaining 10 <del>45</del> % comprises sites within the SHLAA that are predominantly smaller sites within the existing urban area and which will have a lesser impact on infrastructure needs, with greater opportunity to access and utilise existing provisions. | Update of figures to include most recent data.  |
| LP/MOD.149 | p.192, Local and National Grant Funding – supporting text | <u>Indeed, the City Council are already progressing plans to invest money secured through the Devolution Deal as part of the West Midlands Combined Authority, including significant contributions towards rail and highway infrastructure.</u>   | <i>Additional wording to include information which wasn't available at the time of publication of the draft document.</i> |
| LP/MOD.150 | p.193, Duty to Cooperate – supporting text                | <u>The County Council are also coordinating a compendium of infrastructure Plans across the sub-region to support the alignment of strategic growth areas and infrastructure provisions. This will be supported by the regular updating of the City Councils live IDP which will identify key cross boundary schemes linked to the</u>  | <i>To satisfy Inspector Action Point 11 of Hearing Session 3.</i>   |

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|            |   | <u>delivery of the city's unmet needs within Warwickshire.</u>  |   |
| LP/MOD.151 | p.194, Monitoring and Performance – supporting text | <u>The Monitoring Framework will therefore be regularly reviewed and kept up to date. It will also be an integral evidence platform for determining the need to review the Plan, either in full or part, in accordance with Policy DS1.</u> | <i>To satisfy Inspector Action Point 5 of Hearing Session 16.</i> |

## City Centre AAP – Schedule of Proposed Modifications – November 2017

The table below lists both the minor and main modifications that have been undertaken for the City Centre Area Action Plan for varying reasons. Please note that only specific alterations have been listed, and changes to the formatting/layout or grammatical corrections have been considered as a single reference number – see AAP/MM.A and AAP.MM.B

| <u>Modification Reference Number</u> | <u>Page Number / Policy Reference</u> | <u>Proposed Amendment</u>  | <u>Justification and Reasoning</u>  |
|--------------------------------------|---------------------------------------|--|---|
| <b>MINOR MODIFICATIONS</b>           |                                       |  |   |
| AAP/MM.A                             | Throughout AAP Document               | All figure numbers in the AAP policies, supporting text and figure/table captions themselves, have been amended so that they are referenced accurately and consistently, and tables and figures are presented in numerical order. Where appropriate figure/table numbers have been changed to reflect this. This includes the correction of the typographical error relating to figures 18a and 18b, where instead they should read 17a and 17b. | Adjustment to figure numbers to ensure technical and presentation accuracy. Please see Inspector Action Point 12 of Hearing Session 12. |
| AAP/MM.B                             | Throughout AAP Document               | The entire document has been reviewed in its entirety in order to ensure it is consistently formatted and presents correct grammar throughout. This includes minor changes such as spelling and grammatical corrections.   | To ensure the document is presented professionally.   |
| AAP/MM.1                             | p.4, para. 1.3                        | <u>In developing the AAP</u> The Council <u>undertook a range of consultation events and consulted on a preferred approach for the city centre between February and April 2015, which</u> built upon a range of previous work undertaken since 2009. This has included:  | To prepare the document for conversion from 'Proposed Draft' to 'ready for adoption' stage.   |
| AAP/MM.2                             | p.4, para. 1.3                        | <ul style="list-style-type: none"> <li>• 2015 – Consultation on the new City Centre Area Action Plan Preferred Approach</li> <li>• <u>2016-2017 – Consultation on the AAP Publication draft, examination hearings and consideration of modifications.</u></li> </ul>   | To prepare the document for conversion from 'Proposed Draft' to 'ready for adoption' stage.   |



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| AAP/MM.3 | p.4, para. 1.3 | As a result of <del>these processes</del> <del>is consultation and the comments received</del> the AAP has been modified and updated to produce this <u>final</u> version of the document, <u>which will be adopted by the City Council in 2017.</u> <del>The Proposed Publication Draft.</del>  | To prepare the document for conversion from 'Proposed Draft' to 'ready for adoption' stage.   |
| AAP/MM.4 | p.4, para. 1.4 | <del>This version of the plan will be subject to a statutory period of 6 weeks public engagement starting on Monday 18<sup>th</sup> January 2016. During this period stakeholders will have the opportunity to submit representations relating to the plans soundness and legal compliance.</del>  | To prepare the document for conversion from 'Proposed Draft' to 'ready for adoption' stage.   |
| AAP/MM.5 | p.4, para. 1.5 | <del>Following this period of public engagement the plan will be submitted to the Secretary of State, who will appoint an independent Planning Inspector to decide whether or not to approve the plan with or without changes. This will involve the holding of an "Examination in Public" which is expected to be in summer 2016. Subject to the Inspector's conclusions the plan could then be adopted by the end of 2016.</del> | To prepare the document for conversion from 'Proposed Draft' to 'ready for adoption' stage.   |
| AAP/MM.6 | p.5, para. 1.6 | The new <del>version of the</del> AAP has been developed alongside updates to the evidence base and the City's new Local Plan.   | To prepare the document for conversion from 'Proposed Draft' to 'ready for adoption' stage.   |
| AAP/MM.7 | p.6, para. 2.1 | Despite this period of successful redevelopment activity, it has been more than 154 years since these policies were written and as such they have become dated, with many of the key policy aims and objectives now implemented or superseded.   | Factual correction to provide up-to-date figures which acknowledge a progression in the plan. |

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| AAP/MM.8  | p.7, para. 2.3   | As the Council have developed the Local Plan <del>over the last 18 months</del> , the AAP has been developed in parallel in order to help the AAP be steered by the Local Plan and to help the 2 documents guide and promote development in tandem. This has allowed a holistic development of local planning policy for Coventry <del>to 2031 for the next 15 years</del> and supports the identification of the city centre as the heart of the city and the focal point for new jobs, homes and investment.  | To prepare the document for conversion from 'Proposed Draft' to 'ready for adoption' stage<br>+ Alteration to wording to support figure accuracy/provide up-to-date figures which acknowledge a progression in the plan. |
| AAP/MM.15 | p.14, para. 4.11 | Included within the <del>comparison</del> floor space provision up to 2031 is an allowance for just under <del>228,000</del> sq.m gross of retail warehouse floor space, which the study suggests should be directed to the city centre, where this is considered appropriate.  | Alteration to wording to add clarity<br>+ Factual correction to figures.   |
| AAP/MM.17 | p.15, para. 5.1  | The creation of good quality green <del>and blue</del> infrastructure;  | Addition to wording to ensure consistency with amended Policy CC1.   |
| AAP/MM.18 | p.18, para. 8.1  | The Council's Historic Environment Record <del>(Including the Gould Report (2009) and Conservation Area Appraisals)</del> .   | Addition to wording to add clarity.  |
| AAP/MM.19 | p.18, para.9     | <del><b>Community and Stakeholder Engagement</b><br/><br/>This document provides the next step in delivering a new City Centre Area Action Plan for Coventry. Its continued progress however requires the views and opinions from the people of Coventry, local businesses and other interested Stakeholders. As such, this document is being published for a statutory period of 6 weeks public engagement.<br/><br/>It will begin on Monday 18<sup>th</sup> January 2016, and run for 6 weeks until Monday 29<sup>th</sup> February 2016. This period of community and stakeholder engagement will be undertaken in accordance with the Council's</del> | Section deleted as to prepare the document for conversion from 'Proposed Draft' to 'ready for adoption' stage.   |

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|           |                       | <p><del>adopted Statement of Community Involvement (SCI).</del></p> <p><del>As part of the process specific events will be held across the city with local communities and key stakeholders to help the Council understand areas of support and challenge prior to submitting the plan to the Planning Inspectorate.</del></p> <p><del>A Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA) has been undertaken, and has been used to help shape this document and its proposals. It is available to view as part of the supporting documents released by the Council that relate to this period of engagement on the now AAP. In addition the plan is supported by a Health Impact Assessment and Equalities and Consultation Assessment. These are all available to view on the Council's webpages <a href="http://www.coventry.gov.uk/aap">www.coventry.gov.uk/aap</a></del></p> <p><del>All responses should be submitted to the Council by 5pm on the 29<sup>th</sup> February 2016 and should preferably be submitted via email to: <a href="mailto:localplan@coventry.gov.uk">localplan@coventry.gov.uk</a></del></p> <p><del>Alternatively written responses can be submitted to the following address:</del></p> <p><del>Coventry City Council Planning Policy Department<br/>Floor 3, Civic Centre 4<br/>Much Park Street,<br/>Coventry<br/>CV1 2PY</del></p> <p><del>Or, deposited at local libraries or council offices for the attention of the Council's Planning Policy team at the above address.</del></p> |  |
| AAP/MM.25 | p.36, supporting text | <p>An alternative to deculverting could be a recreation or representation of the river channel, which could help form part of a Sustainable <del>Urban</del> Drainage System (SuDS). <del>Although some SuDS features are not always appropriate in areas of ground contamination,</del> Opportunities should be taken to explore these within the city centre, not only around Fairfax Street <del>and</del> Palmer Lane but the centre as a whole.</p>  | Correction of wording to accurately reflect acronym and aid clarity. |

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| AAP/MM.26 | p.36,<br>supporting text                                   | In the national context the risk of major scale flooding in Coventry <u>City Centre</u> is low.   | Additional wording to add clarity of the supporting text.                             |
| AAP/MM.27 | p.36,<br>supporting text                                   | Local flooding is becoming increasingly common due to the impacts of climate change on weather patterns and it is important to address this risk in Coventry. <del>Historically, flood risk management has concentrated on high impact and often low frequency flood events.</del>  | Deletion of unnecessary wording.  |
| AAP/MM.31 | p.39,<br>supporting text                                   | Any new development or redevelopment of existing sites within the city centre will require an investigation into the quality of the underlying soils and waters and where necessary an appropriate level of remediation to ensure the land is fit for its proposed use and will not pose a risk to future users of the site <u>or the environment</u> .                               | Additional words to add clarity to supporting text.                                   |
| AAP/MM.34 | p.46,<br>supporting text                                   | Further guidance can be found in the West Midlands Low Emission Towns and Cities guidance <u>and within the emerging West Midlands Metropolitan Area Transport Emissions Framework</u> = on electric vehicle recharging standards and will be provided in the Coventry Connected Transport Strategy SPD.  | Additional wording to add clarity to supporting text.                                 |
| AAP/MM.41 | p.51,<br>supporting text                                   | Additional reference added to the end of the Accessible car Parks section of supporting text: <u>High quality, secure cycle parking and motorbike parking should also be considered.</u>  | Additional wording to aid clarity of supporting text.                                 |
| AAP/MM.46 | p. 60, para. 3   | Ensure reference is made to “The Burgess” as opposed to just “Burgess”  | Technical correction of street naming.  |
| AAP/MM.49 | p.81, Policy CC18, Primary Shopping Area – supporting text | The Shopping and Centres Study recommends that the city centre should be the focal point for new retail provision across Coventry and should accommodate <del>up to approximately at least</del> 78,100sq.m of gross new floor space up to 2031. This should include a range of retail needs (A1-A5) and be phased in accordance with Table <u>3 of this AAP</u> <del>5 below</del> . | Additional wording to aid clarity of supporting text and make phrasing more accurate. |

**MAIN MODIFICATIONS**

|          |                |   |  |
|----------|----------------|---|--|
| AAP/MM.9 | p.8, para. 3.4 | <p>Table 1 below highlights the number of new homes built in the city centre in the last 10 years. This represents <del>just below</del> <u>approximately</u> 15% of all completions in Coventry <u>over that period</u>.</p> | <p>Alteration to wording to support figure accuracy and add clarity.</p> |
|----------|----------------|---|--|

| AAP/MM.10                          | p.8, Table 1     | <p><b>Table 1: Completion of new homes in Coventry city centre 2006-2016</b></p> <table border="1"> <thead> <tr> <th><u>Year</u></th> <th><u>06/07</u></th> <th><u>07/08</u></th> <th><u>08/09</u></th> <th><u>09/10</u></th> <th><u>10/11</u></th> <th><u>11/12</u></th> <th><u>12/13</u></th> <th><u>13/14</u></th> <th><u>14/15</u></th> <th><u>15/16</u></th> <th><u>Total</u></th> </tr> </thead> <tbody> <tr> <td><u>Total Completions (net)</u></td> <td><u>1,165</u></td> <td><u>1,149</u></td> <td><u>680</u></td> <td><u>496</u></td> <td><u>705</u></td> <td><u>921</u></td> <td><u>994</u></td> <td><u>1,095</u></td> <td><u>1,116</u></td> <td><u>1,436</u></td> <td><u>9,757</u></td> </tr> <tr> <td><u>Within City Centre</u></td> <td><u>156</u></td> <td><u>0</u></td> <td><u>28</u></td> <td><u>97</u></td> <td><u>195</u></td> <td><u>137</u></td> <td><u>152</u></td> <td><u>229</u></td> <td><u>119</u></td> <td><u>310</u></td> <td><u>1,423</u></td> 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|------------------------------------|------------------|--|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------------|--------------|--------------|--------------------------------|--------------|--------------|------------|------------|------------|------------|------------|--------------|--------------|--------------|--------------|---------------------------|------------|----------|-----------|-----------|------------|------------|------------|------------|------------|------------|--------------|----------------------------|--------------|--------------|------------|------------|------------|------------|------------|------------|------------|--------------|--------------|-----------------------------|------------|-----------|-----------|------------|------------|------------|------------|------------|------------|------------|------------|-----------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------------------------|----------------|------------------|------------------|----------------|----------------|----------------|----------------|----------------|------------------|------------------|------------------|-------------------------------|----------------|----------------|--------------|---------------|---------------|----------------|----------------|----------------|----------------|----------------|------------------|--------------------------------|----------------|------------------|------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|------------------|---------------------------------|----------------|----------------|---------------|---------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|---|
| <u>Year</u>                        | <u>06/07</u>     | <u>07/08</u>   | <u>08/09</u>     | <u>09/10</u>     | <u>10/11</u>     | <u>11/12</u>     | <u>12/13</u>     | <u>13/14</u>     | <u>14/15</u>     | <u>15/16</u>     | <u>Total</u>     |              |              |              |                                |              |              |            |            |            |            |            |              |              |              |              |                           |            |          |           |           |            |            |            |            |            |            |              |                            |              |              |            |            |            |            |            |            |            |              |              |                             |            |           |           |            |            |            |            |            |            |            |            |                 |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                                    |                |                  |                  |                |                |                |                |                |                  |                  |                  |                               |                |                |              |               |               |                |                |                |                |                |                  |                                |                |                  |                  |                |                |                |                |                |                |                |                  |                                 |                |                |               |               |                |                |                |                |                |                |                |   |
| <u>Total Completions (net)</u>     | <u>1,165</u>     | <u>1,149</u>   | <u>680</u>       | <u>496</u>       | <u>705</u>       | <u>921</u>       | <u>994</u>       | <u>1,095</u>     | <u>1,116</u>     | <u>1,436</u>     | <u>9,757</u>     |              |              |              |                                |              |              |            |            |            |            |            |              |              |              |              |                           |            |          |           |           |            |            |            |            |            |            |              |                            |              |              |            |            |            |            |            |            |            |              |              |                             |            |           |           |            |            |            |            |            |            |            |            |                 |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                                    |                |                  |                  |                |                |                |                |                |                  |                  |                  |                               |                |                |              |               |               |                |                |                |                |                |                  |                                |                |                  |                  |                |                |                |                |                |                |                |                  |                                 |                |                |               |               |                |                |                |                |                |                |                |   |
| <u>Within City Centre</u>          | <u>156</u>       | <u>0</u>   | <u>28</u>        | <u>97</u>        | <u>195</u>       | <u>137</u>       | <u>152</u>       | <u>229</u>       | <u>119</u>       | <u>310</u>       | <u>1,423</u>     |              |              |              |                                |              |              |            |            |            |            |            |              |              |              |              |                           |            |          |           |           |            |            |            |            |            |            |              |                            |              |              |            |            |            |            |            |            |            |              |              |                             |            |           |           |            |            |            |            |            |            |            |            |                 |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                                    |                |                  |                  |                |                |                |                |                |                  |                  |                  |                               |                |                |              |               |               |                |                |                |                |                |                  |                                |                |                  |                  |                |                |                |                |                |                |                |                  |                                 |                |                |               |               |                |                |                |                |                |                |                |   |
| <u>Outside City Centre</u>         | <u>1,009</u>     | <u>1,149</u>   | <u>652</u>       | <u>399</u>       | <u>529</u>       | <u>784</u>       | <u>842</u>       | <u>866</u>       | <u>997</u>       | <u>1,136</u>     | <u>8,363</u>     |              |              |              |                                |              |              |            |            |            |            |            |              |              |              |              |                           |            |          |           |           |            |            |            |            |            |            |              |                            |              |              |            |            |            |            |            |            |            |              |              |                             |            |           |           |            |            |            |            |            |            |            |            |                 |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                                    |                |                  |                  |                |                |                |                |                |                  |                  |                  |                               |                |                |              |               |               |                |                |                |                |                |                  |                                |                |                  |                  |                |                |                |                |                |                |                |                  |                                 |                |                |               |               |                |                |                |                |                |                |                |   |
| <u>% within City Centre</u>        | <u>13%</u>       | <u>0%</u>  | <u>4%</u>        | <u>20%</u>       | <u>28%</u>       | <u>15%</u>       | <u>15%</u>       | <u>21%</u>       | <u>11%</u>       | <u>22%</u>       | <u>15%</u>       |              |              |              |                                |              |              |            |            |            |            |            |              |              |              |              |                           |            |          |           |           |            |            |            |            |            |            |              |                            |              |              |            |            |            |            |            |            |            |              |              |                             |            |           |           |            |            |            |            |            |            |            |            |                 |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                                    |                |                  |                  |                |                |                |                |                |                  |                  |                  |                               |                |                |              |               |               |                |                |                |                |                |                  |                                |                |                  |                  |                |                |                |                |                |                |                |                  |                                 |                |                |               |               |                |                |                |                |                |                |                |   |
| <del>Year</del>                    | <del>05/06</del> | <del>06/07</del>   | <del>07/08</del> | <del>08/09</del> | <del>09/10</del> | <del>10/11</del> | <del>11/12</del> | <del>12/13</del> | <del>13/14</del> | <del>14/15</del> | <del>Total</del> |              |              |              |                                |              |              |            |            |            |            |            |              |              |              |              |                           |            |          |           |           |            |            |            |            |            |            |              |                            |              |              |            |            |            |            |            |            |            |              |              |                             |            |           |           |            |            |            |            |            |            |            |            |                 |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                                    |                |                  |                  |                |                |                |                |                |                  |                  |                  |                               |                |                |              |               |               |                |                |                |                |                |                  |                                |                |                  |                  |                |                |                |                |                |                |                |                  |                                 |                |                |               |               |                |                |                |                |                |                |                |   |
| <del>Total Completions (net)</del> | <del>691</del>   | <del>1,165</del>   | <del>1,149</del> | <del>680</del>   | <del>496</del>   | <del>705</del>   | <del>921</del>   | <del>994</del>   | <del>1,095</del> | <del>1,116</del> | <del>9,012</del> |              |              |              |                                |              |              |            |            |            |            |            |              |              |              |              |                           |            |          |           |           |            |            |            |            |            |            |              |                            |              |              |            |            |            |            |            |            |            |              |              |                             |            |           |           |            |            |            |            |            |            |            |            |                 |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                                    |                |                  |                  |                |                |                |                |                |                  |                  |                  |                               |                |                |              |               |               |                |                |                |                |                |                  |                                |                |                  |                  |                |                |                |                |                |                |                |                  |                                 |                |                |               |               |                |                |                |                |                |                |                |   |
| <del>Within City Centre</del>      | <del>148</del>   | <del>156</del>   | <del>0</del>     | <del>28</del>    | <del>97</del>    | <del>195</del>   | <del>137</del>   | <del>152</del>   | <del>229</del>   | <del>119</del>   | <del>1,261</del> |              |              |              |                                |              |              |            |            |            |            |            |              |              |              |              |                           |            |          |           |           |            |            |            |            |            |            |              |                            |              |              |            |            |            |            |            |            |            |              |              |                             |            |           |           |            |            |            |            |            |            |            |            |                 |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                                    |                |                  |                  |                |                |                |                |                |                  |                  |                  |                               |                |                |              |               |               |                |                |                |                |                |                  |                                |                |                  |                  |                |                |                |                |                |                |                |                  |                                 |                |                |               |               |                |                |                |                |                |                |                |   |
| <del>Outside City Centre</del>     | <del>543</del>   | <del>1,009</del>   | <del>1,149</del> | <del>652</del>   | <del>399</del>   | <del>529</del>   | <del>784</del>   | <del>842</del>   | <del>866</del>   | <del>997</del>   | <del>7,751</del> |              |              |              |                                |              |              |            |            |            |            |            |              |              |              |              |                           |            |          |           |           |            |            |            |            |            |            |              |                            |              |              |            |            |            |            |            |            |            |              |              |                             |            |           |           |            |            |            |            |            |            |            |            |                 |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                                    |                |                  |                  |                |                |                |                |                |                  |                  |                  |                               |                |                |              |               |               |                |                |                |                |                |                  |                                |                |                  |                  |                |                |                |                |                |                |                |                  |                                 |                |                |               |               |                |                |                |                |                |                |                |   |
| <del>% within City Centre</del>    | <del>21%</del>   | <del>13%</del>   | <del>0%</del>    | <del>4%</del>    | <del>20%</del>   | <del>28%</del>   | <del>15%</del>   | <del>15%</del>   | <del>21%</del>   | <del>11%</del>   | <del>14%</del>   |              |              |              |                                |              |              |            |            |            |            |            |              |              |              |              |                           |            |          |           |           |            |            |            |            |            |            |              |                            |              |              |            |            |            |            |            |            |            |              |              |                             |            |           |           |            |            |            |            |            |            |            |            |                 |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                                    |                |                  |                  |                |                |                |                |                |                  |                  |                  |                               |                |                |              |               |               |                |                |                |                |                |                  |                                |                |                  |                  |                |                |                |                |                |                |                |                  |                                 |                |                |               |               |                |                |                |                |                |                |                |   |

| AAP/MM.11                                       | p.8, para. 3.5       | <p>This has included a number of purpose built student accommodation developments around the Ring Road and conversions of former offices. In the last <del>132</del> years such developments have delivered in excess of <del>3,400</del><del>2,900</del> new bed spaces within the city centre, of which more than a third have been completed this decade. In terms of conversion opportunities these have completed in excess of <del>800</del><del>450</del> bed spaces in the last <del>65</del> years at sites such as <u>the former AXA towers</u>, Market Way and Trinity Street.</p>  | <p>Additional text to provide further detail,<br/>Factual corrections to figures.<br/>+<br/>Provide up-to-date figures which acknowledge a progression in the plan.</p> |                      |                      |                            |   |              |                   |                   |   |                   |                   |                   |   |
|---|----------------------|--|---|----------------------|----------------------|----------------------------|---|--------------|-------------------|-------------------|---|-------------------|-------------------|-------------------|---|
| AAP/MM.12                                       | p.10, Policy CC1     | <ul style="list-style-type: none"> <li>• <u>Providing an attractive and safe environment for pedestrians, cyclists and motorists;</u></li> <li>• <u>Provide a high quality public transport system that benefits from seamless integration and is well connected to existing and new infrastructure;</u></li> <li>• <del>Continuing to generate a balance and integration of the university with the wider city centre</del><u>support greater integration of the university within the wider city centre in accordance with the policies in the Area Action Plan; and</u></li> <li>• <u>Recognising and preserving key views to the iconic three spires of St. Michaels, Holy Trinity and Christchurch; and</u></li> <li>• <u>Supporting the reintroduction of green and blue infrastructure throughout the city centre, including opportunities for deculverting wherever possible.</u></li> </ul> | <p>Change/addition of wording for clarification purposes/<br/>grammatical correction<br/>+<br/><i>To satisfy Inspector Action Point 4 of Hearing Session 12.</i></p>    |                      |                      |                            |   |              |                   |                   |   |                   |                   |                   |   |
| AAP/MM.13                                       | p.13, para. 4.9      | <p>With this in mind the Shopping and centres study recommends the provision of around <del>1076</del>,000sq.m of gross new floor space across Coventry up to 2031, which covers a range of retail needs. Of this <u>up to</u> approximately <del>798</del>,000sq.m is to be delivered within the city centre (of which 9,600sqm is to be set aside to cover excessive level of vacant units).</p>   | <p>Factual correction to figures<br/>+<br/>Alteration to wording to add clarity.</p>  |                      |                      |                            |   |              |                   |                   |   |                   |                   |                   |   |
| AAP/MM.14                                       | p.13, Table 3        | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #ADD8E6;"> <th></th> <th style="text-align: center;"><del>2014-2021</del></th> <th style="text-align: center;"><del>2021-2031</del></th> <th style="text-align: center;"><del>Total 2011-2031</del></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;"><del>Total Convenience Retail floor space</del></td> <td style="text-align: center;"><del>0</del></td> <td style="text-align: center;"><del>10,000</del></td> <td style="text-align: center;"><del>10,000</del></td> </tr> <tr> <td style="text-align: center;"><del>Total Other Retail floor space</del></td> <td style="text-align: center;"><del>21,811</del></td> <td style="text-align: center;"><del>46,323</del></td> <td style="text-align: center;"><del>68,134</del></td> </tr> </tbody> </table>             |   | <del>2014-2021</del> | <del>2021-2031</del> | <del>Total 2011-2031</del> | <del>Total Convenience Retail floor space</del> | <del>0</del> | <del>10,000</del> | <del>10,000</del> | <del>Total Other Retail floor space</del> | <del>21,811</del> | <del>46,323</del> | <del>68,134</del> | <p>Figures shown in greater detail, and subsequent alteration to footnotes to reflect change.<br/><br/><i>To satisfy Inspector Action</i></p> |
|   | <del>2014-2021</del> | <del>2021-2031</del>   | <del>Total 2011-2031</del>  |                      |                      |                            |   |              |                   |                   |   |                   |                   |                   |   |
| <del>Total Convenience Retail floor space</del> | <del>0</del>         | <del>10,000</del>  | <del>10,000</del>   |                      |                      |                            |   |              |                   |                   |   |                   |                   |                   |   |
| <del>Total Other Retail floor space</del>       | <del>21,811</del>    | <del>46,323</del>  | <del>68,134</del>   |                      |                      |                            |   |              |                   |                   |   |                   |                   |                   |   |

|   |                       |                         |                               |
|---|-----------------------|-------------------------|-------------------------------|
| <b>Total retail floor space (all forms)</b>       | <b>21,811</b>         | <b>56,323</b>           | <b>78,134</b>                 |
| <b>% in timeframe</b>                             | <b>28%</b>            | <b>72%</b>              | <b>100%</b>                   |
| <b>=</b>  | <b><u>To 2021</u></b> | <b><u>2021-2031</u></b> | <b><u>Total 2011-2031</u></b> |
| <u>Total Convenience Retail floor space*</u>      | <u>0</u>              | <u>10,000</u>           | <u>10,000</u>                 |
| <u>Total Comparison Retail floor space (A1)**</u> | <u>10,162</u>         | <u>17,505</u>           | <u>27,667</u>                 |
| <u>Total A2 floor space***</u>                    | <u>3,189</u>          | <u>6,523</u>            | <u>9,712</u>                  |
| <u>Total A3-A5 floor space</u>                    | <u>7,035</u>          | <u>2,975</u>            | <u>10,010</u>                 |
| <u>Total Retail Warehousing floor space***</u>    | <u>2,425</u>          | <u>19,333</u>           | <u>21,758</u>                 |
| <b><u>Total***</u></b>                            | <b><u>22,811</u></b>  | <b><u>56,336</u></b>    | <b><u>79,147</u></b>          |

\*-An allowances for 9,600sq,m for the occupation of vacant floor space should be considered against the short term need. It is not deducted from the above table.

\*\* Target figure as specific city centre convenience figure could not be extracted from the NLP study.

\*\* An allowance for at least 10,000sq.m of new retail floor space at City Centre South has been added into the short term projection.


\*\*\*total figures for A2 floor space and Retail Warehousing and total floor space are reflective of all A2 provision and Retail Warehousing being delivered within the city centre as outlined in Table 5.1 of the Local Plan"

NB; An allowances for 9,600sq,m for the occupation of vacant floor space should be considered against the short term need. It is not deducted from the above table.

Point 4 of Hearing Session 7B (retail) and Inspector Action Point 10 of Hearing Session 12.

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|-----------|--|--|---|
|           |  | <u>NB: all figures are for gross floor space</u>   |   |
| AAP/MM.16 | p.14, para. 4.11   | <u>A similar approach is taken with A2 provision which accounts for up to approximately 9,700sq.m. If this does not prove possible through the Sequential Assessment process then provisions should be focused towards the other centres within the retail hierarchy as appropriate (see policy R3 of the Local Plan).</u>   | Further detail to supporting text.  |
| AAP/MM.20 | p.20, Policy CC2, City Centre Heritage - supporting text | <p><u>In partnership with Historic England, the City Council will continue to undertake further research into the City's post-war buildings, spaces and places (particularly within the City Centre). Alongside other relevant evidence this will be applied to inform further statutory and local building and area designations and future master planning work with partners such as the University.</u></p> <p><u>This will continue to demonstrate a commitment to a positive, proactive and on-going approach to the conservation of Coventry's cultural heritage, ensuring that the significance of the historic environment is fully appreciated and its potential is harnessed and integrated with the Council's aspirations for regenerating the City Centre.</u></p> <p><u>As such, the City Council will continue to update its local list to respond to evolving evidence and research. This reflects the 'live' nature of the Local List. It will also provide an opportunity to continue to identify heritage assets of local importance to be appreciated and safeguarded, which may not merit statutory recognition.</u></p> <p><u>This evidence will also be used to determine the suitability of further Conservation Area designation(s) and boundary revisions across the city centre. It will also support the city centres Heritage Action Zone status.</u></p> | <p>Additional supporting text to the Heritage chapter as agreed with Historic England through Statement of Common Ground.</p> <p><i>To satisfy Inspector Action Points 2 and 3 of Hearing Session 12.</i></p> |
| AAP/MM.21 | p. 21, Policy CC2, para. a.+b.                           | <p>All development within, or affecting the setting of, a Conservation Area (as highlighted in Figure 2) shall preserve <del>and</del> enhance its character and appearance and adhere to the policies of the relevant Conservation Area Appraisal and Management Plan.</p> <p>All development relating to or in close proximity to heritage assets such as statutory and locally listed buildings, Scheduled Monuments, public artwork and non-designated heritage assets (Figure 2) shall be undertaken sympathetically to those heritage assets and seek to preserve <del>and</del> enhance their setting.</p>  | <p>Clarification to Policy CC2.</p> <p><i>To satisfy Inspector Action Point 1 of Hearing Session 12.</i></p>  |




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| AAP/MM.22 | p.23, Figure 3        |   | Minor cartographical amendments to provide the most up to date map.  |
| AAP/MM.23 | p.33, supporting text | <p>As part of this process, the provision of soft landscaping, including tree planting to promote biodiversity and create a visually attractive environment will be promoted. ‘Greening’ of the Ring Road will also be supported where highway safety is unaffected through the introduction of vertical planting such as green walls and climber structures to supporting walls and bridges in order to enhance the appearance of the city centre and to offer screening opportunities. <u>Furthermore, opportunities to deculvert or ‘day-light’ and restore the River Sherbourne and its tributaries will be supported in principle.</u></p> | <p>Additional supporting text to the Green and Blue Infrastructure chapter to clarify Council’s position.</p> <p><i>To partly satisfy Inspector Action Points 7 and 8 of Hearing Session 12.</i></p> |


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|-----------|--|--|--|
| AAP/MM.24 | p. 34, Policy CC8, para. a.                        | New development will be expected to maintain the quantity, quality and functionality of existing green and blue infrastructure. In line with the city's Green Space Strategy and Local Flood Risk Management Strategy, development proposals should enhance blue and green infrastructure, and create and improve linkages between the areas. Any development which is likely to adversely affect the integrity of a blue or green corridor will be required to be robustly justified and where appropriate, mitigation measures put in place. <u>Development shall support meeting the objectives of the Severn River Basin Management Plan through ensuring that no deterioration of the River Sherbourne or its tributaries shall occur that may result in it failing its objectives under the Water Framework Directive.</u> | Additional supporting text to satisfy Inspector Action Point 5 of Hearing Session 12.  |
| AAP/MM.28 | p.37, Policy CC9, para. a.                         | Development shall be designed and located to minimise the risk of flooding and if permitted development, be resilient to flooding. The opportunity must be exercised to maximise the absorption of surface water run-off by the ground. Sustainable <del>Urban</del> -Drainage methods shall be incorporated into new developments including treatment for water quality. <u>Such provisions should consider opportunities to reflect the alignment of the River Sherbourne and/or its tributaries.</u>  | Technical correction to SuDs and additional wording in Policy CC9 to satisfy Inspector Action Point 9 of Hearing Session 12. |
| AAP/MM.29 | p.37, Policy CC9, para. c.                         | This includes all sites being treated as a Greenfield site when calculating permissible discharge rates <u>in line with Policy EM5 of the Local Plan.</u>  | Additional wording in Policy CC9 to satisfy Inspector Action Point 6 of Hearing Session 12.                                  |
| AAP/MM.30 | p.37, Policy CC9, para. e.                         | Where a development proposal lies adjacent to the existing de-culverted river Sherbourne, a natural sinuous river channel should be retained. Consideration should <u>also be given to removing water bodies from culverts wherever possible and viable (having regard to Figure 6). This will be of particular importance along Fairfax Street as shown in Figure 7 in order to and will be vital to create multi-functional green and blue spaces within the city centre.</u> <del>or consider opportunities to create a water channel that respects the alignment of the River Sherbourne.</del>  | Alterations to wording to add clarity and make grammatical sense.  |
| AAP/MM.32 | p.42, Policy CC11, Accessibility - supporting text | <u>Coventry City Council have also worked in partnership with Transport for the West Midlands (TfWM) on the Strategic Transport Plan for the West Midlands Metropolitan Area "Movement for Growth". This sets out the overarching transport strategy for the West Midlands Metropolitan area covering metropolitan rail and rapid transit networks, the key route network and a metropolitan strategic cycle network, to help deliver a transport network which boosts our economy and improves reliability and the environment.</u>   | Additional paragraph in supporting text to satisfy Inspector Action Point 17 of Hearing Session 12.                          |

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| AAP/MM.33 | p.45, Policy CC11, Walking and Cycling - supporting text            | <p><u>Walking and cycling routes should also be connected to new development sites and link to the existing public transport network, interchanges and stops to deliver seamless integration. Routes should also connect to the TfWM future Metropolitan Strategic Cycle Network, as set out in the Strategic Transport Plan.</u></p>   | Additional paragraph in supporting text to help satisfy Inspector Action Points 15 and 16 of Hearing Session 12. |
| AAP/MM.35 | p.46, Policy CC11, Public Transport - supporting text               | <p><u>Rail services</u><br/> <u>Coventry station is an increasingly important strategic gateway into the city centre catering for well over five million business, leisure and educational trips into the city centre each year with these figures continuing to grow. A masterplan has been developed for the station area, and this will see the creation of new entrances combined with improved linkages on to Warwick Road and improved transport interchange linked to a new cycle parking hub. The Council will continue to engage with the rail industry to secure improved rail connectivity, in accordance with its rail strategy, to secure improved services which will support economic growth objectives.</u></p> <p><u>As more people use Coventry station to leave Coventry than arrive – and vice-versa in the evening, it is important that access to the station is sufficiently robust to sustain the continued growth in passenger numbers and future schemes support this like the station interchange.</u></p> | Movement of text to place greater emphasis on rail facilities – reflects consultation response from TfWM.        |
| AAP/MM.36 | p.46, Policy CC11, Public Transport, Bus Services – supporting text | <p><u>TfWM are currently developing ‘Bus Network Development Plans’ encompassing how the bus network will evolve over the next 20 years. Coventry’s Bus Network Plan will be based upon high level land use changes and will help support future city centre development and growth.</u></p> <p><u>A Key Route Network of main roads together with appropriate measures to support development including intelligent mobility schemes and priority measures to support reliable bus journey times on key routes will be developed in partnership with TfWM.</u></p>   | Additional paragraphs as recommended by Inspector through Action Point 17 of Hearing Session 12.                 |
| AAP/MM.37 | p.47, supporting text   | <p>Pool Meadow bus station is expected to continue playing a role in providing a hub for local and <u>regional</u> <del>national</del> bus services as well <u>as some possible</u> <del>as</del> coach services, however its role in the longer term will need to be reviewed <u>in partnership with TfWM</u> in the context of:</p>   | Additional wording to aid clarity of supporting text.  |

|           |   |   |  |
|-----------|---|---|--|
| AAP/MM.38 | p.47, Policy CC11, Public Transport – supporting text | <p><u>Rapid Transit</u></p> <p><u>It is important to invest in infrastructure which provides faster and reliable journeys across the West Midlands Metropolitan area. This will provide better and more sustainable access to jobs, education, healthcare facilities and leisure for all residents and visitors.</u></p> <p><u>The vision is for a network of Rapid Transit routes to run on suitable lines as part of one single network and be fully integrated with national and regional rail services, local bus services, passenger information, promotion and ticketing.</u></p> <p><u>It will be important to plan positively for the preferred rapid transit routes which will serve the city centre and all routes should be guided by the appropriate standards from TfWM. This will help to ensure combination of highway and other measures to provide an attractive alternative to the private car and ensure sustainable development. Rapid transit vehicles may also be longer than conventional public transport vehicles and may therefore require additional kerb space, which should also be taken into account when developments come forward – in particular the interchange at the rail station.</u></p> <p><u>The road network within the core of the city also needs to consider the operation of these vehicles in terms of manoeuvring and the opportunity to offer cross-city connectivity.</u></p> | Additional sub-section added to supporting text to ensure consistency with Local Plan approach to rapid transit, support the Plans joint approach to modal shift and better reflect Strategic Transport Plan objectives. |
| AAP/MM.39 | p.48, supporting text                                 | This will include the rationalisation of existing road signs and the <u>continued</u> introduction of <u>“intelligent”</u> <del>reactive</del> variable message signing on the main arterial routes and ring road <u>to guide visitors to the most appropriate parking spaces.</u>  | Additional wording to aid clarity of supporting text.  |
| AAP/MM.40 | p.49, Policy CC11, Car Parking – supporting text      | <p><u>Consideration should also be made to parking standards in new development in relation to the levels of public transport accessibility and walking and cycling provision as in the Strategic Transport Plan.</u></p> <p><u>The role of park and ride will also play a role in supporting Coventry city centre by increasing access to the metropolitan rail and rapid transit network.</u></p>   | Additional paragraph to make explicit reference to car parking standards and strengthen references to Strategic Transport Plan.  |

|           |   |  |  |
|-----------|---|--|--|
| AAP/MM.42 | p.51 + 52, Policy CC11, para. b + c.                | <p>Development proposals should support the needs of pedestrians and cyclists by incorporating new dedicated safe and direct pedestrian and cycle routes which integrate seamlessly into established networks <u>including connecting to the public transport network, interchanges and stops to deliver seamless integration together with provision of high quality cycle parking.</u></p> <p><u>City centre cycling and walking routes should be connected to the wider Metropolitan Strategic Cycle Network and be in partnership with TfWM.</u></p> | Addition of paragraph and additional wording to policy to satisfy Inspector Action Point 16 of Hearing Session 12.               |
| AAP/MM.43 | p.52, Policy CC11, part d.                          | Add additional bullet point to reflect - <u>The development of Rapid Transit.</u>  | Additional wording to aid clarity of policy and better reflect Strategic Transport Plan objectives.                              |
| AAP/MM.44 | p.52, Policy CC11, part e                           | Extend final bullet point as follows: <u>Changes should have regard to other relevant policies including the Coventry Connected SPD, and Coventry Car Parking Strategy and TfWM Strategic Transport Plan parking policy objectives, including any future metropolitan wide parking strategy. Parking needs and the role of the car will also be balanced with promoting the use of public transport, cycling and walking.</u>  | Additional wording to add clarity to policy and better reflect Strategic Transport Plan objectives.                              |
| AAP/MM.45 | p. 57, Policy CC12, para. C.                        | c. The provision of up to 20,500sq.m of A1-A5 retail <u>based</u> floor space will be allowed as part of mixed use buildings and to support the creation of active frontages. Any individual unit should not exceed 500sq.m gross and should not be of a scale that would cause inappropriate competition with the Primary Shopping Area.  | To ensure consistency of policy approach across both the Local Plan and AAP.   |
| AAP/MM.47 | p.64, Policy CC14, The Civic Area – supporting text | <u>This will need to give specific consideration to the Council's evolving HER in order to reflect the heritage and conservation value of the area.</u>  | Additional wording to add clarity to the supporting text. <i>Also to satisfy Inspector Action Point 3 of Hearing Session 12.</i> |

| <p>AAP/MM.48</p>                                | <p>p.79, Figure 16</p> |    | <p>Ensures map includes the most up to date designations.</p> |                      |                      |                            |   |              |                   |                   |   |                   |                   |                   |   |                   |                   |                   |                           |                |                |                 |  |
|---|------------------------|--|---|----------------------|----------------------|----------------------------|---|--------------|-------------------|-------------------|---|-------------------|-------------------|-------------------|---|-------------------|-------------------|-------------------|---------------------------|----------------|----------------|-----------------|--|
| <p>AAP/MM.50</p>                                | <p>p.81, Table 5</p>   | <p><del>Table 5: Retail Needs in Coventry City Centre (2014 – 2031)</del></p> <table border="1" data-bbox="595 611 1816 970"> <thead> <tr> <th></th> <th><del>2014-2021</del></th> <th><del>2021-2031</del></th> <th><del>Total 2011-2031</del></th> </tr> </thead> <tbody> <tr> <td><del>Total Convenience Retail floor space</del></td> <td><del>0</del></td> <td><del>10,000</del></td> <td><del>10,000</del></td> </tr> <tr> <td><del>Total Other Retail floor space</del></td> <td><del>21,811</del></td> <td><del>46,323</del></td> <td><del>68,134</del></td> </tr> <tr> <td><del>Total retail floor space (all forms)</del></td> <td><del>21,811</del></td> <td><del>56,323</del></td> <td><del>78,134</del></td> </tr> <tr> <td><del>% in timeframe</del></td> <td><del>28%</del></td> <td><del>72%</del></td> <td><del>100%</del></td> </tr> </tbody> </table> <p><del>* An allowances for 9,600sq.m for the occupation of vacant floor space should be considered against the short term need. It is not deducted from the above table.</del></p> <p><del>** An allowance for approximately 10,000sq.m of new retail floor space at City Centre South has been added into the short term projection.</del></p> <p><del>NB; all figures are for gross retail floor space but are not of any demolition/existing provision</del></p> <p><del>NB: Source: Coventry Shopping and Centres Study (2014)</del></p> |   | <del>2014-2021</del> | <del>2021-2031</del> | <del>Total 2011-2031</del> | <del>Total Convenience Retail floor space</del> | <del>0</del> | <del>10,000</del> | <del>10,000</del> | <del>Total Other Retail floor space</del> | <del>21,811</del> | <del>46,323</del> | <del>68,134</del> | <del>Total retail floor space (all forms)</del> | <del>21,811</del> | <del>56,323</del> | <del>78,134</del> | <del>% in timeframe</del> | <del>28%</del> | <del>72%</del> | <del>100%</del> | <p>Movement of table to be incorporated in Table 3 so as to satisfy Inspector Action Point 11 of Hearing Session 12.</p> |
|   | <del>2014-2021</del>   | <del>2021-2031</del>   | <del>Total 2011-2031</del>                                    |                      |                      |                            |   |              |                   |                   |   |                   |                   |                   |   |                   |                   |                   |                           |                |                |                 |  |
| <del>Total Convenience Retail floor space</del> | <del>0</del>           | <del>10,000</del>  | <del>10,000</del>   |                      |                      |                            |   |              |                   |                   |   |                   |                   |                   |   |                   |                   |                   |                           |                |                |                 |  |
| <del>Total Other Retail floor space</del>       | <del>21,811</del>      | <del>46,323</del>  | <del>68,134</del>   |                      |                      |                            |   |              |                   |                   |   |                   |                   |                   |   |                   |                   |                   |                           |                |                |                 |  |
| <del>Total retail floor space (all forms)</del> | <del>21,811</del>      | <del>56,323</del>  | <del>78,134</del>   |                      |                      |                            |   |              |                   |                   |   |                   |                   |                   |   |                   |                   |                   |                           |                |                |                 |  |
| <del>% in timeframe</del>                       | <del>28%</del>         | <del>72%</del>   | <del>100%</del>   |                      |                      |                            |   |              |                   |                   |   |                   |                   |                   |   |                   |                   |                   |                           |                |                |                 |  |

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|-----------|----------------------------------|--|---|
| AAP/MM.51 | p.83, Policy CC18, para. b.      | This area is expected to accommodate at least 40,000sq.m of gross new floor space up to 2031, covering a range of retail needs (A1-A5) <u>in accordance with Table 3 of this AAP.</u>  | Additional wording to provide a link back to Table 3, to satisfy Inspector Action Point 13 of Hearing Session 12. |
| AAP/MM.52 | p.87, Table 17a                  |   | Ensures map includes the most up to date designations.  |
| AAP/MM.53 | p.97, Policy CC24, para. b. + d. | <p>b. Land to the east of The Computer and Engineering Building on Gulson Road (1) will be allocated for the development of new building(s) to support this faculty or an alternative faculty. <del>A large innovatively designed</del> <u>High quality</u> building(s) will be supported on the site.</p> <p>d. Proposals to bring the Grade I listed Whitefriars Monastery (3) into appropriate and regular use will be strongly supported subject to that use not having a detrimental impact upon the architectural and historic interest of the building <u>and surrounding public realm.</u> <u>Proposals shall respect the design unity of this part of the University and Enterprise area.</u></p> | Addition and alteration to wording to aid clarity of policy.  |
| AAP/MM.54 | p.102, Policy CC25, para. c.     | <p><del>Where practicable, g</del> <u>Green and blue infrastructure should form an integral part of all development proposals within these areas.</u> <u>This should include the consideration of deculverting where possible and viable</u></p>   | Additional wording to satisfy Inspector Action Point 8 of Hearing Session 12.                                     |

|          |                                     |  |  |
|----------|-------------------------------------|--|--|
| AAP/MM.C | p.109,<br>Indicators<br>and Targets | For amendments to the indicators and targets for each policy of the AAP, please see Appendix 2: Monitoring Framework of the City Centre Area Action Plan, where modifications have been undertaken as necessary. |  |
|----------|-------------------------------------|--|--|



**Agenda Item 13  
Recommendation from Cabinet  
28<sup>th</sup> November 2017**

**Coventry City Council**

**Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 28 November 2017**

Present:

Members: Councillor G Duggins (Chair)  
Councillor F Abbott  
Councillor L Bigham  
Councillor K Caan  
Councillor J Innes  
Councillor K Maton  
Councillor J Mutton  
Councillor J O'Boyle  
Councillor E Ruane

Deputy Cabinet Members Councillor R Ali  
Councillor R Lakha  
Councillor C Thomas

Non-Voting Opposition Members: Councillor A Andrews  
Councillor G Ridley

Other Members: Councillor R Bailey  
Councillor J Lepoidevin  
Councillor G Williams

Employees (by Directorate):

Chief Executive's People M Reeves (Chief Executive),  
G Quinton (Deputy Chief Executive (People)), P Barnett, L  
Gaulton, N Hart, M McGinty

Place M Yardley (Deputy Chief Executive (Place)), M Andrews,  
O Aremu, D Cockroft, C Knight, L Knight, R Palmer, R Moon,  
D Nuttall, T Miller, J Murphy, A Walster

Apologies: Councillor B Kaur, A Khan

**RECOMMENDATIONS**

**78. Adoption of the Coventry Local Plan and City Centre Area Action Plan**

The Cabinet considered a report of the Deputy Chief Executive (Place), which proposed the adoption of the new Coventry City Council Local Plan and City Centre Area Action Plan.

It was noted that, following a period of public examination, the Inspector had now issued her final reports in so far as they related to the City's new Local Plan and City Centre Area Action Plan. The reports concluded that both Plans were sound and legally compliant, subject to the inclusion of identified modifications. This meant that the Council could move to adopt both the Local Plan and the City Centre Area Action Plan. The Inspectors report was attached as Appendix 1 to the report submitted, with the schedule of minor and main modifications recommended, set out at Appendix 2.

Once adopted by the Council, the new Plans will become the basis for determining planning applications from the following day (6<sup>th</sup> December 2017). The legal framework that governed development plans meant that they will remain subject to a statutory 6 week legal challenge period. This period was expected to run between the 6<sup>th</sup> December 2017 and 17<sup>th</sup> January 2018. The Cabinet noted that, should any such challenge arise, it would not directly impact on the material weight afforded to the Plans unless the challenge was successful through the high courts.

The new Local Plan also provided an ongoing blue print for continued joint working with the City's neighbouring authorities in Warwickshire and the wider West Midlands. Both Plans would be monitored on at least an annual basis to ensure they were delivering successfully against their aims and objectives and to assess whether or not they required review, either partially or fully.

**RESOLVED that the Cabinet recommend that Council:-**

- 1. Adopt the Coventry City Council Local Plan 2011-2031 and the City Centre Area Action Plan in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004 and that together they supersede the policies set out in the Council's 2001 Development Plan as set out in Appendix 6 of the Local Plan Appendices.**
- 2. Note that the adopted Coventry Local Plan and City Centre Area Action Plan 2011-2031 are the Submitted Plans – 1<sup>st</sup> April 2016 as amended by:-**
  - a. The Inspector's final report (as appropriate) (Appendix 1).**
  - b. The Schedule of Main Modifications recommended by the Inspector (Appendix 2).**
  - c. The Schedule of minor modifications (Appendix 2)**
- 3. Request that Adoption Statements and the final Sustainability Appraisal reports are made available on or as soon as possible after 6<sup>th</sup> December 2017 in accordance with regulation 35 of the Town and Country Planning (Local Planning) Regulations 2012 (as amended).**
- 4. Delegate authority to the Head of Planning and Regulatory Services in consultation with the Cabinet Member for Community Development to make further minor modifications to the Plans prior to their final publication, where these modifications are confined to the correction of typographical errors, amendments to policy or paragraph reference numbers and consequential cross referencing.**



## Public report Cabinet Report

Cabinet  
Council

28 November 2017  
05 December 2017

**Name of Cabinet Member:**

Cabinet Member for Policing and Equalities - Councillor Khan  
Cabinet Member for Community Development - Councillor Bigham

**Director Approving Submission of the report:**

Deputy Chief Executive (People)

**Ward(s) affected:**

All

**Title:**

MiFriendly Cities - Successful Award of funds under EU Urban Innovative Actions Fund

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**Is this a key decision?**

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

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**Executive Summary:**

A partnership led by the City Council and Coventry University has been successfully awarded €4.28m (£ 3.8m) in funding to deliver the innovative MiFriendly Cities initiative in Coventry and across the West Midlands.

The MiFriendly Cities project aims to facilitate and recognise the positive contribution of refugees and migrant's to the cities civic, economic and social fabric. Refugees and migrants are key factors in deciding what makes a "migrant friendly city" and driving the change on job creation, social entrepreneurship & innovation, active citizenship and communication.

The City Council will work in a regional partnership with Birmingham and Wolverhampton local authorities, the West Midlands Combined Authority (WMCA) as well as Coventry University (including its social enterprise hub), Interserve, Migrant Voice, Migrant Work, Refugee and Migrant Centre for Birmingham and the Black Country. Locally the Council will work closely with Coventry Refugee and Migrant Centre, Coventry Law Centre and the wider Coventry Migration Network of voluntary and community sector partners.

**Recommendations:**

The Cabinet are requested to:

- 1) Note the success of the partnership work between the City Council and Coventry University and other West Midlands partners in developing the MiFriendly Cities initiative.

- 2) Recommend that Council approve acceptance of a grant in excess of £2.5m in relation to the Urban Innovation Actions fund, authorise the City Council to act as accountable body and guarantor for the available funds and delegate authority to the Deputy Chief Executive (People) to enter into the appropriate grant aid agreements with project partners.

Council are requested to:

- 1) Approve acceptance of a grant in excess of £2.5m in relation to the Urban Innovation Actions fund, authorise the City Council to act as accountable body and guarantor for the available funds and delegate authority to the Deputy Chief Executive (People) to enter into the appropriate grant aid agreements with project partners.

**List of Appendices included:**

*None*

**Background papers:**

None

**Other useful documents**

None

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

No

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

No

**Will this report go to Council?**

Yes – 5 December 2017

## 1. Context (or background)

- 1.1. A partnership led by the City Council and Coventry University has been successfully awarded €4.28m (£3.8m) in EU funding to better facilitate the integration and engagement of refugees and migrants in the City and across the West Midlands. The funding will support a series of projects improving skills, raising awareness of rights and responsibilities and providing volunteering opportunities. Refugees and migrants will be supported to create social enterprises and the City will gain additional physical capacity for Coventry Refugee and Migrant Centre to provide services and host community events.
- 1.2. In 2015 the EU identified the Urban Innovative Actions (UIA) fund of €371m to facilitate experimentation and innovation in creating potential solutions for the problems experienced by cities managing increased expectations with reduced funding. The fund describes itself as “the urban lab of Europe”.
- 1.3. MiFriendly Cities has been successful as part of the second wave of approved projects. Bids were invited across a range of topics with a specific request for proposals which related to the integration of migrants and refugees into local communities. 16 projects in total are included in the second wave with MiFriendly Cities being one of only 3 successful projects focusing on the integration of refugees and migrants. The fund will run until 2020.
- 1.4. A particular emphasis of the UIA is the measurability and transferability of the learning from different projects and a key component is the requirement for strong partnerships with an emphasis on collaboration between local authorities, universities and non-governmental organisations (NGOs).
- 1.5. Participation in this programme presents an opportunity to further enhance the City’s reputation as an International City of Peace and Reconciliation and to contribute to the City’s priorities in particular work to create active communities and empowering citizens, protecting the most vulnerable residents in the City and reducing the impact of poverty. Additionally this work will contribute to the Council meeting its statutory duties to promote equality of opportunity to employment and to promote community cohesion.

## 2. Options considered and recommended proposal

- 2.1. There remains an option to decline the offer of funding for the MiFriendly Cities project. This has been discounted primarily as a result of the proud record Coventry has as an International City of Peace and Reconciliation, promoting peace and dialogue, acting as a place of safety and City of Sanctuary for people arriving into the city. The MiFriendly Cities bid references work the City has done collectively to support the most vulnerable refugees from the humanitarian crisis in the Middle East and will offer opportunities to continue work to improve community cohesion in the City. The ambition is to benefit both host and migrant communities continuing efforts to make Coventry a vibrant city where people choose to live and work.
- 2.2. The option remains for the City to request either one of the other local authority partners to act as lead for the project or the West Midlands Regional Authority to take this role. This would likely lead to a reduction in the funding allocated to the City and a dilution of the Coventry focus of much of the work contained in the successful bid. One of the bids

key strengths is the strong partnership work between Coventry University and the City Council with a number of work streams requiring continued joint work in the City. On this basis this option has not been included in the recommendations.

- 2.3. The recommended option is for the Council to act as lead applicant for this UIA project, and to act as accountable body for programme funding. This maximises the European grant available allowing the Council to take a leadership role, working with key partners, locally and across the region in the delivery of MiFriendly Cities. The City has an excellent track record of managing projects of this type and using them to create positive outcomes for the City, supporting wider Council priorities around the growth of the City and economic prosperity. This project will assist in ensuring that a particularly economically disadvantaged section of Coventry society (refugees and newly arrived communities) are supported to maximise their contribution to society in the City's growing economy.

### **Summary of the MiFriendly Cities Partnership**

#### **2.4. Coventry City Council €720k**

- 2.4.1. The Council will co-ordinate the work locally and across the region on the MiFriendly Cities project including acting as the accountable body for the overall funding. The Council will also ensure that learning from various strands of the project are shared regionally and wider, culminating in the final evaluation and knowledge-sharing for the project in 2020.
- 2.4.2. Locally work will focus on supporting, enhancing and recognising the contribution of migrant and refugee communities to social, economic and public life. The project will build capacity within these communities to feel empowered to understand their rights and challenge prejudice and hostility that may come their way.
- 2.4.3. The project will adapt the global network of My "friendly cities" where the refugees and migrants themselves have a voice, and will offer support to a number of themes including: jobs, social enterprise, innovation, active citizenship and communication. This will include creating new job opportunities for migrants, developing and matching their skills with employers as well as preparing employers to work well with refugees. Also up to 50 social enterprises will be supported in establishing themselves (including financial support).

More work will be done in engaging communities using a bottom up approach with over 100 refugees and migrants being trained as citizen journalists to engage with mainstream media.

- 2.4.4. Subject to formal approval a delivery plan will be developed for the project elements led by Coventry City Council. This will include liaising with key internal stakeholders including the Job Shop and the employment team to ensure that a co-ordinated programme of activities is delivered to maximise the benefits of this funding.

#### **Key partners in delivery of MiFriendly Cities in Coventry will be:**

#### **2.5. Coventry Law Centre €148k**

- 2.5.1. The Law Centre will assist in work on rights and advocacy for refugees and migrants, building on their earlier work with unaccompanied minors to assist those without documentation to secure status.

**2.6. Coventry Refugee and Migrant Centre €511k**

- 2.6.1. The Refugee and Migrant Centre will be supporting the range of projects going on across the City including recruiting volunteers and delivering more ESOL support. They will also receive funds to assist in the refurbishment of Hope House which will be a resource for refugee and migrant communities.

**2.7. Coventry University FAB LAB €750k**

- 2.7.1. The University and City Council have opened an exciting new FAB LAB in the City to improve access to important new technologies and particularly to help children explore opportunities to learn new digital skills. Participation in MiFriendly Cities will enable two mobile FAB LABS to be purchased which will enable this technology and resources to be accessed across the City, including in libraries and other community settings. Training will be provided to enable refugees to gain confidence and digital skills being then able to volunteer, assisting both refugee groups but also for the wider Coventry community.

**2.8. Coventry University – Social Enterprises €168k**

- 2.8.1. Up to 50 social enterprises will be created by the provision of training, workshops and coaching and mentoring programmes. Also 16 social enterprises will be financially supported to make their ideas a reality and contribute towards the city's economy.

**Across the region a number of other partners will play a role in the project:**

**2.9. Birmingham City Council €388k**

- 2.9.1. There will be a number of projects in Birmingham including home make-overs and work to improve the DIY skills of migrants and refugees. This will also include 30 homes identified in Coventry that will be given a makeover under this project.

**2.10. Interserve (working with WMCA) €307k**

- 2.10.1. Interserve will provide a regional focus for work with employers around social mobilisation and promoting volunteering by employees as well providing training and briefings for employers on issues related to employing refugees and migrants.

**2.11. Migrant Voice €237k**

- 2.11.1. Training will be provided for refugees and migrants in Coventry and other localities to assist refugees to tell their stories and engage with host communities. Photography, film-making and writing will be included as well as support for community dialogue.

**2.12. Migrant Work €314k**

- 2.12.1. Migrant Work have significant experience of producing migration related policy briefings and practitioner toolkits. They will support the knowledge transfer and produce a number of resources to support policy development and communications regarding issues affected by migrants in UK cities.

### 2.13. **Refugee and Migrant Centre €290k**

2.13.1. This centre based in Wolverhampton will recruit refugee health champions to disseminate public health messages to refugee communities along with establishing employment brokers to assist refugees accessing sustainable employment.

### 2.14. **Wolverhampton City Council €442k**

2.14.1. Wolverhampton will be setting up a pop-up furniture factory as a social enterprise to up-cycle unwanted furniture and assist in its distribution to those across the City in need. Discussions are already underway for a similar initiative to be tried in Coventry alongside the FAB LAB.

### 2.15 **Project governance**

2.15.1 The project will be governed by a 3-tier governance structure to ensure that appropriate advice, guidance and leadership is provided and for any risks being identified and addressed in a pro-active and appropriate way.

2.15.2 A “Project Steering” group will be setup that will include political membership from the 3 cities of Coventry, Wolverhampton and Birmingham and will be supported by senior management from these respective authorities. This will also include programme leads from other partner organisations, 3 migrants, external experts as needed and the allocated UIA expert when possible. This group will ensure that they are directing the partnership and providing strategic advice and guidance for the project.

2.15.3 The partnership will also have a “Project Committee” that will include the Project co-ordinator from Coventry City Council, Project Managers from respective partners as well as Work Package leads. These meetings will be held monthly ensuring:

- partners respect the work plan deadlines and intermediate/final results
- preparing, executing and post processing of partner meetings and EC reviews;
- ensuring the proper function of the steering group and project coordination committee
- partners are supported to deliver the project successfully.

2.15.4 To deliver various work-packages successfully, various work package groups will be created to deliver each strand of the project and these meetings will be organised as per the demand of these work streams.

2.15.5 Reporting mechanisms including risk registers and exception reporting will be put in place to monitor and manage risks and seek appropriate advice and guidance from the governance structures.

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

3.1. In preparation for this proposal, face to face meetings were held with organisations over 6 months, running co-creation workshops and consultations including both proposed beneficiaries as well as wider stakeholders, supported through the local and regional migration partnerships. This work included representation from 60 or more organisations.

3.2. At a more local level, the funding application was pulled together based on work that the Council's migration team have been undertaking over the last 2 years to bring together



“Coventry’s Local Migration Network”. This network includes voluntary, statutory and private sector organisations working together to support refugees and newly arrived communities integrate into the city. The findings from these meetings has been the basis for submitting an application that has demonstrated a bottom up approach which is believed to be a key factor in funds being awarded for the project. The participation of refugee and migrant communities and those who work hard to support them in developing this proposal has been critical.

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

- 4.1. Subject to the successful completion of agreements with UIA the project will run for three years concluding in 2020 with the final closure and knowledge transfer completed in late 2020. Once final agreement has been reached each of the delivery partners will be given a Grant Aid Agreement that sets out their contribution to the project in terms of match funding and outputs, and sets out how much UIA / EDRF funding will be available to them. This process is expected to be completed by the end of 2017.
- 4.2. The projects will run until 2020. It is not anticipated that it will be necessary for extensions to this timetable although other EU projects have successfully negotiated extensions in the past.

#### **5. Comments from the Director of Finance and Corporate Services**

##### **5.1. Financial implications**

- 5.1.1 The total grant award is €4,280,640 (£3.8m) of ERDF funding with the Council proposing to be the accountable body for the project. The Council will receive €720,660 (£634k) of the funding as described above in paragraph 2.4.
- 5.1.2 As Accountable Body, Council officers will ensure effective governance arrangements are in place to facilitate appropriate control over the allocation of resources and spend against the approved programmer outlined above.
- 5.1.3 The rules require participating organisations to match fund or provide in kind 20% of expenditure with the grant covering 80%. The City Council will be required to match fund €180,150 (£158k) from existing Council expenditure.
- 5.1.4 The payment profile for the project is as follows:
  - 50% advance payment within 90 days of final agreement of participation including €16,000, for bid preparation (to be shared with Coventry University).
  - 30% payment within 90 days after submission and approval of an interim progress report and verification of project expenditure (payment will be granted provided the reported expenditure has reached 70% of the first instalment).
  - 20% payment within 90 days (minus a lump sum of €12,000 dedicated for the project closure and transfer of knowledge) after submission and approval of the final progress report. This payment is based on the principle of reimbursement of incurred and paid costs.
  - €12,000 after submission and approval of the final qualitative report.

##### **5.2. Legal implications**

*The Council has the power to enter into this arrangement under the powers contained in section 1 of the Localism Act 2011*

The Council will act as the accountable body for this UIA/ERDF project. The Council will be issued with a grant agreement from the administrators containing terms and conditions. The terms and conditions will be devolved to any partners within the overall project. These will ensure that appropriate conditions and obligations which are imposed upon the Council are passed on to the grant recipients who receive the funding for delivering projects.

**6. Other implications**

*Any other specific implications*

**6.1. How will this contribute to the Council Plan ([www.coventry.gov.uk/councilplan/](http://www.coventry.gov.uk/councilplan/))?**

Coventry is a growing City with advanced planning in place for further economic development and investment. Inwards migration into the City has been a significant factor in population growth in recent years and MiFriendly Cities will support the wider delivery of the Council’s key objectives by supporting community cohesion and ensuring that newly arrived communities contribute to the City’s economic prosperity and cultural diversity. Additionally the following specific issues will be addressed:

- **Active communities and empowering citizens** – Having awareness of civic, political and legal rights is a cornerstone for active citizenship and a fully functioning regional democracy, as is feeling empowered sufficiently to access these rights. Refugees and migrants in Coventry and the W M and have low levels of awareness of rights and often struggle to access them. The project will address this.
- **Protecting our most vulnerable** – The programme is aimed at a vulnerable group of our society ie refugees- a section of our population who seek asylum after having fled their home countries due to threats and fear of their life. The project will also engage individuals who have retired and hence involve some of our older population as well.
- **Reducing the impact of poverty** – 30 homes will be given ‘makeovers’ by volunteers learning new skills using ‘up-cycled’ furniture and other materials, benefitting the volunteers and the vulnerable older and younger people’s homes. The creation of linking of migrants and refugees to job markets and volunteering and training will assist a number of people to become economically active.
- **Improving health and wellbeing** – the recruitment and training of Health Champions will assist in priority communities supporting their own health and well-being and reducing health inequalities.
- **Making the most of our assets** – utilisation of EU funding maximises the effectiveness of City Council resources and enables the City to innovate and develop effective interventions
- **Make communities safer** - Addressing hostility towards newcomers, recognising the positive contribution that refugees and migrants make and building solidarity between migrant and non-migrant communities is a core objective of the MiFriendly Cities project.

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

The following key risks have been identified across the programme that can have an impact on the success of the Project and for us as the accountable body and hence will need monitoring and managing:

| <i>Risk</i>                | <i>Impact</i> | <i>Likelihood</i> | <i>Proposed actions</i>   |
|----------------------------|---------------|-------------------|---|
| Partner withdraws from the | <i>Minor</i>  | <i>Possible</i>   | In each city we have a local migration network, each with at least 20 member organisations. Therefore we have a pool of between 60+ |

|  |         |               |   |
|--|---------|---------------|---|
| project  |         |               | additional organisations who could fulfil the role of the withdrawing partner.  |
| Project unable to meet expenditure targets   | Serious | Improbable    | Project expenditure against financial targets will be monitored at Project Board meetings held at a Work Package level. Delivery Partners' contracts/Service Agreements will all clearly stipulate their expenditure schedules. If the risk materialised, the steering group would provide recommendations on if and where to vary budgets. Partners have confirmed that they have necessary match funding in place, and the 80% ERDF intervention rate means there is low risk of match funding not materialising. |
| Project unable to achieve output targets, which may or may not be related to Issues with the performance of project Delivery Partners. | Serious | <i>Remote</i> | Project delivery against outcome targets will be monitored at Project Board meetings at a Work Package level. Delivery Partners' contracts/Service Agreements will all clearly stipulate their output schedules. If the risks were to materialise, the steering group would provide recommendations on potential solutions. All Delivery Partners will also be required to report on their performance in respect of outputs, a core responsibility of the Project Management Team.                                 |
| Project records irregularities for ineligible expenditure or outputs not evidenced adequately.   | Serious | <i>Remote</i> | The project management team will visit all Delivery Partners prior to the submission of the first claim to ensure that their supporting evidence for expenditure and outputs claimed meets ERDF requirements. Throughout the delivery of the project, the project management team will deliver "Monitoring Visits" to Delivery Partners whereby supporting evidence of expenditure and outputs claimed will be checked.   |
| Key delivery or project management staff leave their posts.  | Serious | Possible      | For project management staff, the Urban Authorities have a large team of staff with experience of managing and delivering ERDF projects and a replacement will be appointed. For any delivery staff leaving post, they will be replaced through the vacancy being publicly advertised.  |
| Impact of Brexit on grant resources  | Serious | Possible      | Whilst uncertainty remains regarding the post-Brexit period the Government announced in August 2016 – "where UK organisations bid directly to the European Commission on a competitive basis for EU funding projects while we are still a member of the EU, for example universities participating in Horizon 2020, the Treasury will underwrite the payments of such awards even when specific projects continue   |

|  |  |  |   |
|--|--|--|---|
|  |  |  | <i>beyond the UK's departure from the EU.” This provides some assurance to resources being available for the lifetime of the project.</i> |
|--|--|--|---|

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

**HR Implications**

To ensure the successful delivery of this project and the Council's ability to provide an adequate accountable body function, additional staff resources may be required. Some staff are already in place for aspects of the City Council and other planned activities. Any new staff will be recruited on a temporary fixed-terms basis.

**6.4. Equalities / EIA**

Coventry becoming a MiFriendly City is likely to have a positive impact on equalities in the City. Many of the elements of this programme are designed to assist and support some of the most economically disadvantaged communities in the City.

Residents from ethnic minorities and who are newly arrived will make up a significant proportion of those taking part in the various elements of the programme with work focusing on skills development, employment and training support, and social enterprise creation. It will demonstrate that the Council is meeting its statutory duty in promoting equality of opportunity to employment and in promoting community cohesion, through enabling migrants and residents from well-established communities to live and work together.

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

MiFriendly Cities includes work to improve the DIY skills of migrants and newly arrived communities and includes the setting up of community repair cafes and furniture “up-cycling” which will lead to less furniture and electrical equipment being disposed of and increased re-use and re-cycling.

**6.6. Implications for partner organisations?**

The funding will have a positive implication for the voluntary sector by bringing in additional resources, capacity and infrastructure into the city. The funding also aims to further promote community cohesion and enhance the contribution residents are making towards the economy and more importantly the social fabric of the city.

It will also boost partnership work of the Social Enterprise City initiative, which is led by Coventry University and is growing a network of sustainable social enterprises. It will support Coventry University to demonstrate how it is operating as an anchor institution by making a valuable contribution to quality of life and a strategic contribution to the local economy.

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

Peter Barnett  
 Head of Libraries, Advice, Health and Information

**Directorate:**

Education, Libraries and Adult Learning, People Directorate  
 Public Health, People Directorate

**Tel and email contact:**

**Tel: 02476 831579**

**Email: [peter.barnett@coventry.gov.uk](mailto:peter.barnett@coventry.gov.uk)**

Enquiries should be directed to the above person.

| <b>Contributor/<br/>approver name</b>                                    | <b>Title</b>  | <b>Directorate or<br/>organisation</b> | <b>Date doc<br/>sent out</b> | <b>Date response<br/>received or<br/>approved</b> |
|--|---|--|------------------------------|---|
| <b>Contributors:</b>   |   |  |                              |   |
| Lara Knight  | Governance<br>Services Co-<br>ordinator                     | Place                                  | 24/10/17                     | 25/10/17  |
| Sunairah Miraj   | Policy and<br>Programme<br>Manager<br>(Migration)           | People                                 | 24/10/17                     | 25/10/2017  |
| Nadia Inglis   | Consultant in<br>Public Health                              | People                                 | 24/10/2017                   | 25/10/2017  |
| Kim Mawby  | Employment<br>Manager                                       | Place                                  | 26/10/2017                   | 6/11/2017   |
| Helen Shankster  | Insight Manager   | People                                 | 3/11/2017                    | 3/11/2017   |
| Other members  |   |  |                              |   |
| <b>Names of approvers for<br/>submission: (officers and<br/>members)</b> |   |  |                              |   |
| Finance: Ewan Dewar  | Finance<br>Manager  | Place                                  | 24/10/2017                   | 1/11/2017   |
| Legal: Oluremi Aremu   | Major Projects<br>Lead Lawyer                               | Place                                  | 26/10/2017                   | 3/11/2017   |
| Gail Quinton   | Deputy Chief<br>Executive                                   | People                                 | 2/11/2017                    | 7/11/2017   |
| Liz Gaulton  | Director of<br>Public Health                                |  | 24/10/2017                   | 7/11/2017   |
| Kirston Nelson   | Director of<br>Education<br>Libraries and<br>Adult Learning |  | 2/11/2017                    |   |
| Councillor Abdul Khan  | Deputy Leader   |  | 2/11/2017                    |   |
| Councillor Linda Bigham  | Cabinet Member  |  | 2/11/2017                    | 3/11/2017   |
|  |   |  |                              |   |

This report is published on the council's website:

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

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**Coventry City Council  
Equality and Consultation Analysis (ECA) Form**

*In line with the principles of decision making outlined in the City Council Constitution, the Council will ensure that its decision making is open and transparent, and that due regard is given to the Council's obligations and desire to promote equality of opportunity and equal treatment.*

## **Part 1**

***This part must be completed and before formal consultation is undertaken and must be available during the consultation stage.***

**Author of this document: Sunairah Miraj**

**Name of Service Area/Proposal: MiFriendly Cities – Urban Innovative Actions Fund**

**Head of Service: Peter Barnett**

**Date of completion: 1<sup>st</sup> November 2017**

### ***Background to the planned changes***

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1. What is the background to the planned changes? Why is this change being considered? *If further information is available on the different scenarios that have been considered as part of this work, provide a link to the public document which contains this information.*

The MiFriendly Cities project aims to facilitate and recognise the positive contribution of refugees and migrant's to the cities civic, economic and social fabric. Refugees and migrants are key factors in deciding what makes a "migrant friendly city" and driving the change on job creation, social entrepreneurship & innovation, active citizenship and communication.

2. Who do you need to consider as part of this ECA?

This proposal covers services and interventions which are specifically aimed at asylum seekers, refugees, migrants and all newly arrived communities. Work has also been undertaken in discussion and engagement with key voluntary sector partners who work in partnership with the City Council to support these groups.

### ***Pre-Consultation Engagement***

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3. What engagement activities took place prior to formal consultation and what feedback was received in relation to equality issues?

In preparation for this proposal, face to face meetings were held with organisations over 6 months, running co-creation workshops and consultations including both proposed beneficiaries as well as wider stakeholders, supported through the local and regional migration partnerships. This work included representation from 60 or more organisations. The proposals collectively are considered by the Migration Team and associated partners as having a potentially positive impact on some of the most deprived communities in the City

## Coventry City Council Equality and Consultation Analysis (ECA) Form

and across the region. The consultation highlighted the gap in service and support available to this client group and hence the project was drawn up to address these needs.

### *Analysis of Impact*

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In this section please ensure that you consider the three aims of the general duty as they affect **protected groups**. These groups are:

Age  
Disability  
Gender  
Gender reassignment  
Marriage/Civil Partnership  
Pregnancy/Maternity  
Race  
Religion/Belief  
Sexual Orientation

The **three aims of the general duty** require that a public authority, in the exercise of its functions, must have due regard to the need to:

1. Eliminate discrimination, harassment and victimisation
2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

**Note – when identifying potential impacts below, please only include impacts that may exist over and above general impacts that may affect the wider community/population.** For example, a reduction in grant to Coventry Citizens Advice would affect all service users through a reduced level of first line advice being available to all – but it would affect the following groups more; age, disability, gender and race as they represent a larger proportion of the clients who use the advice service.

4. Outline below how this proposal/review could impact on protected groups positively or negatively, and what steps (if any) could be taken to reduce any negative impact that has been identified. *NB. only include realistic mitigating actions that could be delivered.*

MiFriendly Cities is a project intended to address some of the most serious inequalities which exist in the UK. Migrants from BME backgrounds are more likely to be economically inactive and less likely to be employed. MiFriendly Cities includes a range of initiatives to improve skills, create volunteering and employment opportunities, stimulate social enterprise creation and raise awareness of rights and responsibilities.

Race – Residents from BME backgrounds will benefit particularly from the additional capacity created by this project. Overall the project is intended to bring different communities



## Coventry City Council Equality and Consultation Analysis (ECA) Form

together and to remove discrimination and prejudice which can negatively impact on refugees and migrants from BME backgrounds.

Religion / Belief – Refugees and Migrants are often of non-Christian faiths, with current trends including many refugees from Muslim backgrounds. Work to stimulate skills development, volunteering opportunities and access to employment are likely to have a positive impact on such groups in Coventry.

5. Are there any other vulnerable groups that could be affected? i.e. deprivation, looked after children, carers.

Also include any information about the health/Marmot implications of this proposal. Hannah Watts ([hannah.watts@coventry.gov.uk](mailto:hannah.watts@coventry.gov.uk) or tel. 7683 3973) in Public Health for more information.

Refugees and migrants with other protected characteristics are likely to be impacted positively as are refugees and migrants who are also carers and the looked after population. This work is designed to create greater social integration and support community cohesion.

6. What are the gaps in evidence? Can this be addressed during the consultation stage? If so, how?

MiFriendly Cities has been a project developed in close co-operation with Coventry University and as such includes a strong element of analysis, evaluation and learning dissemination which will evidence gaps. As such making Coventry a MiFriendly City will also produce a strong evidence base which will be useful in developing any further projects with similar objectives.

7. What are the likely impacts of this project/review on staff from protected groups?

There are no anticipated impacts on staff from protected groups, although participation in the project will require that the City Council employ a small number of staff for project management and operational purposes.

Coventry City Council  
Equality and Consultation Analysis (ECA) Form

## Part 2

*This section should be completed AFTER the consultation stage has been concluded.*

**Author of this document: Sunairah Miraj / Peter Barnett**

**Date of completion: 1<sup>st</sup> November 2017**

### *Post-Consultation*

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8. Referring to the information detailed in question 4 of Part 1 of the ECA Form, state if the consultation has confirmed the potential impacts identified that were identified. Also detail below any additional information about potential impacts that has been highlighted during the consultation.

Yes the consultation has identified the issues/needs that the project will have a positive impact.

### *Outcome of equality impact*

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9. Indicate which of the following best describes the equality impact of this project/review:

- There will be **no** equality impact if the proposed option is implemented
- There will be **positive** equality impact if the proposed option is implemented
- There will be **negative** equality impact if the proposed option is implemented but this can be objectively justified
- There will be both **positive and negative** impacts if the proposed option is implemented

### *Summary of ECA*

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Coventry becoming a MiFriendly City is likely to have a positive impact on equalities in the City. Many of the elements of this programme are designed to assist and support some of the most economically disadvantaged communities in the City.

Residents from ethnic minorities and who are newly arrived will make up a significant proportion of those taking part in the various elements of the programme with work focusing on skills development, employment and training support, and social enterprise creation. It will also demonstrate that the Council is meeting its statutory duty in promoting equality of opportunity to employment. Additionally, by the promotion of community cohesion, as it will enable migrants and residents from well-established communities to live and work together.

## Coventry City Council Equality and Consultation Analysis (ECA) Form

Where specific objectives have been set for any protected groups around equality impact, also include this information below.

The projects aims to achieve the below that will have a positive impact on the group:

1. To develop, test and evaluate bottom-up participatory approaches towards developing innovative solutions to better integrating refugees and migrants and to engender lasting solidarity between communities in the West Midlands region.
2. To enable urban authorities and civil society in the three cities to work together more effectively throughout the life of the project and beyond to develop and implement innovative solutions to tackling the challenges of integrating refugees and migrants at regional level rather than only at city level.
3. To improve the employment rate of refugees and migrants in Coventry, Birmingham and Wolverhampton, including through self-employment, social enterprise and entrepreneurship, innovation, active citizenship and working with employers.
4. To improve the health outcomes of refugees and migrants in Coventry, Birmingham and Wolverhampton through community-led initiatives, and ultimately reducing public health risks in the whole community.
5. To increase the social participation of refugees and migrants in the West Midlands, feelings of belonging and citizenship, and solidarity between different communities.
6. To improve refugees' and migrants' awareness of rights and their confidence in accessing them.
7. To effectively combat the increasing prejudice towards refugees and migrants in the West Midlands
8. Facilitate and recognise the positive contribution of Refugees and Migrants to the Cities civic, economic and social fabric

### Next steps

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Please send this completed ECA to the Insight Team as follows:

Wendy Ohandjanian ([wendy.ohandjanian@coventry.gov.uk](mailto:wendy.ohandjanian@coventry.gov.uk) tel. 7683 2939)

Jaspal Mann ([jaspal.mann@coventry.gov.uk](mailto:jaspal.mann@coventry.gov.uk) tel. 7683 3112)

### Version Control

| Version | Date     | Summary of changes (Author)   |
|---------|----------|-------------------------------|
| 1.0.0   | 26.05.16 | Initial release (Jaspal Mann) |
|         |          |                               |

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**Agenda Item 14  
Recommendation from Cabinet  
28<sup>th</sup> November 2017**

**Coventry City Council**

**Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 28 November 2017**

Present:

Members: Councillor G Duggins (Chair)  
Councillor F Abbott  
Councillor L Bigham  
Councillor K Caan  
Councillor J Innes  
Councillor K Maton  
Councillor J Mutton  
Councillor J O'Boyle  
Councillor E Ruane

Deputy Cabinet Members Councillor R Ali  
Councillor R Lakha  
Councillor C Thomas

Non-Voting Opposition Members: Councillor A Andrews  
Councillor G Ridley

Other Members: Councillor R Bailey  
Councillor J Lepoidevin  
Councillor G Williams

Employees (by Directorate):

Chief Executive's People M Reeves (Chief Executive),  
G Quinton (Deputy Chief Executive (People)), P Barnett, L  
Gaulton, N Hart, M McGinty

Place M Yardley (Deputy Chief Executive (Place)), M Andrews,  
O Aremu, D Cockroft, C Knight, L Knight, R Palmer, R Moon,  
D Nuttall, T Miller, J Murphy, A Walster

Apologies: Councillor B Kaur, A Khan

**RECOMMENDATIONS**

**79. MiFriendly Cities - Successful Award of Funds under EU Urban Innovative Actions Fund**

The Cabinet considered a report of the Deputy Chief Executive (People), which sought approval for the acceptance of a grant from the Urban Innovation Actions Fund and for the Council to act as accountable body and guarantor for the grant.

A partnership led by the Council and Coventry University had been successfully awarded £3.8m in funding to deliver the innovative MiFriendly Cities initiative in Coventry and across the West Midlands.

The MiFriendly Cities project aimed to facilitate and recognise the positive contribution of refugees and migrants to the cities civic, economic and social fabric. Refugees and migrants were key factors in deciding what makes a 'migrant friendly city' and drive the change on job creation, social entrepreneurship and innovation, active citizenship and communication.

The Council would work in a regional partnership with Birmingham and Wolverhampton local authorities, the West Midlands Combined Authority, as well as Coventry University (including its social enterprise hub), Interserve, Migrant Voice, Migrant Work, Refugee and Migrant Centre for Birmingham and the Black Country. Local the Council would work closely with the Coventry Refugee and Migrant Centre, Coventry Law Centre and the wider Coventry Migration Network or voluntary and community sector partners.

It was noted that participation in this programme presented an opportunity to further enhance the City's reputation as an International City of Peace and Reconciliation and to contribute towards the City's priorities, in particular work to create active communities and empowering citizens, protecting the most vulnerable residents in the City and reducing the impact of poverty. Additionally, the work would contribute to the Council meeting its statutory duties to promote equality of opportunity in employment and to promote community cohesion.

The Cabinet noted the success of the partnership work between the City Council and Coventry University and other West Midlands partners in developing the MiFriendly Cities initiative.

**RESOLVED that the Cabinet recommend that the Council approve acceptance of a grant in excess of £2.5m in relation to the Urban Innovation Actions Fund, authorise the City Council to act as accountable body and guarantor for the available funds and delegate authority to the Deputy Chief Executive (People) to enter into the appropriate grant aid agreements with project partners.**



## Public report Cabinet Report

Cabinet  
Council

28 November 2017  
5 December 2017

**Name of Cabinet Member:**

Cabinet Member for Public Health and Sport – Councillor Caan

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:**

All

**Title:**

Indoor Pitch Facility at the Alan Higgs Centre

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**Is this a key decision?**

Yes. The proposal in the report is a key decision because the value of the transaction is greater than £1 million.

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**Executive Summary:**

The purpose of this report is to seek approval to provide a financial facility arrangement to enable the development of an indoor pitch facility at the Alan Higgs Centre (AHC) as part of a larger development scheme. The Coventry and Warwickshire Award Trust (CAWAT), which owns the AHC, is seeking a loan of up to £1.5m, from Coventry City Council to enable them to re-provide the current indoor pitch facility which will be displaced by the provision of the new 50m pool. The new indoor pitch facility will primarily be for community use.

If CAWAT secure the funding from Coventry City Council this will enable them to begin development of the site in time to ensure the indoor pitch facility will be ready for September 2018, limiting the period of disruption to community access to facilities.

It is proposed that the financial facility arrangement would be in the form of a 40 year loan to CAWAT, lent to CAWAT on a commercial basis and at a fixed commercial rate of interest. This financial arrangement will be at no net cost to the Council, instead the loan will generate a surplus for the Council, as the cost of borrowing for our funds are lower than the commercial rate at which the Council would lend.

**Recommendations:**

The Cabinet recommends that Council:

- 1) Approve in principle the grant of a loan facility up to the sum of £1.5m to Coventry and Warwickshire Award Trust, at a commercial rate of interest for a period of up to 40 years as detailed in section 5.1, for the provision of an indoor pitch facility at the Alan Higgs Centre.
- 2) Approve the addition of up to £1.5m to the capital programme.
- 3) Delegate authority to Deputy Chief Executive (Place) and the Director of Finance and Corporate Services (Section 151 Officer), in consultation with the Cabinet Member for Public Health and Sport and the Legal Services Manager to undertake all necessary due diligence and to finalise the terms and details of the loan arrangement and to thereafter manage the loan facility. The authority under this recommendation shall include the power to negotiate and agree variations to the terms of the loan facility.

The Council is recommended to:

1. Approve in principle the grant of a loan facility up to the sum of £1.5m to Coventry and Warwickshire Award Trust, at a commercial rate of interest for a period of up to 40 years as detailed in section 5.1, for the provision of an indoor pitch facility at the Alan Higgs Centre.
2. Approve the addition of up to £1.5m to the capital programme.
3. Delegate authority to Deputy Chief Executive (Place) and the Director of Finance and Corporate Services (Section 151 Officer), in consultation with the Cabinet Member for Public Health and Sport and the Legal Services Manager to undertake all necessary due diligence and to finalise the terms and details of the loan arrangement and to thereafter manage the loan facility. The authority under this recommendation shall include the power to negotiate and agree variations to the terms of the loan facility

**List of Appendices included:**

None

**Background papers:**

None

**Other useful documents**

Cabinet report - City-Wide Public Leisure provision 30 August 2016

<http://democraticservices.coventry.gov.uk/ieListDocuments.aspx?CId=124&MId=11040&Ver=4>

**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 5<sup>th</sup> December 2017



## **Report title: *Indoor pitch facility at The Alan Higgs Centre***

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

- 1.1. In August 2016 Council approved the recommendation (subject to planning consent) for the future development of a 50m swimming pool at the Alan Higgs Centre (AHC). The development of a 50m swimming pool on this site would displace the current indoor pitch/training facility which is used by both the community and the Coventry City Football Club (CCFC) Academy.
- 1.2. During 2016 and 2017, Coventry and Warwickshire Award Trust (CAWAT), who own the AHC explored the option of Wasps building a new dedicated Training Centre at the AHC, which would have included an indoor pitch facility that would also have been available for community use.
- 1.3. The opportunity for Wasps to develop their Training Centre on the site meant that the expectation of a replacement facility was very quickly aligned to the delivery of the pool. Sport England, who are a statutory consultee on planning matters relating to the loss of playing facilities, indicated that they would expect to see the re-provision for community use via the proposed new indoor pitch facility.
- 1.4. Through the summer of 2017, it became apparent that Wasps were not ready to commence their proposed development and could not commit to the time line required to ensure the deliverability of the 50m pool development. It was identified that further delay would have a knock-on effect on the proposed 50m pool programme.
- 1.5. To enable the re provision of an indoor pitch facility that could be used for community and other use, alternative funding options were therefore explored to fund the building of the indoor pitch facility.
- 1.6. To meet with programme requirements, it is necessary for the planning application for the 50m pool and indoor pitch facility to be submitted by 10th November 2017.

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

There are four options for consideration:

#### **2.1. Do Nothing (Not Recommended)**

- 2.1.1. This option would in all likelihood sacrifice the delivery of the 50m swimming pool at the AHC by jeopardising current potential opportunities to secure external funding and by increasing programme costs through delaying and requiring a re-design of any proposed scheme. It would, however, retain the Indoor Pitch Facility for the future use of the community and other users.

#### **2.2. CAWAT to borrow the funding externally for the development of the Indoor Pitch**

- 2.2.1. This option would require a renewed permission from the Alan Edward Higgs Charity and a Charities Act Report in respect of any securities required by a financing institution. This would cause significant delays whilst the finance was sourced and incur additional costs in construction delays and the ongoing costs associated with maintaining the existing Coventry Sport and Leisure Centre at Fairfax Street. The funding itself may not be guaranteed through the 'isolated context' of such financing (i.e. without there being any consideration of the association with the 50m swimming pool).

### **2.3. CCC to build and own the Indoor Pitch facility, renting it to CAWAT or CSF**

2.3.1. This option would require the permission of the Alan Edward Higgs Charity and a Charities Act Report in respect of a proposed land disposal to CCC rather than to Wasps. This would cause significant delays whilst the finance was sourced and would be a significantly more expensive scheme to incorporate all the 'stand-alone' facilities (i.e. changing, reception etc.) that would be required for it to be owned by a separate entity. There would also be additional costs incurred in construction delays, additional ongoing costs associated with maintaining the existing Coventry Sport and Leisure Centre at Fairfax Street (if seamless transition was to be secured) and it would result in additional procurement costs.

### **2.4. CCC to loan CAWAT the funding for building the Indoor Pitch, at a commercial rate of interest (Recommended)**

2.4.1. This option would ensure that the Planning Application for the 50m Swimming Pool and the Indoor Pitch could be submitted and considered in time to maintain the programme for delivery. It would secure the delivery of the 50m swimming pool at the AHC, maintaining the programme and budgetary position and retaining the important community use of the Indoor Pitch. The loan would also provide a commercial income for CCC over and above the capital repayments.

2.4.2. If the loan is approved, during the 8 weeks of planning consideration, the funding model would be submitted to CAWAT Board for approval, in time for procurement of a contractor, appointment, stand still, mobilisation and construction, for completion by the 1st September 2018. The commencement of the 50m swimming pool construction programme could also remain on track for the 1st April 2018.

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

3.1. A more detailed account of the consultation undertaken in developing the Coventry Sports Strategy 2014-2024 is included in the 'Coventry Sports Strategy 2014-2024' Cabinet Paper (Coventry City Council, 2014). This paper focuses only on those elements of the consultation that are particularly pertinent to the recommendations/considerations contained within this report.

3.2. The Emerging Vision for Sport in Coventry was developed through the review and detailed consideration of responses from the Coventry Sport and Leisure Survey; further direct consultation with local, regional and national sporting stakeholders; and extensive desktop research and analysis. This process culminated in the drafting of eight key Vision Aims designed to encapsulate the sporting aspirations for Coventry over the next ten years.

3.3. Within the eight Vision Aims of the Strategy, Vision Aim 5 seeks: "To provide a range of modern, accessible, and high-quality sports facilities."

3.4. Accordingly, assessments of the city's indoor sports facilities were also carried out, in collaboration with facility operators. These assessments provided a detailed picture of current indoor sports provision in Coventry, showing the number, location, quality and use of the city's indoor facilities.

3.5. The key findings to emerge from this **assessment** were that:

- i. the quality of indoor facilities varied greatly - from those that were of 'very poor' quality to those that were of 'very good' quality
- ii. many of the city's indoor facilities were found to be located within schools, which offered varying levels of community use

- iii. Coventry Sports and Leisure Centre and Foleshill Sports and Leisure Centre were both adjudged to be no longer 'fit for purpose'
  - iv. funding being used to support these ageing public sports and leisure facilities could be used to invest in new, modern and more accessible sports and leisure facilities
  - v. swimming pool provision across the city would need to be considered in light of the proposed closure of Coventry Sports and Leisure Centre
- 3.6. Further to the launch of the Emerging Vision for Sport in Coventry, work was undertaken with a range of stakeholders to develop the Strategic Objectives for the Strategy. Initially, 48 Strategic Objectives were drafted, although these were refined to 37 throughout the period of early stakeholder consultation.
- 3.7. In February 2014, the draft partnership 'Sports Strategy 2014-2024' was formally launched for a period of public consultation. In addition to considering the responses to the survey undertaken as part of public consultation on the draft Strategy, representations from the City of Coventry Swimming Club and the ASA resulted in the City Council, CSF and CST undertaking additional facility modelling focused on the feasibility of providing a new 50m swimming pool in the city centre.
- 3.8. During the above period of consultation, two petitions were also launched expressing opposition to the loss of a 50m pool in Coventry. These petitions were considered at the Joint Cabinet Member meeting of 23 July 2014.
- 3.9. Key Findings of the Consultation
- 3.9.1. A detailed paper outlining the results of the public consultation can be viewed at [www.covsport.org.uk](http://www.covsport.org.uk) . The key findings of relevance to this paper are that:
- i. the strategy was very well received and there was little opposition to either the Vision Aims or the Strategic Objectives. There was agreement to each of the Vision Aims from at least 82% of respondents
  - ii. the area attracting the most objections across survey responses was the proposed loss of 50m swimming pool provision in the city. Each Vision Aim invited comments and there was also a general comments section at the end. In total, 3,022 comments were received across all sections of the survey. Of these, 1,573 were objections to the loss of 50m pool provision
  - iii. the following issues were included amongst those identified in responses that referenced concern over the loss of 50m pool provision in the city: the destabilising the City of Coventry Swimming Club, specifically including the impact of the loss of Amateur Swimming Association National Beacon Status; reduced pool capacity for club training; the displacement of current pool users; the loss of competition facilities in the city; the loss of the only current 50m competition pool in the West Midlands region; the need to provide opportunities in swimming from Learn-To-Swim through to competition squads; need to make swimming a 'Key Sport' – it is the highest participation sport in the country
  - iv. there is a need to ensure sports provision and support for disabled people. In total, 101 comments were received supporting both the need to improve facilities for disabled people and to increase participation in sport and active recreation by disabled people and/or people with long-term limiting illness
  - v. many of the respondents commented on the need for high quality facilities for people of all sporting abilities. In total, there were 250 comments relating to this, and many of these also referred to the need for facilities in neighbourhoods

- vi. there is a need to ensure provision in the neighbourhoods. Comments on this included the need to provide a pool at the Alan Higgs Centre; sports hubs with free parking are essential; provision across central and neighbourhood facilities should be complementary
- 3.10. Subsequent to the above, consultation on the design and development of the 50m swimming pool at the Alan Higgs Centre has been undertaken with key stakeholders such as Sport England, the Amateur Swimming Association (National Governing Body for Swimming) and the City of Coventry Swimming Club. The aim of this consultation process was to inform the scope of the scheme, ensure compliance with relevant design guidance and to support design and planning approval processes.

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

- 4.1. Planning permission for the 50m swimming pool and Indoor Pitch facility at the Alan Higgs Centre will have been submitted by CAWAT in November 2017 with an anticipated approval date of January 2018. If approved, the recommendation in 2.4 above will be progressed immediately with relevant due diligence of the Indoor Pitch facility business plan. The funding model through borrowing at a commercial rate would be reviewed and approved by Deputy Chief Executive (Place) and the Director of Finance and Corporate Services (in consultation with the Cabinet Member for Public Health and Sport) and the Legal Services Manager to finalise the terms and details of the loan arrangement and to manage the loan facility.
- 4.2. The funding model would also be submitted to the CAWAT Board for approval in time for the procurement of a contractor, appointment, stand still, mobilisation and construction for completion by the 1st September 2018.

#### **5. Comments from Director of Finance and Corporate Services**

##### **5.1. Financial implications**

- 5.1.1. Approval of the recommendation in this report would result in the Council providing a 40 year loan of up to £1.5m to fund the building of an indoor pitch facility at the AHC.
- 5.1.2. It is proposed that the agreement of the detailed terms of the loan is delegated to Deputy Chief Executive (Place) and the Director of Finance and Corporate Services (Section 151 Officer), in consultation with the Cabinet Member for Public Health and Sport and the Legal Services Manager on the basis that a commercial market interest rate is charged. It is anticipated that the loan would be at a fixed interest rate, with annual repayments by CAWAT.
- 5.1.3. In order to mitigate risk the Council will undertake due diligence work to:
- i. ensure that business plan for the development is robust. The plan sets out how the repayment of the loan can be financed through increased income generated by the facilities provided;
  - ii. assess the underlying financial strength of CAWAT;
  - iii. investigate other forms of security, including for example, the requirement for CAWAT to meet debt related financial covenants, or earmark reserves for the purposes of debt cover.
- 5.1.4. In addition, there are covenant restrictions over the site such that it cannot be used for commercial developments. These limitations provide the Council with assurance that the site must be used for community purposes over the longer term.

- 5.1.5. On an ongoing basis, once any loan has been provided by the Council, officers will monitor the arrangement in order to actively manage any ongoing debt repayment risk.
- 5.1.6. The loan will be treated as capital expenditure by the Council, to be resourced by prudential borrowing, with amounts set aside as Minimum Revenue Provision (MRP) in order to meet the cost of the borrowing.

## 5.2. Legal implications

- 5.2.1. The Council has the power to make loans under the General Power of Competence in Section 1 of the Localism Act 2011.
- 5.2.2. In order to mitigate any State Aid risks:
- 5.2.3. The loan will be provided on market terms. To this end, officers in Legal and Finance have undertaken an initial analysis using guidance from the European Commission “otherwise known as the EU Reference Rate” to get an indication of the range of what an acceptable interest rate would be to ensure State Aid compliance. This will also be strengthened by a report from an independent third party which is also being undertaken.
- 5.2.4. The Council will also be inserting relevant provisions within the loan documents to ensure the Market Economy Operator Principles are achieved in order to mitigate the risk of a state aid challenge.

## 6. Other implications

### 6.1. How will this contribute to the Council Plan ([www.coventry.gov.uk/councilplan/](http://www.coventry.gov.uk/councilplan/))?

***A prosperous Coventry*** – Vision Aim 5 of the Coventry Sports Strategy outlines the need “to provide a range of modern, accessible and high quality sports facilities in the city”. The first Strategic Objective for this Vision Aim specifically concerns future city centre leisure provision and the need “to develop city centre sports and leisure facilities that are accessible, high-quality, sustainable and of significance to the Midlands”. The Sports Strategy thereby puts leisure at the heart of city centre regeneration and promotes the city centre as a key regional destination for leisure activities and leisure tourism. The commercial success of the City Centre Destination Facility will, through the 50m pool proposals, further support investment in training and club competition facilities for swimming and water polo at the Alan Higgs Centre. It is anticipated that this will further increase external investment into the sporting infrastructure of the city.

***Healthier, independent lives*** – Public leisure facilities play a vital role in addressing social challenges, promoting active lifestyles, increasing physical activity, reducing isolation and improving outcomes for individuals and communities. Vision Aim 1 of the Sports Strategy sets the ambition “to develop a more active, inclusive and vibrant Coventry through positive experiences in sport”. Through encouraging and supporting engagement in regular sport and/or active recreation, the Strategy aims to positively influence and contribute to the physical and mental health and wellbeing of the residents of Coventry. In particular, public leisure facilities and their operation have a key role to play in supporting the Council to deliver its public health objectives, directly supporting action to address priorities within the Joint Strategic Needs Assessment for the city. The provision of enhanced community sports and leisure facilities in the south east of the city is intended to broaden and widen participation in sport and leisure in the neighbourhoods, develop community hubs, and promote sustainable sporting pathways within sports.

***Ensuring that children and young people achieve and make a positive contribution***

– Investment in public leisure facilities enables and supports the provision of sporting opportunities through which many children and young people achieve and make a positive contribution. For example, the 50m pool proposals supported by the above recommendations support the City of Coventry Swimming Club in retaining Beacon Status through access to a modern 50m pool. The Club has a vibrant youth section and talent pathway, but also supports wider volunteering and opportunities through teaching, coaching and officiating.

***Improving the environment and tackling climate change*** – The significant age and largely poor condition of Coventry Sports and Leisure Centre have resulted in it being adjudged as no longer ‘fit for purpose’. Whilst no decision has yet been made on the closure of CSLC, a modern 50m pool would offer greater energy efficiency and flexibility in usage. Furthermore, the development of such proposed facilities are predicated on a financially efficient model concerning the use of recycled savings from the closure and withdrawal of public leisure service provision from ageing and inefficient sites. This enables the existing resource to be moved from an inefficient model of subsidy to one of investment in quality, sustainable facilities and a projected revenue surplus due to the Council over the duration of the funding model.

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

The 50m Swimming Pool is currently on programme and projected budget, with an application for Planning Consent ready to be submitted and the procurement of a Contractor entering its final phase.

Sport England have made it clear that a Planning Application for the 50m Swimming Pool should not be submitted without the Indoor Pitch re-provisioning shown to be part of the scheme.

The Planning Application needs to be submitted by November 10th 2017, if the 50m Swimming Pool scheme is to be delivered to programme.

Delays in the submission of the Planning Application and subsequent construction will cause an increase in costs to deliver the scheme and in the ongoing operation of the Coventry Sports and Leisure Centre at Fairfax Street.

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

There is no impact on Coventry City Council. The Indoor Pitch Facility will be provided by CAWAT and operated by Coventry Sports Foundation.

**6.4. Equalities / EIA**

Following consultation and analysis of demographic, health, sport and leisure data and survey responses for the city, an Equality and Consultation Analysis (ECA) was produced for the Sports Strategy (see Coventry Sports Strategy 2014-2024 Cabinet Report, Coventry City Council, August 2014).

With regards to the current proposals, demographic, health, sport and leisure data and public survey responses highlighted the following considerations within the ECA concerning protected groups under equalities legislation:

#### *Vulnerable Communities (disadvantage/poverty)*

- a) The pattern of participation in the city mirrors the city's deprivation patterns, with lower participation rates to be found in the north and east of the city and the higher participation rates to be found to the west and parts of the south.

#### *Disability*

- a) 4.5% of the total population of Coventry are economically inactive due to a long term illness or disability.
- b) The proportion of disabled people taking part in sport in the city is less than both national and regional averages.

#### *Age*

- a) There is a correlation between age and inactivity rates which are the highest amongst those aged 55+ (67.9%) and lowest for young adults aged 16-25 (43.3%)
- b) Cycling, swimming and athletics are characterised by an even spread throughout the age cohorts up to 64 years
- c) Young people often struggle to afford to participate in sport and active recreation as youth unemployment remains high and students and young earners are often under financial pressure.

#### *Gender*

- a) 50.3% of the local population are female.
- b) In Coventry, female inactivity (61.3%) is significantly higher than the equivalent male rate.
- c) In Coventry, the proportion of women regularly taking part in sport (15.2%) is less than half that of men (31.3%).
- d) Just under nine in ten of those taking part in keep fit exercises and six in ten swimmers are women.

The Equality and Consultation Analysis contained as an appendix to the 'Coventry Sports Strategy 2014-2024' Cabinet Paper (Coventry City Council, 2014) indicated the following potential equalities impacts with regard to the protected groups under equalities legislation which are particularly relevant to this report:

- a) The strategy was very well received and there was little opposition to either the aims or the strategic objectives. There was agreement to all eight of the vision aims from at least 80% of all respondents.
- b) A need to ensure sport provision and support for people with disabilities was highlighted in the consultation. In total 25 comments (2.3% of all comments) were received supporting the need for increased participation from people with disabilities and for facilities for the disabled.
- c) Many of the respondents commented on the need for high quality facilities for all abilities. In total there were 250 comments relating to this, and many of these also referred to the need for facilities in neighbourhoods.
- d) Linking sport to public health received 51 comments, with respondents wanting to see more done to improve the health of local people through sport.
- e) Comments relating to age were made by 46 respondents. These were almost equally spread between a need for more sporting opportunities for children and young people and older people.
- f) Very few comments were received in relation to gender, although support for Vision Aim 1 – relating to increased participation for females – was very well supported.
- g) Five comments were received supporting sport provision within neighbourhoods and how this could help those with an economic disadvantage participate more in sport.

## **6.5. Implication for (or impact on) the environment**

### Environmental Management

The Alan Higgs Centre is operated by Coventry Sports Foundation, who currently manage the environmental aspects of the 80-acre site through a partnership with the Living Environment Trust (LET). LET are responsible for the environmental, ecological and habitat management of the site and would therefore be contracted by the Foundation to oversee and manage / mitigate the environmental impact of the proposed project through the pre-construction, construction and operational phases.

### During Construction

Construction would be undertaken in accordance with Secured By Design principles. Modern construction materials would be utilised and would present a significantly lesser impact on the environment than materials that were historically used. Site Waste Management techniques would be utilised and off-site manufacture would be prioritised wherever possible, thereby reducing reliance on water, minerals and other natural resources. Local contractors would be prioritised where appropriate and local specialised sub-contractors, suppliers and labour sources would also be utilised, wherever possible. If approved, the demolition and disposal of building materials from the affected areas of the existing Alan Higgs Centre would require an approved risk management and methodology strategy.

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

The Coventry Sports Strategy 2014-2024, Coventry Indoor Facilities Strategy 2014-2024 and Coventry Aquatics Strategy 2014-2024 are partnership documents developed through consultation with a range of stakeholders. Approval and early implementation of the above strategies have given confidence to external funders that the city has clear objectives and priorities for sport to 2024. Further commitment to investing in sport and the implementation of the Strategy should assist partners when applying for external grant funding to deliver sport in the city.



**Report author(s):**

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Place

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| Members: Cllr K Caan   | Cabinet Member (Public Health and Sport)                           |                                    | 1.11.17                  | 7.11.17                                   |
|  |  |                                    |                          |   |
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**Agenda Item 15  
Recommendation from Cabinet  
28<sup>th</sup> November 2017**

**Coventry City Council**

**Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 28 November 2017**

Present:

Members: Councillor G Duggins (Chair)  
Councillor F Abbott  
Councillor L Bigham  
Councillor K Caan  
Councillor J Innes  
Councillor K Maton  
Councillor J Mutton  
Councillor J O'Boyle  
Councillor E Ruane

Deputy Cabinet Members Councillor R Ali  
Councillor R Lakha  
Councillor C Thomas

Non-Voting Opposition Members: Councillor A Andrews  
Councillor G Ridley

Other Members: Councillor R Bailey  
Councillor J Lepoidevin  
Councillor G Williams

Employees (by Directorate):

Chief Executive's People M Reeves (Chief Executive),  
G Quinton (Deputy Chief Executive (People)), P Barnett, L  
Gaulton, N Hart, M McGinty

Place M Yardley (Deputy Chief Executive (Place)), M Andrews,  
O Aremu, D Cockroft, C Knight, L Knight, R Palmer, R Moon,  
D Nuttall, T Miller, J Murphy, A Walster

Apologies: Councillor B Kaur, A Khan

**RECOMMENDATIONS**

**81. Indoor Pitch Facility at The Alan Higgs Centre**

The Cabinet considered a report of the Deputy Chief Executive (Place), which sought approval to provide a financial facility arrangement to enable the

development of an indoor pitch facility at the Alan Higgs Centre, as part of a larger development scheme.

The Coventry and Warwickshire Award Trust (CAWAT) owns the Alan Higgs Centre, and sought a loan of up to £1.5m from the Council to enable them to re-provide the current indoor pitch facility which would be displaced by the provision of the new 50m pool. The new indoor pitch facility would primarily be for community use.

The Cabinet noted that if CAWAT secured the funding from the Council, this would enable them to begin development of the site in time to ensure that the indoor pitch facility would be ready from September 2018, limiting the period of disruption to community access to the facilities.

It was proposed that the financial facility arrangement would be in the form of a 40 year loan to CAWAT, on a commercial basis and at a fixed commercial rate of interest. This financial arrangement would be at no net cost to the Council, instead the loan would generate a surplus for the Council, as the cost of borrowing for Council funds were lower than the commercial rate at which the Council would lend.

**RESOLVED that the Cabinet recommend that Council:-**

- 1. Approve in principle the grant of a loan facility up to the sum of £1.5m to the Coventry and Warwickshire Award Trust, at a commercial rate of interest for a period of up to 40 years as detailed in section 5.1 of the report submitted, for the provision of an indoor pitch facility at the Alan Higgs Centre.**
- 2. Approve the addition of up to £1.5m to the capital programme.**
- 3. Delegate authority to the Deputy Chief Executive (Place) and the Director of Finance and Corporate Services (Section 151 Officer), in consultation with the Cabinet Member for Public Health and Sport and the Legal Services Manager, to undertake all necessary due diligence and to finalise the terms and details of the loan arrangement and to thereafter manage the loan facility. The authority under this recommendation shall include the power to negotiate and agree variations to the terms of the loan facility.**



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

Cabinet  
Council

28<sup>th</sup> November 2017  
5<sup>th</sup> December 2017

**Name of Cabinet Member:**

Cabinet Member for Jobs and Regeneration – Councillor O’Boyle  
Cabinet Member for Community Development – Councillor Bigham

**Director Approving Submission of the report:**

Deputy Chief Executive(Place)

**Ward(s) affected:**

St Michael’s

**Title:**

Heritage Framework Agreement

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**Is this a key decision?**

Yes – the proposals within the report have financial implications in excess of £1million

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**Executive Summary:**

The report is seeking approval for the Council to enter into a Strategic Partnership with the Historic Coventry Trust (HCT) for the transfer of the Councils historical properties.

The Framework Agreement will establish an exclusivity period of five years for HCT to acquire the properties. To activate the transfer, the HCT will have to submit a robust business case on a case by case basis to the Council for approval, satisfying set criteria illustrating how the properties can be managed and maintained for the long term benefit of the people of Coventry.

The aims of the HCT (a registered charity) are to raise funds for the historic properties for their restoration and reuse, thereby securing the assets for future generations whilst improving and building upon the City Centre offer as a cultural and tourist destination.

The Strategic Partnership will guarantee and secure the long term future for the properties to be restored and reused. The properties selected are the Council owned properties within the proposed Burges Townscape Heritage Scheme, Charterhouse Heritage Park, Drapers Hall, Anglican and Non-Conformist Chapels located in London Road Cemetery, Lychgate Cottages (3-5 Priory Row), Swanswell & Cook St Gatehouses, Whitefriars Gatehouse and adjoining land & Whitefriars Monastery and adjoining land.

**Recommendations:**

Cabinet is requested to recommend that the Council:

- (1) Approve that the Council enter into the Framework Agreement with the Historic Coventry Trust (HCT) for a period of five years.
- (2) Delegate authority to the Deputy Chief Executive (Place) in consultation with the Cabinet Member for Jobs and Regeneration to transfer identified assets to HCT subject to receipt of a satisfactory business case and secured funding satisfying the set criteria
- (3) Appoint the Cabinet Member for Community Development to the Board of Trustees for the Historic Coventry Trust.
- (4) Delegate authority to Legal Services Manager to execute all the necessary documentation to give effect to all the subsequent transfers.
- (5) Approve the set criteria that the HCT must satisfy in their business case before the historic asset transfer can be completed as set out in paragraph 2.1.14
- (6) Delegate authority to the Deputy Chief Executive (Place) in consultation with the Cabinet Member for Jobs and Regeneration, to make any subsequent variation in relation to the terms of the proposals in this report.

Council is requested to:

- (1) Approve that the Council enter into the Framework Agreement with the Historic Coventry Trust (HCT) for a period of five years.
- (2) Delegate authority to the Deputy Chief Executive (Place) in consultation with the Cabinet Member for Jobs and Regeneration to transfer identified assets to HCT subject to receipt of a satisfactory business case and secured funding satisfying the set criteria.
- (3) Appoint the Cabinet Member for Community Development to the Board of Trustees for the Historic Coventry Trust.
- (4) Delegate authority to Legal Services Manager to execute all the necessary documentation to give effect to all the subsequent transfers.
- (5) Approve the set criteria that the HCT must satisfy in their business case before the historic asset transfer can be completed as set out in `paragraph 2.1.14
- (6) Delegate authority to the Deputy Chief Executive (Place) in consultation with the Cabinet Member for Jobs and Regeneration and Community Development, to make any subsequent variation in relation to the terms of the proposals in this report.

**List of Appendices included:**

Location 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?**

Yes – 5<sup>th</sup> December 2017

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## Report title: Heritage Framework Agreement

### 1. Context (or background)

1.1 The Council own a number of historically important heritage assets that are under used and require significant capital investment. The Council neither has the funds or the expertise to restore the properties and at present, the condition of these buildings is deteriorating. It has been estimated that capital expenditure in excess of £3million would be required to ensure that they would be put into a state of reasonable order.

1.2 To save and protect these assets for future generations, it has been proposed to transfer identified heritage assets to the Historic Coventry Trust (HCT) to refurbish, maintain and manage. The HCT will be able to secure grant funding to enable them to refurbish and bring these properties back into use.

1.3 Subject to the proposed transfer being approved, the operation and management of the Historic Assets will be maintained and sustained by the Historic Coventry Trust.

1.4 The properties selected are the:-

- Council owned properties in Burges
- Charterhouse Heritage Park
- Drapers Hall
- Anglican & Non-Conformist Chapels in London Road Cemetery
- Lychgate Cottages (3-5 Priory Row)
- Swanswell & Cook St Gatehouses
- Whitefriars Gatehouse and adjoining land
- Whitefriars Monastery and adjoining land.

All the identified properties are in the City Centre and it is envisaged that they will be accessible to the general public thereby complimenting and improving on the current heritage offer as destinations for tourists in the City to visit.

1.5 The properties identified in paragraph 1.4 are recommended to be included into an overarching Framework Agreement. The properties will be transferred by the Council to the HCT on a case by case basis subject to a business case approved by the Cabinet Member for Jobs and Regeneration.

1.6 It is assumed that the properties will be transferred on a long leasehold basis however in exceptional circumstances it may be appropriate to consider the transfer of the freehold interest. This would be determined at business case stage.

1.7 The business case submitted by the HCT to the Cabinet Member for Jobs and Regeneration for approval must satisfy the criteria set out in paragraph 2.1.14

1.8 The Historic Coventry Trust (HCT) was formed in 2011 previously known as the Charterhouse Coventry Preservation Trust to take ownership of The Charterhouse, which they acquired from City College in 2012. In 2015, the organisation amended their name from Charterhouse Preservation Trust to the Historic Coventry Trust with a remit to protect the wider City Heritage Assets. The Board member of the Trust currently includes:-

- Chairman: Ian Harrabin has over 30 years' experience in major regeneration projects working in partnership with local and central government and the community.
- Secretary: John Ruddick is a Coventry solicitor and is responsible for all legal, financial and compliance matters
- Trustee: Alan Durham is a retired former employee of Coventry & Warwickshire Chamber of Commerce
- Trustee: Stuart Daniel is a practising solicitor, specialising in family law.
- Trustee: Jamie Magraw is a Finance Director
- Trustee: Sonia Kullar is a business woman and trustee of a range of groups representing BAME projects.
- Trustee: Dr Geoff Willcox is Director of Arts and Culture at Coventry University
- Trustee: Mark Webb is Development and Fund Raising Manager for the Princes Regeneration Trust

It has been agreed with the Historic Coventry Trust that the Cabinet Member for Community Development will become a Trustee and Board Member in order to represent the Council and ensure the long term protection of the assets.

1.9 For the HCT to be successful with future funding bids with the Heritage Lottery Fund (HLF) & Historic England (HE), the Councils commitment to transferring these assets to HCT is essential.

1.10 The proposal is for the Framework Agreement to be for a fixed period of five years for which the Trust must work up a business case on an individual basis for each heritage asset.

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

### **2.1 Option 1 - Proceed with the Framework Agreement to the Historic Coventry Trust**

2.1.1 There is a prime opportunity to preserve and bring back into use Coventry's heritage assets for future generations through a partnership with the HCT. Subject to individual business case approval, capital expenditure secured through grant aid and other sources for each property will lead to the renewal and reuse of the building.

2.1.2 The investment into the heritage assets will enhance the visitor offer for the City as a future cultural and tourist destination in addition to supporting the City of Culture bid.

2.1.3 The proposals from HCT for the identified heritage assets can be categorised into three areas:-

- Phase 1(a) Charterhouse Heritage Park
- Phase 1(b) Burges/Hales Street Townscape Heritage Scheme
- Phase 1(c) Unique Visitor Accommodation and Future Projects.

2.1.4 **Phase 1(a) Charterhouse Heritage Park** will seek the lease of the Coach House and Charterhouse Fields (The Charterhouse is already owned by HCT) and the Grade 2 Listed Anglican and Grade 2\* Listed Non-Conformist Chapels situated in London Road Cemetery. The proposal is to develop The Charterhouse and surrounding land as a multi-use facility seeking to develop the land and buildings as a visitor and conference centre, wedding venue, café/restaurant and community heritage park. The proposals will seek to open up access to The Charterhouse and seek to provide a connection with London Road Cemetery and reunite the interests in the Charterhouse, most of which is already under the control of HCT.

- 2.1.5 **Phase 1(b) Burges/Hales Street Townscape Heritage Scheme** is an area in need of investment and requires a comprehensive restoration similar to the regeneration of Far Gosford Street. The project includes the restoration of buildings, shopfront improvements, the infilling of small gap sites and the opening up of the River Sherbourne as a new public square. It is proposed to transfer Council income producing assets of properties in Hales St and The Burges, on a long leasehold. The revenue from Hales St and The Burges will initially provide core income for HCT who will take over the management of the properties and will be used to fund the groups operational costs
- 2.1.6 If match funding is required for the restoration of the properties, the income will allow HCT the opportunity to borrow money against these assets to secure the restoration. HCT has stated that it is committed that it will never borrow more than 50% of the value of any individual asset so not to put the Trust at risk.
- 2.1.7 **Phase 1(c) Unique Visitor Accommodation** is considering converting heritage properties into unique bespoke places to stay in the City Centre. The properties that are targeted to be converted into visitor accommodation are the following:-
- Lychgate Cottages at 3-5 Priory Row
  - Whitefriars Gate (previously Toy Museum)
  - Swanswell Gate
  - Cook Street Gate.
- There are no funding bids currently associated with these properties and HCT will seek funding from Historic England and Heritage Lottery Fund to enable the refurbishment of these buildings.
- 2.1.8 It is proposed by the Trust to convert the Lychgate Cottages at 3-5 Priory Row into short term lettings for visitors to the city and the transfer will be subject to funding for conversion works being secured.
- 2.1.9 Whitefriars Gate and adjoining land, the Trust propose to convert the Gatehouse into two visitor cottages and the side annex into office units for possible creative/digital use. The Trust also requires the land adjoining to create a small residential development to cross subsidise the restoration. The long-leasehold will be transferred once funding has been secured.
- 2.1.10 Swanswell & Cook St Gates will be converted to visitor accommodation and it is proposed that they will be transferred on a 250year lease upon completion of fund raising.
- 2.1.11 Drapers- The scheme is to restore the buildings for the education and performance of classical music, possibly with an ancillary restaurant. Designs for the building are currently being undertaken.
- 2.1.12 Whitefriars Monastery – The building is currently being leased by Culture Coventry and being used as store. This is a lost opportunity for such a prominent and important building. Initial proposals for the reuse of the former Whitefriars Monastery include a possible café/restaurant at ground floor level in the former cloisters with the first floor space as future exhibition/event space.

- 2.1.13 The majority of the properties currently do not receive an income apart from the assets at The Burges and Hale Street. They will only be transferred to the HCT on an individual basis subject to strict criteria and imperative that funding has been secured for the proposed works. Only when the criteria has been satisfied and subject to approval from the Deputy Chief Executive (Place) in consultation with the Cabinet Member for Jobs and Regeneration can the transfer occur. It will be a condition of any transfer, that any income derived from the properties is reinvested solely for the charitable aims of the Trust.
- 2.1.14 A business case needs to be submitted for consideration by the Cabinet Member for Jobs and Regeneration and the following criteria will need to be satisfied for the transfer to be approved. The Business Case may be completed on a two stage process: (1) Outline business case to obtain an in principle agreement to allow schemes to be progressed (2) Full Business case considering and satisfying all the 16 set criteria below:-

|    | Criteria   |
|----|--|
| 1  | Independent Market Valuation of the Asset  |
| 2  | Fully designed and costs scheme for restoration  |
| 3  | Planning approval in place   |
| 4  | Listed Building Consent (where applicable)   |
| 5  | Agreed end use   |
| 6  | Project funding secured  |
| 7  | Restriction that no more than 50% of the property asset can be borrowed against  |
| 8  | Agreed programme for implementation  |
| 9  | Agree public access and use (Asset Lock)   |
| 10 | Demonstrate Historic Coventry Trust Cash flow  |
| 11 | Insurance to cover assets  |
| 12 | Maintenance and Inspection plan  |
| 13 | Pending restoration- measures to protect form further deterioration, vandalism & theft   |
| 14 | Any surplus is used solely to further the aims of the charity and/or reinvested in the restoration and ongoing maintenance of the historic assets transferred. |
| 15 | Prioritise against the Historic England at risk Register   |
| 16 | Illustration of how the transfer of the asset contributes to the securing of grant match funding.  |

***(numbering does not reflect any criteria weighting and additional criteria may be added on a case by case basis as required )***

- 2.1.15 The governance of the HCT is of paramount importance if the Council is to transfer its assets. It is proposed to appoint the Cabinet Member for Community Development to be a Trustee on the Board.

## 2.2 Option 2 - Council to undertake works and obtain funding

- 2.2.1 Whilst the Council are the lead applicant in the funding bids for London Road Cemetery and the Burges/Hale St, the Council does not have the resources to undertake the refurbishment and conversion of the identified properties. In the scenario the Council would retain its existing income but would need to attract external grant monies and use corporate capital resources to fund any heritage regeneration projects for these assets. Additionally, the ongoing maintenance and liability for the assets would be retained by the Council.

## 2.3 **Option 3 - Council Dispose of Individual assets**

2.3.1 The Council could dispose of the assets individually on a long-leasehold and where possible receive a capital receipt/premium. However the Council may lose the potential for these assets to be accessible for the general public in the future and would go against the aim of using the heritage assets for the purposes of cultural and tourist destinations.

2.3.2 It should be noted that an individual purchaser may not be eligible for grants to restore the properties and will require sufficient resources to bring the properties back into reuse.

## 2.4 **Option 4 - Do nothing**

2.4.1 This is not an option as the properties will continue to deteriorate and the Council will still have the burden and liability for the maintenance of these properties.

2.5 Option 1 is the recommended option for the reasons identified.

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

3.1 It is anticipated that the works the Trust seek to undertaken will require Listed Building Consent and the Trust will have to undertake consultation with stakeholders.

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

4.1 If approved, HCT will submit individual business cases for the transfer of the historic assets over a five year period.

## 5. **Comments from Director of Finance and Corporate Services**

5.1 Financial implications

Some of the assets proposed to be potentially transferred to HCT generate income for the Council. If the properties along with their rental income do transfer to HCT, this is broadly equivalent to circa £1m of capital investment value. As previously stated however, there is an estimated condition backlog in excess of £3m and in return, the Council would be free of all future repair liabilities.

Commercial Property income targets are under significant pressure as a result of wider developments in the City Centre and cannot therefore absorb further potential pressures should these assets transfer. The pressure will need funding either within the ongoing budget setting process or through alternative income generating opportunities identified and secured via the existing asset acquisition plans.

The transfer of the properties will be subject to approval of individual business cases providing the criteria is achieved. In return for the loss of income, the assets will have a defined funding strategy to return the assets into use and the Council will be free of all future repair liabilities. If the Council were to retain the assets, we may not be able to access certain funding streams to assist in the refurbishment of these units.

## 5.2 Legal implications

### Disposal of land

The Council is under a legal obligation to ensure that any consideration it receives will represent “Best Value” in accordance with the Councils requirements to obtain the best consideration reasonably obtainable pursuant to the provisions of Section 123 of the Local Government Act 1972.

It is recognised and expressed in the report that the value of the Councils interest is proposed to be foregone in return for the benefits of securing the return of the assets into use as well as relieving the Council of all future repair liabilities. Under the General Disposal Consent 2003, specific consent is not required for the disposal of any interest in land which the authority considers will help it to secure the promotion or improvement of the economic, social or environmental well-being of its area provided the undervalue does not exceed £2million pounds.

Officers in Legal services will complete the necessary legal documents to reflect the negotiated and agreed terms in respect of each property. Officers will also look to protect the Councils position within the long leases by including restrictive user and alienation provisions as is deemed appropriate.

### State Aid

State Aid can arise in the sale or transfer of land (including buildings) especially where the owner of the land (being 'the Council') does not get full market value for it. In this way the purchaser of the land is getting a benefit that could, at least potentially, distort competition. It is not anticipated that state aid will apply in this case as there is a general heritage exemption.

However, on a case by case basis and as full business cases are being determined which trigger the transfer of the leasehold interest, a state aid analysis will need to be undertaken to ensure that any state aid implications which are identified are properly managed and (where necessary) that the adequate exemptions under the State Aid regulations are applied. To this end, Legal Services have been kept involved and will be continue to be involved throughout the proposal.

## 6. Other implications

*Any other specific implications*

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

The delivery of the assets to the Trust will ensure that they will be refurbished and will deliver vibrant, economic and social benefits to the local community. In additional, the cultural and tourism offer will be improved and therefore showcase Coventry's heritage.

### 6.2 How is risk being managed?

The risks have been identified earlier in the report because if the Council fail to transfer the properties they will continue to deteriorate. It should be noted that the properties will continue to be the responsibility of the Council until a business case has been approved for each property.

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

The project proposals include the upgrading and restoration of Council owned land and property which will be positive.

The impact on the organisation will be minimum, apart from the resources from Legal Services to complete the legal documentation.

### 6.4 Equalities / EIA

The proposal does not require an EIA because the position will remain unchanged in the short term however any longer term proposals may require an EIA as they may impact upon the groups using the local facilities and the local community.

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

The Project will bring about positive environmental impacts:-

- Restoration of buildings
- Development of brownfield land
- River Sherbourne Improvements
- Reusing reclaimed materials

### 6.6 Implications for partner organisations?

The impact will be positive for the Heritage Coventry Trust as they will bring these assets back into use and safeguard their future.

#### Report author(s):

**Name and job title:** James Grant – Principal Development Surveyor

**Directorate:** Place

**Tel and email contact:** 024 7683 3674. [James.Grant@coventry.gov.uk](mailto:James.Grant@coventry.gov.uk)

Enquiries should be directed to the above person.

| Contributor/approver name | Title  | Directorate or organisation | Date doc sent out | Date response received or approved |
|---------------------------|--|-----------------------------|-------------------|------------------------------------|
| <b>Contributors:</b>      |  |                             |                   |                                    |
| Nicola Poole              | Project Manager                                    | Place                       | 18.10.17          | 25.10.17                           |
| Christopher Patrick       | Conservation and Archaeology Officer               | Place                       | 18.10.17          | 25.10.17                           |
| Lara Knight               | Governance Services Co-ordinator                   | Place                       | 18.10.17          | 25.10.17                           |
| Richard Moon              | Director of Project Management & Property Services | Place                       | 18.10.17          | 27.10.17                           |

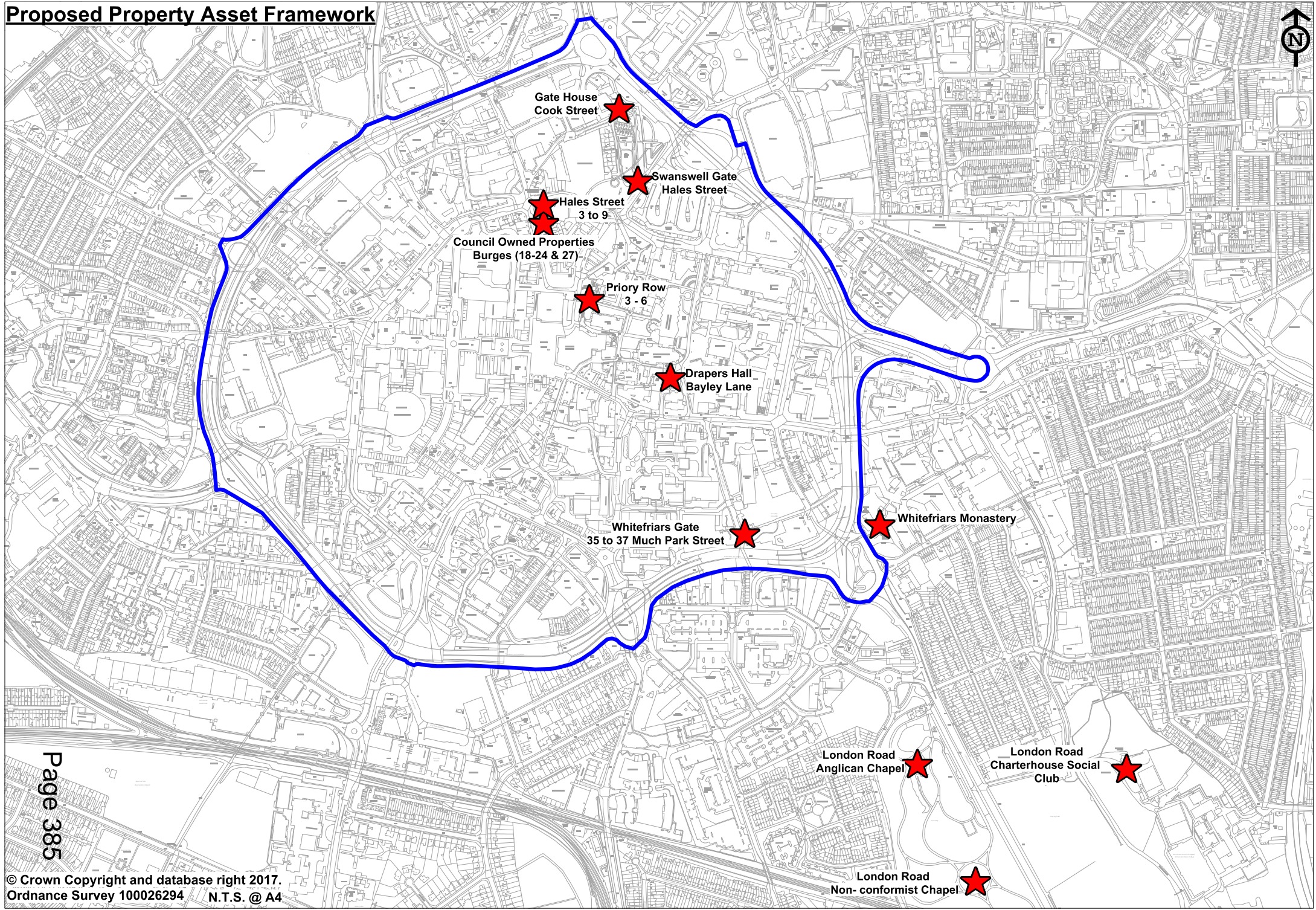
|  |  |       |          |          |
|--|--|-------|----------|----------|
| Other members  |  |       |          |          |
| <b>Names of approvers for submission:</b> (officers and members) |  |       |          |          |
| Finance: Phil Helm   | Finance Manager                          | Place | 18.10.17 | 27.10.17 |
| Mark Williams  | Lead Accountant Business Partner         | Place | 18.10.17 | 26.10.17 |
| Legal: Oluremi Aremu   | Major Projects Lead Lawyer               | Place | 18.10.17 | 27.10.17 |
| Legal: Julie Sprayson  | Legal Services                           | Place | 18.10.17 | 25.10.17 |
| Director: Martin Yardley   | Executive Director                       | Place | 01.11.17 | 01.11.17 |
| Members: Councillor Jim O'Boyle                                  | Cabinet Member for Jobs & Regeneration   |       | 02.11.17 | 02.11.17 |
| Councillor Bigham  | Cabinet Member for Community Development |       | 02.11.17 |          |
|  |  |       |          |          |

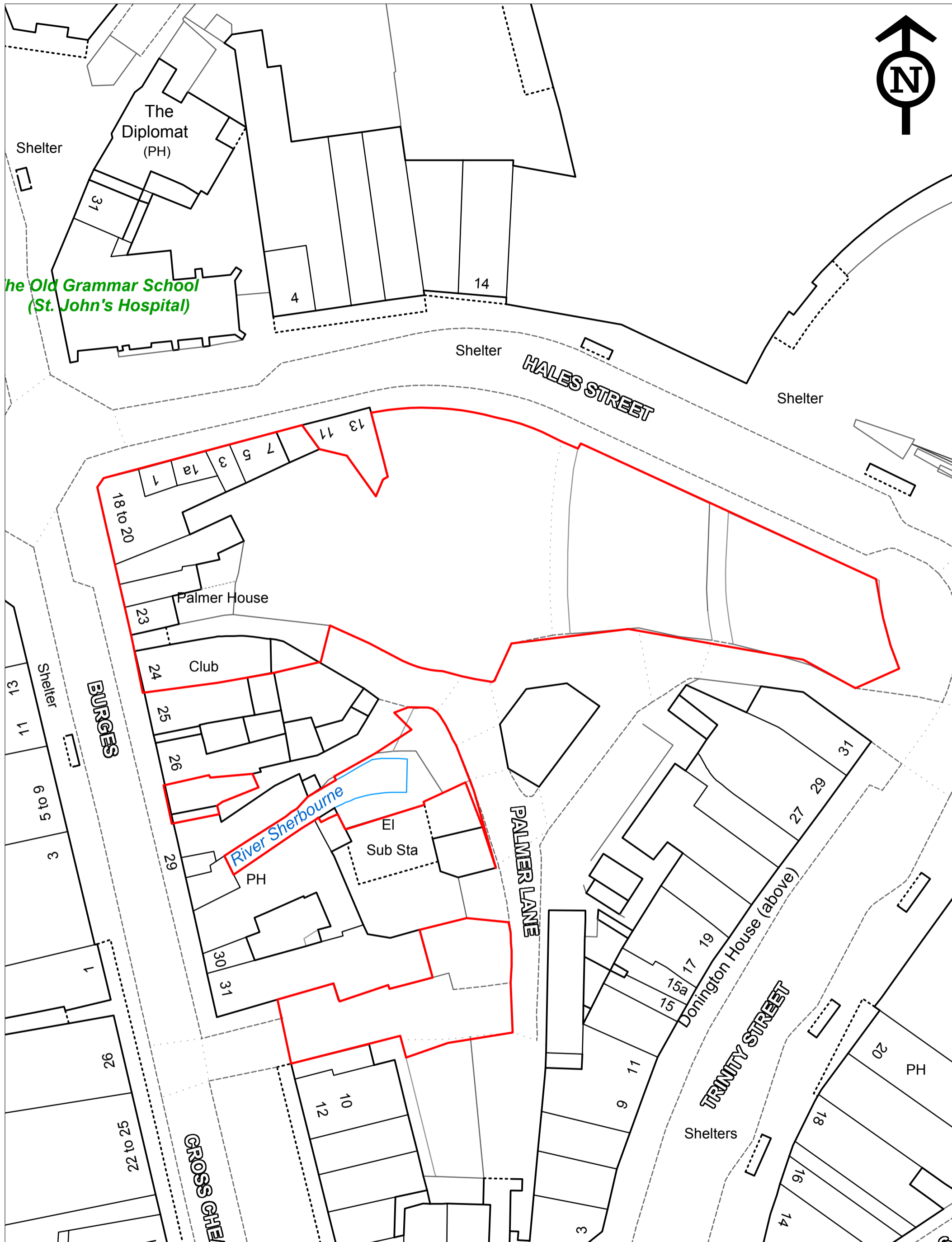
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[www.coventry.gov.uk/meetings](http://www.coventry.gov.uk/meetings)



# Proposed Property Asset Framework



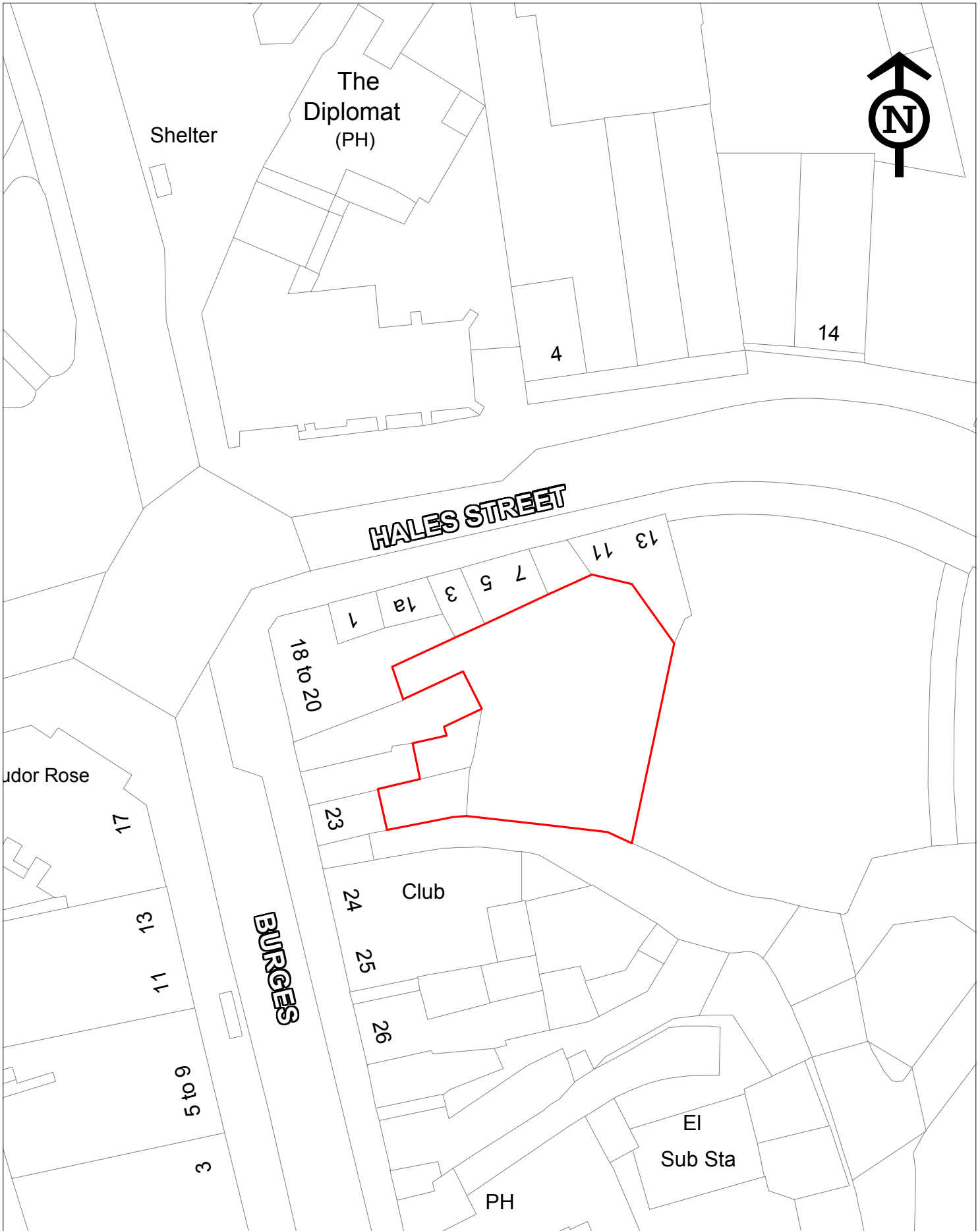


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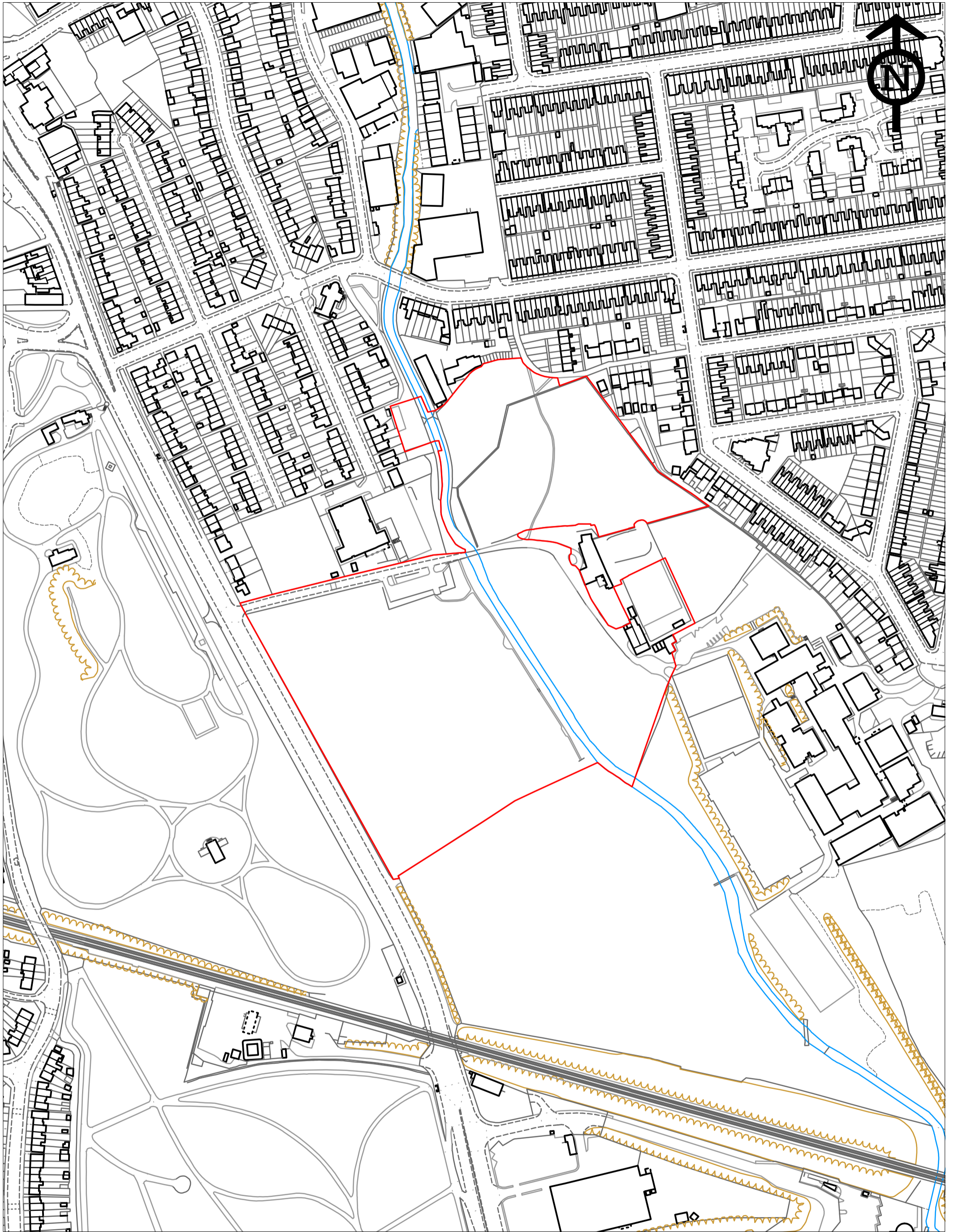


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**GAP Site Burges Redevelopment (Area: 0.12 Acres)**

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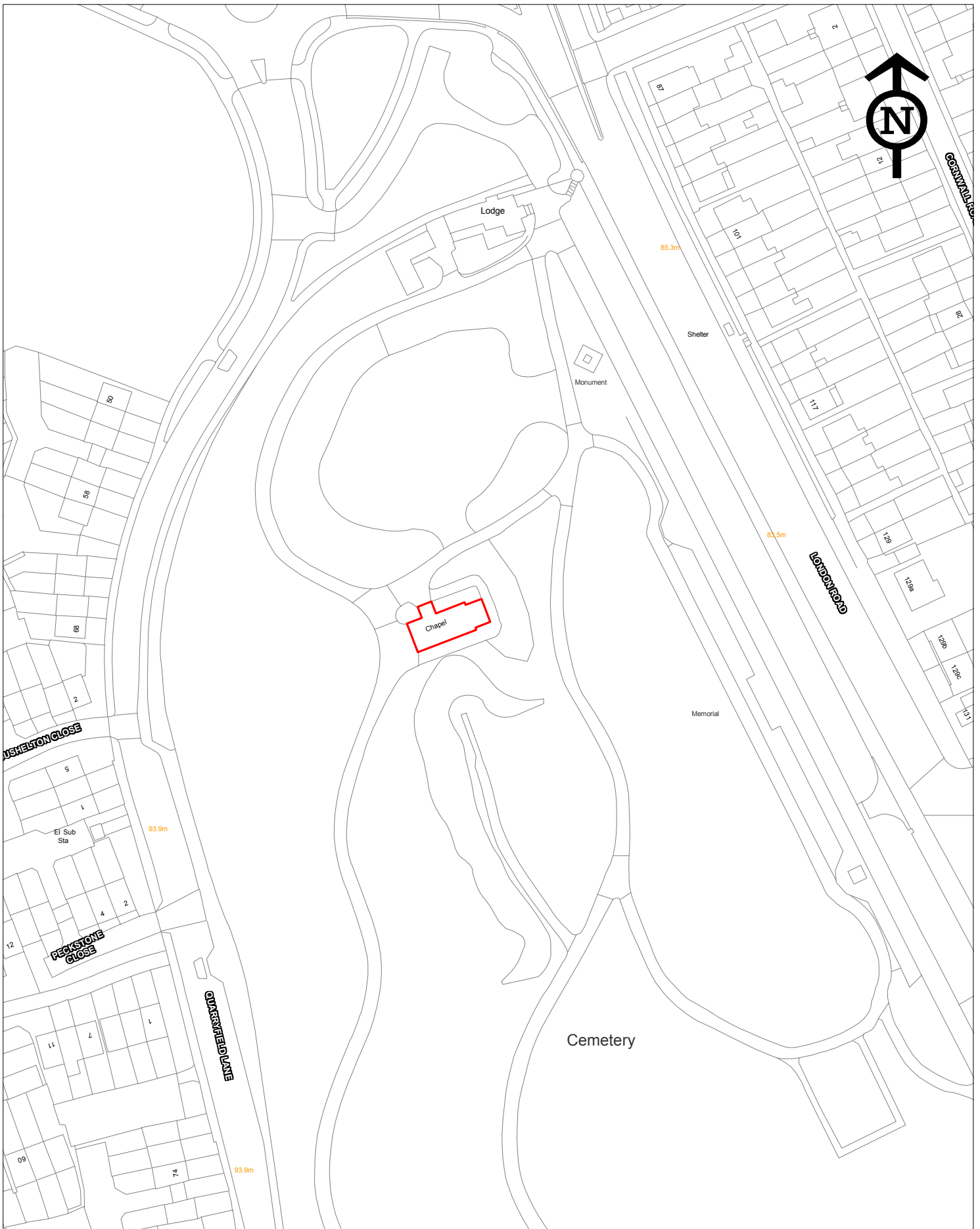
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**Title: Land at Charterhouse, St Michael's, Coventry**

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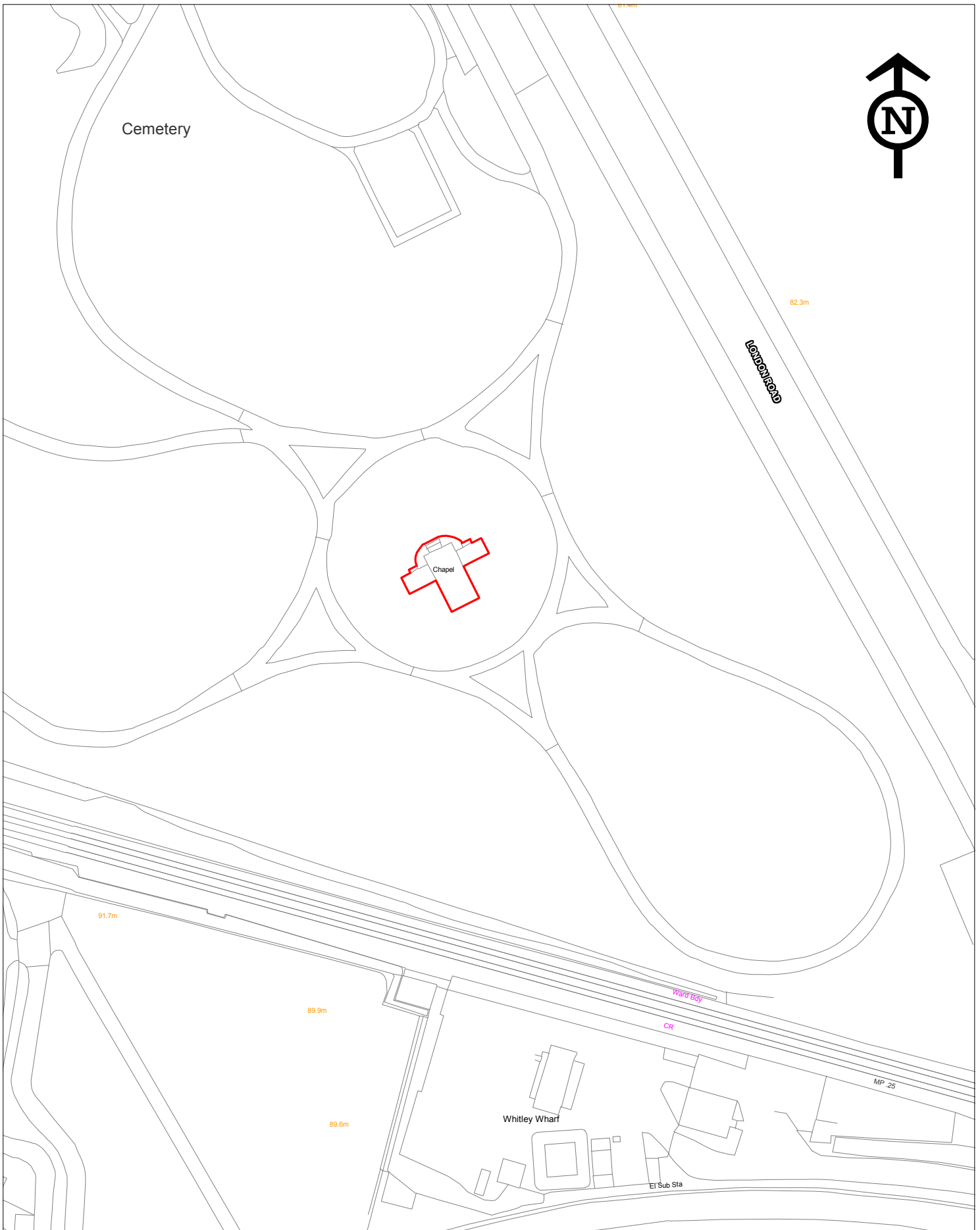


**Title: Anglican Chapel, London Road Cemetery**

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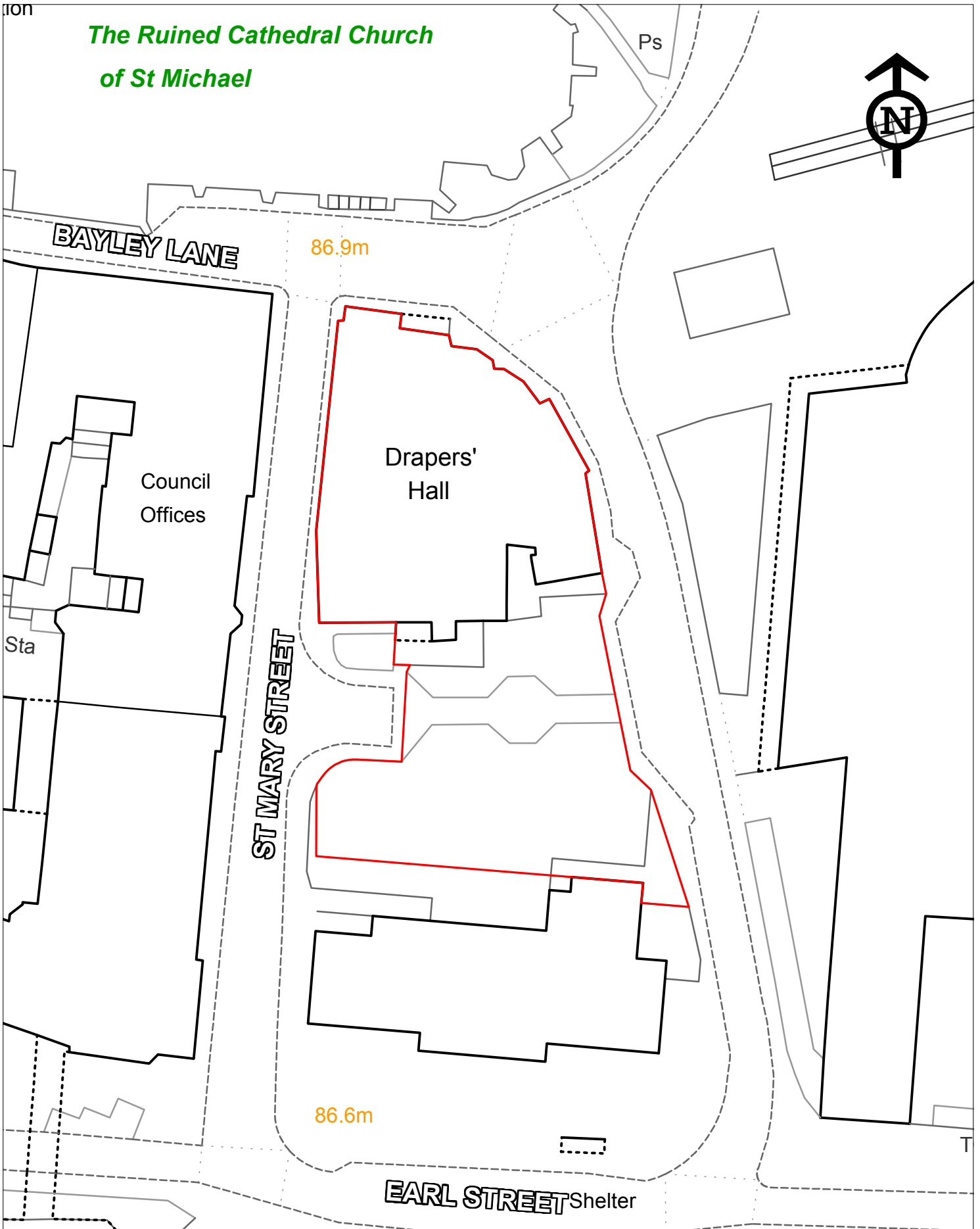
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**The Ruined Cathedral Church  
of St Michael**



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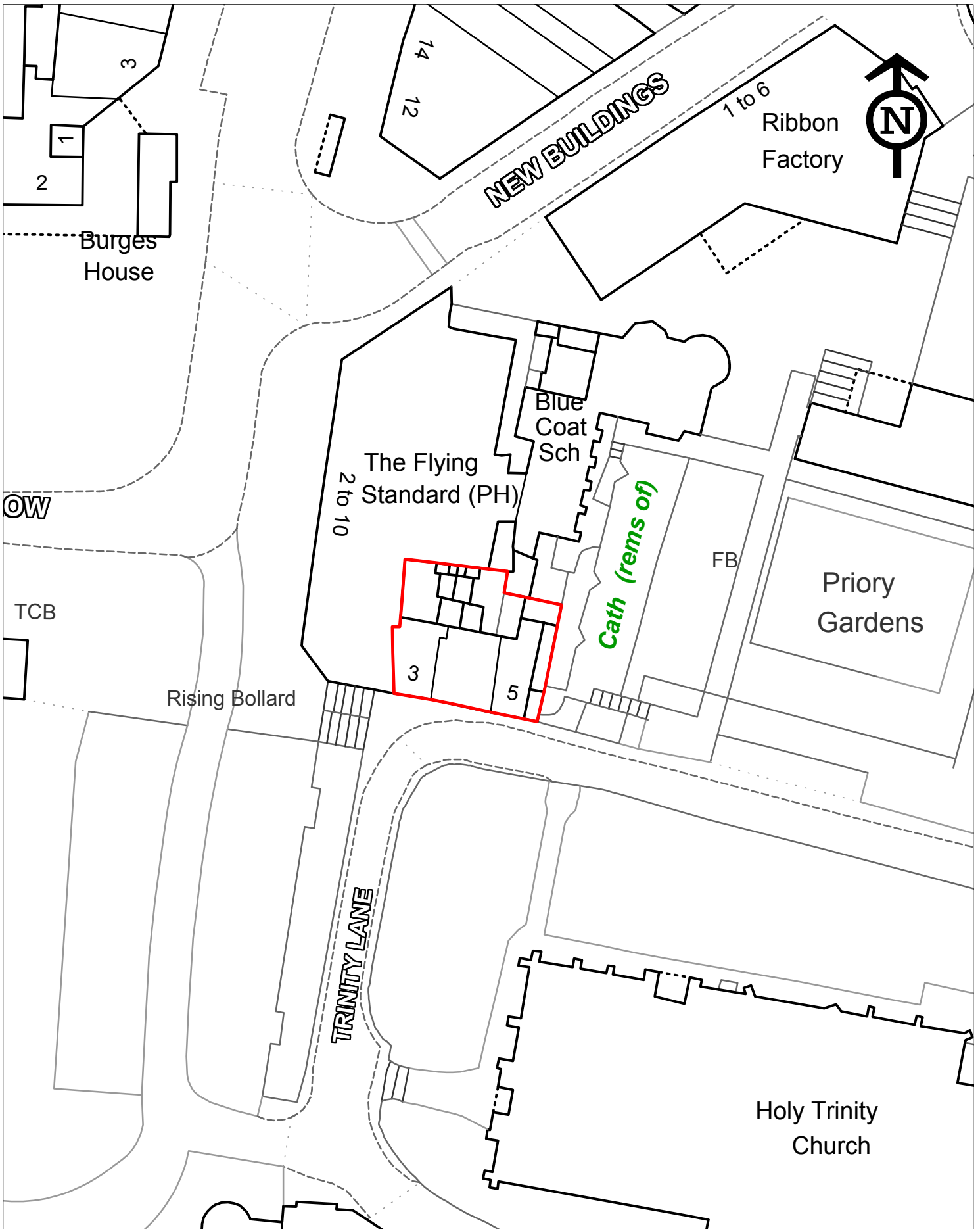


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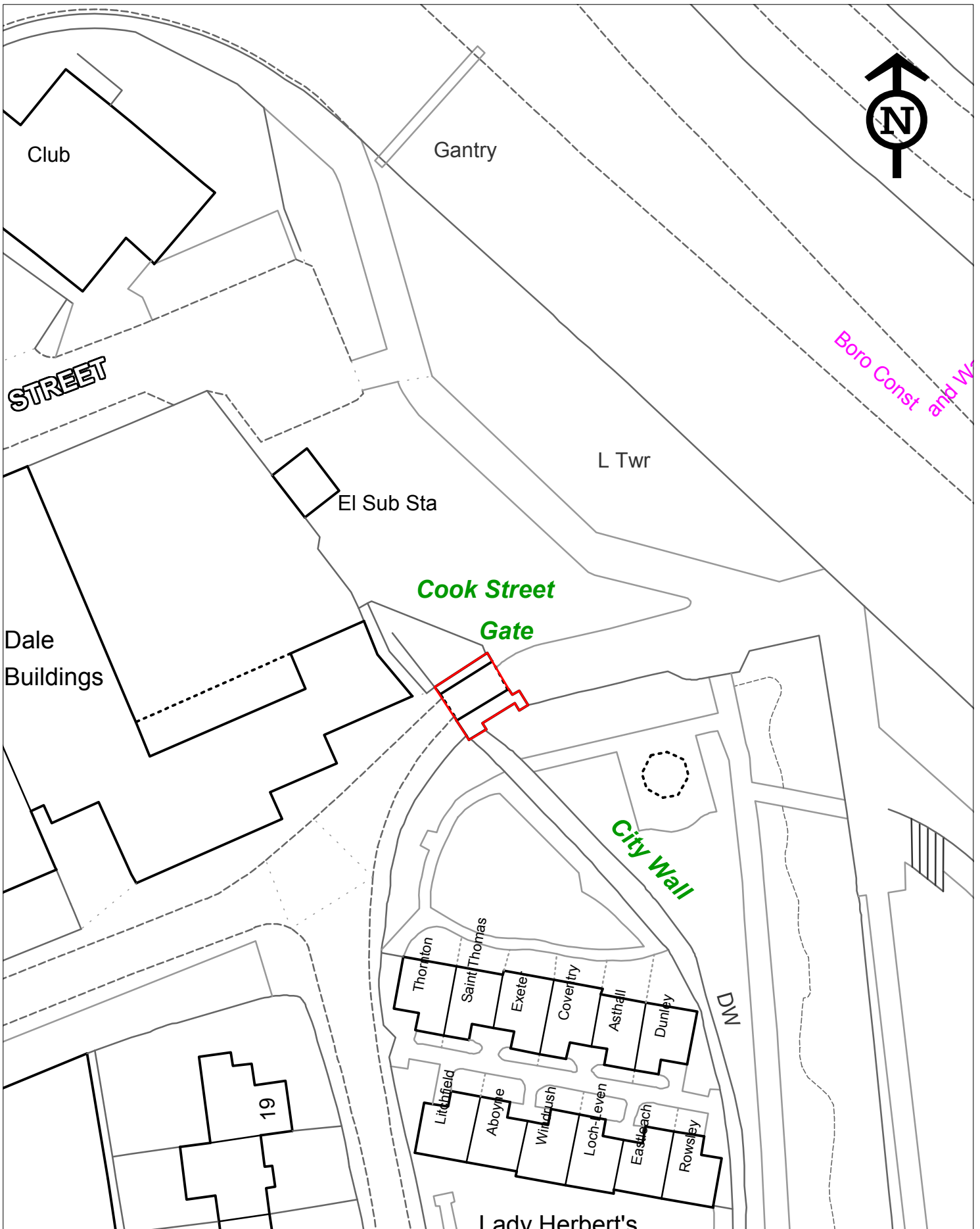
**Title: 3-5 Priory Row, St Michael's, Coventry**

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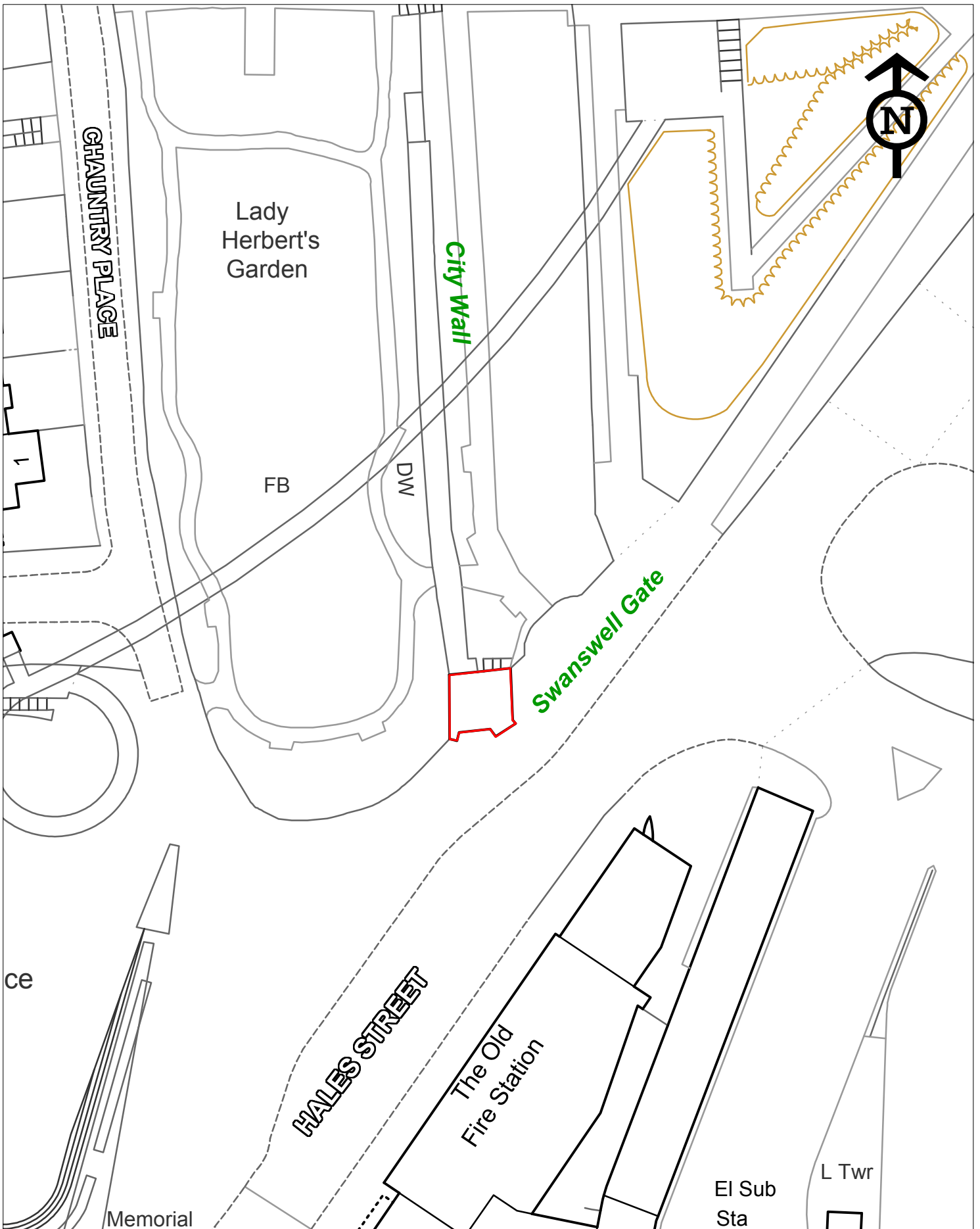


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**Title: Cook Street Gatehouse, St Michael's, Coventry**

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**Coventry City Council**

**Title: Swanswell Gatehouse, St Michael's, Coventry**

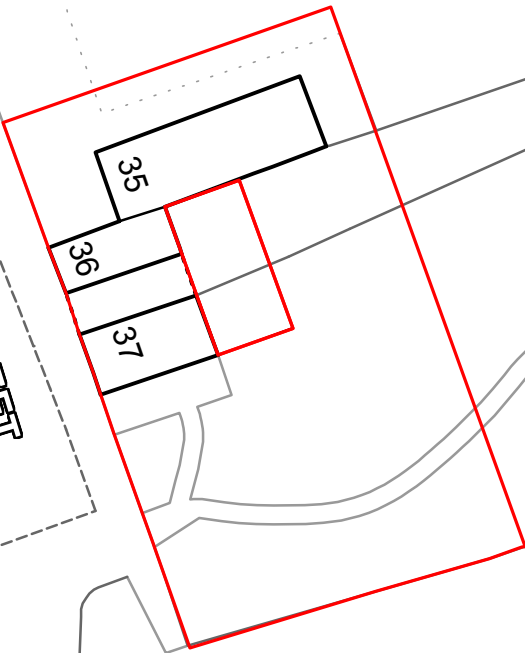
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MUCH PARK STREET

RINGWAY ST JOHNS



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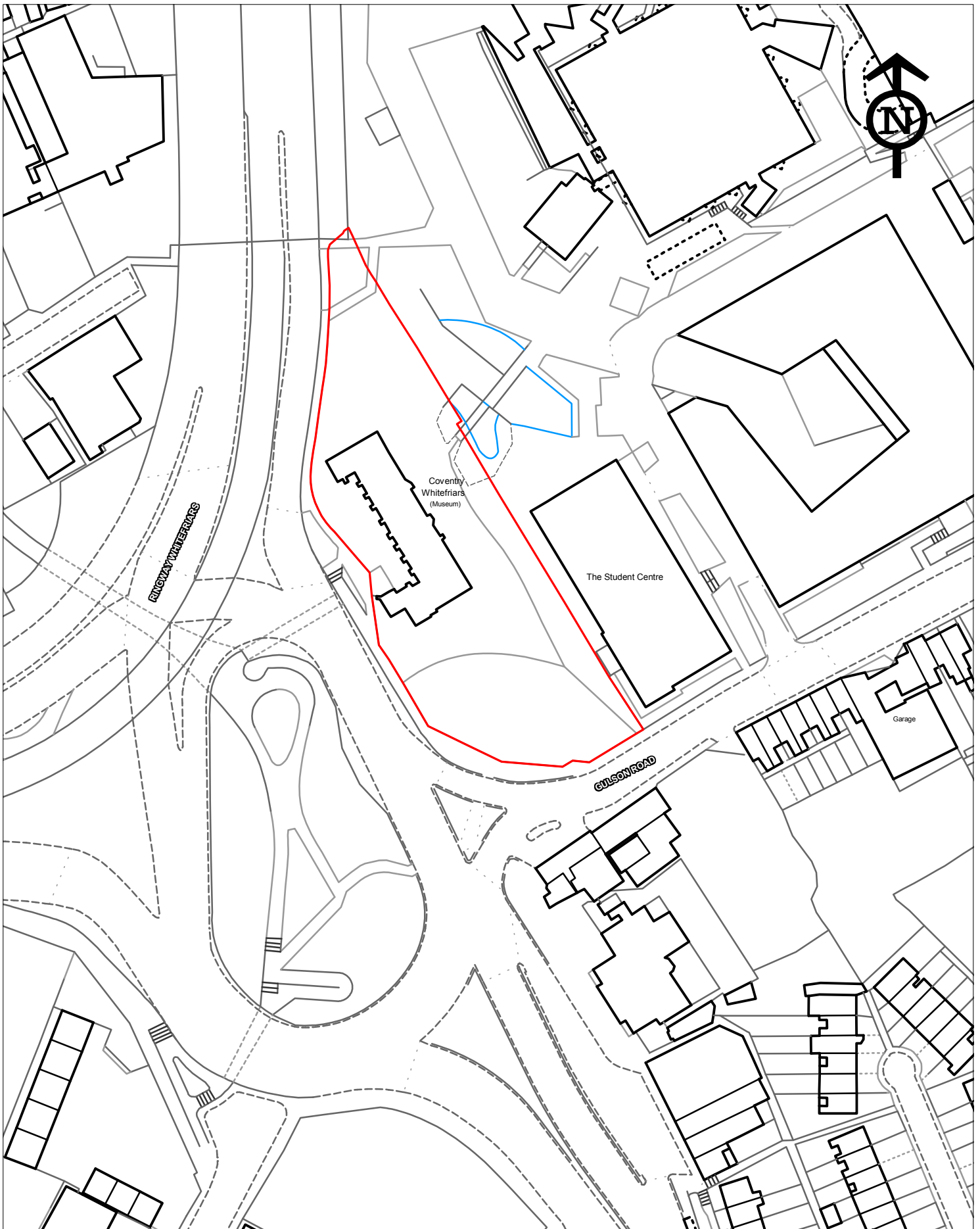


**Title: Former Toy Museum, St Michael's, Coventry**

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**Title: Whitefriars Monastery, St Michael's, Coventry**

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**Coventry City Council**

**Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 28 November 2017**

Present:

Members: Councillor G Duggins (Chair)  
Councillor F Abbott  
Councillor L Bigham  
Councillor K Caan  
Councillor J Innes  
Councillor K Maton  
Councillor J Mutton  
Councillor J O'Boyle  
Councillor E Ruane

Deputy Cabinet Members Councillor R Ali  
Councillor R Lakha  
Councillor C Thomas

Non-Voting Opposition Members: Councillor A Andrews  
Councillor G Ridley

Other Members: Councillor R Bailey  
Councillor J Lepoidevin  
Councillor G Williams

Employees (by Directorate):

Chief Executive's People M Reeves (Chief Executive),  
G Quinton (Deputy Chief Executive (People)), P Barnett, L  
Gaulton, N Hart, M McGinty

Place M Yardley (Deputy Chief Executive (Place)), M Andrews,  
O Aremu, D Cockroft, C Knight, L Knight, R Palmer, R Moon,  
D Nuttall, T Miller, J Murphy, A Walster

Apologies: Councillor B Kaur, A Khan

**RECOMMENDATIONS**

**83. Heritage Framework Agreement**

The Cabinet considered a report of the Deputy Chief Executive (Place), which set out proposals for the Council to enter into a Strategic Partnership with the Historic Coventry Trust for the transfer of the Council's historic properties.

A corresponding private report detailing confidential aspects of the proposals was also submitted to the meeting for consideration.

The Council own a number of historically important heritage assets that were under used and required significant capital investment. The Council neither had the funds or the expertise to restore the properties and, at present, the condition of these buildings was deteriorating. It had been estimated that capital expenditure in excess of £3m would be required to ensure that they would be put back into a state of reasonable order.

To save and protect these assets for future generations, it was proposed to transfer identified heritage assets to the Historic Coventry Trust (HCT) to refurbish, maintain and manage. The HCT would be able to secure grant funding to enable them to refurbish and bring these properties back into use. The identified properties were:-

- Council owned properties in Burges
- Charterhouse Heritage Park
- Drapers Hall
- Anglican and Non-Conformist Chapels in London Road Cemetery
- Lychgate Cottages (3-5 Priory Row)
- Swanswell and Cook Street Gatehouses
- Whitefriars Gatehouse and adjoining land
- Whitefriars Monastery and adjoining land

The proposed Framework Agreement would establish an exclusivity period of five years for HTC to acquire the properties. To activate the transfer, the HTC would have to submit a robust business case on a case by case basis to the Council for approval, satisfying set criteria, detailed within the report, illustrating how the properties could be managed and maintained for the long term benefit of the people of Coventry.

The aims of the HTC (a registered charity) were to raise funds for the historic properties for their restoration and reuse, thereby securing the assets for future generations, whilst improving and building upon the City Centre offer as a cultural and tourist destination.

It was also proposed that the Cabinet Member for Community Development become a Trustee and Board Member of the HCT in order to represent the Council and ensure the long term protection of the assets.

**RESOLVED that the Cabinet recommend that Council:-**

- 1. Approve that the Council enter into the Framework Agreement with Historic Coventry Trust for a period of five years.**
- 2. Delegate authority to the Deputy Chief Executive (Place) in consultation with the Cabinet Member for Jobs and Regeneration to transfer identified assets to Historic Coventry Trust subject to receipt of a satisfactory business case and secured funding satisfying the set criteria.**

- 3. Appoint the Cabinet Member for Community Development to the Board of Trustees for the Historic Coventry Trust.**
- 4. Delegate authority to Legal Services Manager to execute all the necessary documentation to give effect to all the subsequent transfers.**
- 5. Approve the set criteria that the Historic Coventry Trust must satisfy in their business case before the historic asset transfer can be completed, as set out in paragraph 2.1.14 of the report submitted.**
- 6. Delegate authority to the Deputy Chief Executive (Place) in consultation with the Cabinet Member for Jobs and Regeneration, to make any subsequent variation in relation to the terms of the proposals in this report.**

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## Public report

Cabinet 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) and the amount of expenditure proposed to be incurred by the Council under a particular contract for the supply of goods or services. The public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

Cabinet  
Council

28<sup>th</sup> November 2017  
5<sup>th</sup> December 2017

**Name of Cabinet Member:**

Cabinet Member for Community Development - Councillor Bigham

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:**

All Wards

**Title:**

Coventry's Bid for UK City of Culture 2021 – Council Commitments

---

**Is this a key decision?**

Yes. The potential financial implications for the City Council of the recommended financial support for the Coventry City of Culture 2021 Bid and acting as guarantor for a successful Bid programme will exceed £1,000,000.

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**Executive Summary:**

On 14 July 2015, Council unanimously approved that the Coventry City of Culture Steering Group lead on the development of a whole-city bid for the title of UK City of Culture 2021, in doing so putting together a realistic and credible bid budget and creating a special delivery vehicle to manage the bid process. As a consequence of these decisions, the Coventry City of Culture Trust ('the Trust') was established to lead the bid. The Trust was subsequently formally incorporated and in February 2016 received charitable status.

In January 2017, the Department for Digital, Culture, Media and Sport (DCMS) formally launched the competition for the title of UK City of Culture 2021. In July 2017, Coventry was selected as one of five destinations shortlisted for the title and in September 2017 the Trust submitted the city's final bid document, since which members of the Independent Advisory Panel and DCMS visited the city. The report proposes the Council's financial commitments for the UK City of Culture programme if the Bid is successful, and recommends a reduced contribution towards bid legacy if the city is not selected as UK City of Culture 2021.

**Recommendations:**

Cabinet is requested to recommend to the Council:

1. To commit £4.75m of Corporate Reserves for the UK City of Culture 2021 build-up programme, title year and legacy programme (across the period 2018 – 2024), to be drawn-down if the city is awarded the title.
2. To commit £0.75m of Corporate reserves for cultural capacity funding as a legacy from the bidding process and commitment to the Coventry Cultural Strategy 2017-2027, should the city not be awarded the UK City of Culture 2021 title, to provide leverage to secure other partner commitments through the City of Culture Trust.
3. To approve the Council act as guarantor for the UK City of Culture 2021 programme, should Coventry be awarded the title for 2021.
4. To delegate authority to the Deputy Chief Executive (Place) and the Director of Finance and Corporate Services to finalise the terms and condition of the Guarantee

Council is recommended to:

1. Commit £4.75m of Corporate Reserves for the UK City of Culture 2021 build-up programme, title year and legacy programme (across the period 2018 – 2024), to be drawn-down if the city is awarded the title.
2. Commit £0.75m of Corporate reserves for cultural capacity funding as a legacy from the bidding process and commitment to the Coventry Cultural Strategy 2017-2027, should the city not be awarded the UK City of Culture 2021 title, to provide leverage to secure other partner commitments through the City of Culture Trust.
3. Approve the Council acting as guarantor for the UK City of Culture 2021 programme, should Coventry be awarded the title for 2021.
4. Delegate authority to the Deputy Chief Executive (Place) and the Director of Finance and Corporate Services to finalise the terms and condition of the Guarantee

**List of Appendices included:**

None

**Background papers:**

None

**Other useful documents:**

The following papers are posted for reference on the Coventry City Council website:

<http://democraticservices.coventry.gov.uk/mgListCommittees.aspx?bcr=1>:

1. UK City of Culture and European Capital of Culture – Briefing Note of the Executive Director of Place (Communities and Neighbourhoods Scrutiny Board (4), 14 January 2015).
2. Coventry Bid for UK City of Culture 2021 – Cabinet Report (14 July 2015)
3. Appointments of the City Council: Coventry City of Culture Trust (8 September 2015)

4. Coventry's Bid for UK City of Culture 2021: Progress Update (December 2015) - Cabinet Report (9 February 2016)
5. Destination, Events and UK City of Culture - Business, Economy and Enterprise Scrutiny Board (3) (13 April 2016)
6. Coventry's Bid for UK City of Culture 2021: Progress Update (June 2016) – Cabinet Report (5 July 2016)
7. Coventry's Bid for UK City of Culture 2021: Progress Update (December 2016) – Cabinet Report (3 January 2017)
8. Coventry 2021 UK City of Culture Bid - Communities and Neighbourhoods Scrutiny Board (4) (6 September 2017)

**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 – 5<sup>th</sup> December 2017

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## **Report title:** Coventry's Bid for UK City of Culture 2021 – Council Commitments

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

- 1.1 The UK City of Culture programme was developed by the UK Government to build on the successes that Liverpool enjoyed as the UK's second European Capital of Culture in 2008, through giving more cities the opportunity to access the benefits derived from bidding for a prestigious cultural title and the opportunity to be centre stage nationally. The UK City of Culture programme is focused on creating a national cultural event, spread over the course of a title year, concentrated in a particular city or area. Derry-Londonderry was the first city to be awarded the UK City of Culture title (for 2013) and Hull is the second UK City of Culture in 2017.
- 1.2 In July 2015, Council approved that the Coventry City of Culture Steering Group lead development of a whole-city bid for the title of UK City of Culture 2021, in doing so putting together a realistic and credible bid budget and creating a special delivery vehicle to manage the bid process. Council further agreed that the Coventry City of Culture Steering Group would report back to Cabinet on progress in developing the bid in December 2015, June 2016 and December 2016.
- 1.3 The Coventry City of Culture Trust ('the Trust') was established in 2015 to lead the UK City of Culture bid on behalf of the city. The Trust was subsequently formally incorporated and in February 2016 received charitable status.
- 1.4 In January 2017, the Department for Digital, Culture, Media and Sport (DCMS) launched the competition for the title of UK City of Culture 2021 and published its Guidance for Bidding Cities.
- 1.5 In February 2017, Coventry (along with ten other destinations) formally confirmed its intention to bid for the title. In April 2017, on behalf of the city, the Trust submitted Coventry's initial bid document.
- 1.6 In July 2017, Coventry was one of five destinations shortlisted for the title UK City of Culture 2021 – along with Paisley, Stoke-on-Trent, Sunderland and Swansea. In September 2017, the Trust submitted Coventry's final bid document and in October the city welcomed representatives of the Independent Advisory Panel and DCMS Project Team on a day's visit to the city.
- 1.7 In December 2017, representatives of Coventry's Bid Team will have a final chance to present and answer questions on the city's bid at a panel interview in Hull. The final decision is also expected to be announced in December, once the panel have considered the representations of all five shortlisted destinations.

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

- 2.1 Option 1 – Do Not Make Financial Commitments Concerning the Bid Programme Prior to Receiving a Decision on Award of the Title (**Not Recommended**)
- 2.2 Coventry's final bid for UK City of Culture 2021 sets out a significant build-up programme of events, an ambitious range of artistic residencies, a varied and engaging programme and a clear commitment to generating a transformative legacy. As a Principal Partner for the Bid, Coventry City Council has already committed up to £250,000 towards the bidding process and through previous budget setting for 2017/18 has made provision for a further £250,000 to fund expenditure to develop the city's plans from January 2018.

- 2.3 The award of City of Culture 2021 to Coventry is projected to offer around £350m of economic benefit to the city and to have a catalytic impact on regeneration proposals (as referenced in the Private Report). As a Principal Partner, the Council would be expected to invest in Coventry's City of Culture programme, and to ensure good governance around City of Culture delivery.
- 2.4 The Council could defer making decisions on its financial commitments until after the judging process has concluded, thereby only addressing these considerations if the city were awarded the title. This approach is not recommended, as it would affect the scoring of Coventry's bid and leave uncertainty over what level of financial commitment the Council is prepared to make to support the programme, and whether a suitably secure guarantor for the programme has been identified for the city. Other competitors with confirmed local authority funds would be more likely to be selected ahead of Coventry, despite its other strengths and success of fundraising. The winning city will need to act immediately to recruit staff and draw-down other national partnership funding from the likes of Arts Council England and Heritage Lottery Fund. Match funding must be in place to do so.
- 2.5 Option 2 – Approve a Financial Commitment to the Bid Programme, and to act as Guarantor for the Programme, Prior to Receiving a Decision on Award of the Title (**Recommended**)
- 2.6 The award of UK City of Culture represents more than a title. As the bidding process has already demonstrated, it is an opportunity to create new partnerships, to bring communities together and to celebrate the rich heritage and unique qualities of a city. It is also an opportunity, through culture, to raise the profile of a city, to attract new investors and to enable significant regeneration in and of the place. The city effectively has the benefit of the title for seven years from announcement, through delivery year to three years legacy.
- 2.7 Work on Coventry's UK City of Culture Bid has been underway for nearly three years. The Council has already demonstrated significant commitment to the process of bidding, but it is considered advantageous to provide certainty of that ongoing commitment, and the security of all the title stands for, should UK City of Culture 2021 be awarded to Coventry.
- 2.8 Coventry has developed a partnership Cultural Strategy 2017-2027 which will endure and remain vibrant, whether or not the city is successful in its bid for UK City of Culture. The Council has, over the past three years, directly invested in the city's independent cultural sector and through Great Place and Cultural Destinations awards, to work that has commenced to reposition the city as a destination for tourism and events will progress. However, by demonstrating a clear financial commitment to (i) the City of Culture build-up programme (ii) the comprehensive programme for 2021, and (iii) the legacy period to 2024, the Council can signal its commitment for the next seven years, until a new city would deliver UK City of Culture 2025. Through phasing such investment, the Council secures sustainability in such arrangements and provides for a stable period of planning and delivery.
- 2.9 The recommendation for the Council to act as guarantor for the City of Culture 2021 programme hints at the scale of the city's aspirations and plans for the title, which is referenced in more detail in the Private paper. Through confirming its commitment to act as guarantor at this early stage, the governance processes for delivery and legacy can be implemented with some certainty.
- 2.10 Finally, should Coventry's bid for City of Culture not be successful, the commitment of the city to its Cultural Strategy remains. Coventry would not realise the significant benefits outlined in the bid documentation, nor would it achieve the profile and recognition so many consider it should. However, by committing to a £1m investment in legacy, the Council would continue to demonstrate its commitment to the transformative power of culture and the strength of new partnerships formed through the bidding process. The scale of emerging

work could not compete with that which would be realised by a successful bid, but the Council's commitment would be likely to lever additional investment and the foundations for cultural growth, investment and impact in the city would be strengthened.

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

- 3.1 Through Coventry's City of Culture bidding process, over 13,000 people have been directly consulted concerning the Bid plans, which has shaped and influenced programme, messaging and marketing. Over 109,000 people have already engaged in the city's advance programme and Coventry's Bid film has had over 150,000 online viewings to date as well as screening and workshops in schools across the city. Social media reach has been extensive with over 18,000 people backing the bid online.
- 3.2 During their October visit to Coventry, representatives of the Independent Advisory Panel and DCMS Project Team had lunch with over 200 people from across the city's communities, with a diversity of representation from the cultural sector, communities, the public sector and private sector businesses. Such conversations have, over the past two and a half years, shaped the bid and steered its priorities.
- 3.3 The proposed programme reflects the voice of communities. For example, if selected as the UK City of Culture 2021, Coventry will plan to run the first Streets of Cultures competition, celebrating 21 Coventry neighbourhoods. Producers will support and empower local communities to curate festivals and commissions that showcase their culture: a street band, a public art commission, a storytelling festival – individual streets will be reinvented as new cultural spaces to be shared with the city.

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

- 4.1 The award of the title of UK City of Culture 2021 will be made in December 2017. Whether successful or unsuccessful, plans would be implemented with immediate effect to respond to the decision.
- 4.2 By already committing through the 2017/18 budget setting process to £250,000 of funding for development from January 2018, the city can move with immediate effect to implement plans for delivery and/or bid legacy. If successful, Coventry would then have three years to deliver its build-up programme and to plan to deliver on its bid commitments as the UK City of Culture 2021.
- 4.3 The financial commitments recommended in this report would not be realised until the new financial year from April 2018. As outlined in Section 5, the Council's financial commitments would be phased across the period from 2018-2024.

### **5. Comments from Director of Finance and Corporate Services**

#### **5.1 Financial implications**

In 2015, the City Council committed up to £250,000 to support the bidding process for UK City of Culture 2021.

The award of the title of UK City of Culture 2021 will be made in December 2017. Whether the bid is successful or unsuccessful, plans would be implemented with immediate effect to respond to the decision. By already committing through the 2017/18 budget setting process to a further £250,000 of funding for development from January 2018, the city can move with immediate effect to implement plans for delivery (if successful) and/or bid legacy (if not successful).

If the city's bid were successful, Recommendation 1 within this report would commit the City Council to a further £4.75m contribution from Corporate Reserves, to be drawn down broadly as follows:

| Year       | Amount     | Finance   |
|------------|------------|---|
| 2018/19    | £500,000   | Staffing core costs and development of programme        |
| 2019/20    | £750,000   | Staffing, core costs and advanced tourism marketing     |
| 2020/21    | £1,000,000 | Staffing, marketing and programme                       |
| 2021/22    | £1,500,000 | Staffing, marketing, programme and legacy (+Q1 of 2022) |
| 2022/23/24 | £1,000,000 | Legacy programme covers 2022, 2023 and 2024             |

The Coventry City of Culture Trust would be responsible for programming; marketing and communications; fundraising and financial management; and community engagement. Final programme costs and commitments will be confirmed in the build-up to 2021, but the current projected programme costs are outlined in the Private Report.

Financial responsibility for the Trust's activities lie with the Chair and Trustees, with an independent Audit Committee already having been appointed to provide scrutiny and oversight. However, it is the Council's expectation that it would be asked to enter into a Memorandum of Understanding with DCMS on behalf of the city for delivery of UK City of Culture 2021. Therefore, whilst the Trust would lead on the above matters, if approved, Recommendation 3 would commit the Council to act as guarantor for delivery of the programme in line with the anticipated MoU, and other contractual arrangements made by the Trust with sponsors and other funding bodies.

If the city's bid for the title of UK City of Culture 2021 were not successful, Recommendation 2 within this report would commit the City Council to £0.75m of Corporate reserves for cultural capacity funding as a legacy from the bidding process and commitment to the Coventry Cultural Strategy 2017-2027, to provide leverage to secure other partner commitments through the City of Culture Trust. This would be drawn-down as follows:

| Year    | Amount   | Finance                                  |
|---------|----------|--|
| 2018/19 | £250,000 | Capacity building in the cultural sector |
| 2019/20 | £250,000 | Capacity building in the cultural sector |
| 2020/21 | £250,000 | Capacity building in the cultural sector |

## 5.2 Legal implications

The Council has discretionary powers, in particular under section 145 Local Government Act 1972, to promote the arts and the crafts that support those arts as well as providing entertainments, libraries museums and art galleries. The promotion of a UK City of Culture bid and programme sits within these powers. It also has powers to promote economic development in its area and the creation of jobs and business opportunities and the- making a bid and delivering a successful bid programme fits with this power.

The Council is not being asked to secure funding to the project, but act as a guarantor on the financial obligations of the Trust in delivering the City of Culture. The guarantee by the Council would be an appropriate use of the General Power of Competence under the Localism Act 2011.

The underwriting by the Council of Coventry City of Culture Trust's financial obligations to deliver the City of Culture may constitute State Aid (i.e. any benefit the Council grants to another organisation will be State Aid if the benefit confers an advantage on that



organisation, the organisation operates in a market, and it effects trade between member states).

It should however be noted that the State Aid rules apply only where aid is provided to an 'undertaking'. An 'undertaking' is broadly described as an entity engaged in an economic activity, i.e. offering goods and services on a market. The activities of the Coventry City of Culture Trust tasked with delivering the City of Culture (if successful) will not fall within the description of an undertaking and as this State Aid test is not met, the guarantee by the Council will not be deemed to breach the State Aid Regulations.

## 6. Other implications

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

As previously reported to Cabinet and Council, a successful City of Culture bid from Coventry would make wide-ranging contributions to delivery of the Council's key objectives and corporate priorities. The following are only a selection of potential contributions the bid could make:

- ***A prosperous Coventry*** – The City of Culture title can bring significant economic benefit to a city and its surrounding area. Hull has attracted major national investment towards its planned programme budget for 2017, with Arts Council England, Heritage Lottery Fund, Big Lottery (via Spirit of 2012), British Council and the University already committed to the programme. The initial estimated economic benefit from tourism for Hull from the programme was £60 million, anticipated to be generated through employment and attendance during the City of Culture year itself. In reality this is now estimated to be much higher (Hull exceeded visitor targets within three months and has seen over 90% of its population engage with the year. Over £200m of additional benefit has been secured through the extra investment in capital and regeneration programmes. Derry/Londonderry reported more than 1 million visitors to the city in 2013 and an increase of 20% in bed and breakfast and hotel bookings. The city also attracted 30 business conferences to the city and 40 new business starts were supported by the Business Opportunities Fund.
- ***Healthier, independent lives*** – Cultural services play a vital role in addressing social challenges, reducing isolation and improving outcomes for individuals and communities (Local Government Association). A review of medical literature undertaken in 2004 cited nearly 400 papers showing the beneficial impact of the arts on a wide range of health outcomes (Staricoff, 2004) – demonstrating involvement in or exposure to the arts positively impacting on diagnosed conditions as diverse as dementia, anxiety, depression and rheumatoid arthritis, whilst also contributing more generally to physical and mental wellbeing; reducing requirements for pain relief; shortening periods of recovery; and reducing levels of required medication. A well-conceived bid should therefore have a significant contribution to generating a range of positive health outcomes.
- ***Making Coventry an attractive and enjoyable place to be*** – Derry/Londonderry reported positive impacts on civic confidence and pride in its creative and cultural offer. The city further saw physical assets created or refurbished in the city. In the build-up to its City of Culture year in 2017, Hull experienced the acceleration of significant regeneration schemes and projects. A public survey in the Hull Daily Mail identified that City of Culture was the single thing most people thought was putting Hull 'on the map' In depth surveys by Lottery funder Spirit of 2012 have shown a positive impact on well-being, happiness and local pride in Hull's population. Hull's final evaluation will be available in March 2018.

- ***Ensuring that children and young people achieve and make a positive contribution*** –The Warwick Commission on the Future of Cultural Value (2015) noted that “the extraordinary cultural and creative talents that we share contribute to the well-being of our society, our economic success, our national identity and to the UK’s global influence.” The Commission noted that not enough was being done to realise the creative potential of individuals, despite the workforce in this sector growing over four-times faster than the UK’s workforce as a whole. Were Coventry to be awarded the City of Culture title, the programme (and three year lead-in time) could generate a step-change in opportunities for young people and new graduates in the city across culture and the creative industries.
- ***Encouraging a creative, active and vibrant city*** – The process of developing a City of Culture Bid has stimulated a new cultural narrative in Coventry and has supported the creation of a new partnership Cultural Strategy 2017-2027. Over 13,000 people have responded with enthusiasm to the opportunities the process has presented, and over 53,000 people have already engaged with the city’s build-up programme to date. A successful bid from Coventry will open the city up to new artistic collaborations and investment. The opportunity to generate a step-change around cultural tourism is apparent from baseline data, along with a unique opportunity to stimulate a more diverse and vibrant cultural offering within the night-time economy of the city.
- ***Developing a more equal city with cohesive communities and neighbourhoods*** – A City of Culture bid can bring communities together and generate a greater sense of civic pride in the host city. Liverpool reported that over two thirds of the city’s residents participated in their Capital of Culture programme of events and 85% of residents said the city was a better place to live as a consequence of hosting the year. Hull is already reporting that 90% of residents have engaged with their City of Culture Programme. The Warwick Commission (2015) further calls for a strategic shift in addressing unrepresentative levels of diversity and participation in the arts and culture. Coventry’s City of Culture programme could create a powerful platform for such a step change at a local level, where evidence suggests participation in the arts remains uneven across the city.

## 6.2 How is risk being managed?

The Coventry City of Culture Trust has led the Coventry bid, with direct input from partners and Elected Members on the Steering Group and from the lead Cabinet Member and officers on the Executive Group.

The Council’s financial contribution to the bid costs have been drawn down from reserves in stages and transferred to the Trust, based on programme development and the overall budget profile of the bid. This would continue in line with the schedule outlined in Section 5 of the report.

A Bid Adviser has been contracted to support development of the bid and a Trust Manager and team have been appointed to the Trust to manage the detailed monitoring and coordination of the project plan. Coventry’s final bid document outlines the governance and employment structures that a successful bid would transition into under delivery, with a 100 day mobilisation plan and longer term timetable for delivery outlined in some detail.

In acting as guarantor for the delivery programme, the Council would increase its representation on the Trust Board to include the Leader and Chief Executive. Regular briefings would be established to review city readiness, delivery plans and budget progress. Additionally, cabinet will receive a formal report every 6 months updating on the Trust’s progress against programme, including any variations in funding and spend levels.

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

The Council is not the lead agency for the bid, but is a Principal Partner and plays an important leadership role. The Council commits Elected Member and officer support to the Steering Group and Executive Group.

The Council is also providing some communications support to the bid process, with additional dedicated support further being contracted from Advent PR.

If Coventry's bid is successful the Council would take lead responsibility for city readiness; infrastructure; tourism and cultural strategy; and providing advice on events safety and infrastructure, including transport and liaison with statutory services. If the recommendations of the report are approved, the Council would also act as guarantor for the delivery programme in the event that the Coventry City of Culture Trust failed in the delivery programme obligations set out in the bid submitted to the DCMS or any Memorandum of Understanding entered into with the DCMS concerning UK City of Culture 2021 delivery.

### **6.4 Equalities / EIA**

The City of Culture Guidance for Bidding Cities requires cities to demonstrate a high quality cultural programme that reaches a wide variety of audiences and that uses culture and creativity to lead to lasting social regeneration through building engagement, widening participation, supporting cultural diversity and cohesion, contributing to the localism agenda and reaching out to sectors of the community who are disenfranchised and isolated.

The DCMS has further explicitly required that bids engage a wide range of audiences and participants, especially children and young people and under-represented groups and communities.

No potential adverse impact from bidding has been identified for any specific group. However, capacity assessment work for the bid indicated that a successful bid from Coventry could significantly and positively deliver equalities outcomes for a range of protected groups including young people; vulnerable people (economically disadvantaged); disabled people; people of black, Asian and minority ethnicity; women and older people. Open events and workshops in Coventry have therefore purposely focused on engagement with wide and diverse audiences, and an outcomes framework has been developed (underpinned by baseline data).

The Coventry bid has a central focus on tackling inequalities and in reaching diverse communities in the city.

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

None.

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

If Coventry's bid is successful, the City of Culture Trust will transition to a new delivery structure, which is outlined in the final stage bid. However, it is not the only organisation that will be significantly impacted. The bid process has already embraced and engaged the professional cultural sector, local artists and amateur groups. A number of these partners would be engaged in developing and implementing the proposed programme. Furthermore, the two universities and over 100 local businesses and partners have pledged funding for both the bidding phase and also the delivery phase of a successful programme. This investment, and these partnerships (including those between the principal partners), will be

critical to supporting delivery. Ultimately, a successful bid would be expected to have positive economic impact for all of the above sectors and partners.

**Report author(s):**

**Name and job title:**

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**Directorate:**

Place

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|---|--|------------------------------------|--------------------------|---|
| <b>Contributors:</b>  |  |                                    |                          |   |
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| Lara Knight   | Governance Services Co-ordinator                       | Place                              | 26.10.17                 | 27.10.17                                  |
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| <b>Names of approvers for submission:</b><br>(officers and members) |  |                                    |                          |   |
| Phil Helm   | Finance Manager (Place Directorate)                    | Place                              | 26.10.17                 | 01.11.17                                  |
| Julie Newman  | Legal Services Manager and Acting Monitoring Officer   | Place                              | 26.10.17                 | 01.11.17                                  |
| Martin Yardley  | Deputy Chief Executive (Place)                         | Place                              | 02.11.17                 | 02.11.17                                  |
| Councillor Linda Bigham   | Cabinet Member for Community Development               |                                    | 02.11.17                 | 06.11.17                                  |

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**Agenda Item 18  
Recommendation from Cabinet  
28<sup>th</sup> November 2017**

**Coventry City Council**

**Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 28 November 2017**

Present:

Members: Councillor G Duggins (Chair)  
Councillor F Abbott  
Councillor L Bigham  
Councillor K Caan  
Councillor J Innes  
Councillor K Maton  
Councillor J Mutton  
Councillor J O'Boyle  
Councillor E Ruane

Deputy Cabinet Members Councillor R Ali  
Councillor R Lakha  
Councillor C Thomas

Non-Voting Opposition Members: Councillor A Andrews  
Councillor G Ridley

Other Members: Councillor R Bailey  
Councillor J Lepoidevin  
Councillor G Williams

Employees (by Directorate):

Chief Executive's People M Reeves (Chief Executive),  
G Quinton (Deputy Chief Executive (People)), P Barnett, L  
Gaulton, N Hart, M McGinty

Place M Yardley (Deputy Chief Executive (Place)), M Andrews,  
O Aremu, D Cockroft, C Knight, L Knight, R Palmer, R Moon,  
D Nuttall, T Miller, J Murphy, A Walster

Apologies: Councillor B Kaur, A Khan

**RECOMMENDATIONS**

**84. Coventry's Bid for UK City of Culture 2021 - Council Commitments**

The Cabinet considered a report of the Deputy Chief Executive (Place), which set out proposals for the Council's financial commitments for the UK City of Culture

programme if the Bid is successful and for a reduced contribution towards bid legacy if the City is not selected as the UK City of Culture 2021.

A corresponding private report detailing confidential aspects of the proposals was also submitted to the meeting for consideration.

On 14<sup>th</sup> July 2015, the Council unanimously approved that the Coventry City of Culture Steering Group lead on the development of a whole-city bid for the title of UK City of Culture 2021, in doing so putting together a realistic and credible bid budget and creating a special delivery vehicle to manage the bid process. As a consequence of these decisions, the Coventry City of Culture Trust was established to lead the bid and was formally incorporated and received charitable status.

In January 2017, the Department for Digital, Culture, Media and Sport (DCMS) formally launched the competition for the title of UK City of Culture 2021. In July 2017, Coventry was selected as one of five destinations shortlisted for the title and in September 2017, the Trust submitted the City's final bid document. Members of the Independent Advisory Panel and DCMS have since visited the City.

It was acknowledged that the award of UK City of Culture represented more than a title. As the bidding process had demonstrated, it was an opportunity to create new partnerships, to bring communities together and to celebrate the rich heritage and unique qualities of a city. It was also an opportunity, through culture, to raise the profile of a city, to attract new investors and to enable significant regeneration in and of the place. The city effectively would have the benefit of the title for seven years from announcement, through delivery year to three years legacy.

The Council had already demonstrated significant commitment to the process of bidding, but it was considered advantageous to provide certainty of that ongoing commitment, and the security of all the title stands for, should UK City of Culture 2021 be awarded to Coventry.

Coventry had developed a partnership Cultural Strategy 2017-2027 which would endure and remain vibrant, whether or not the City was successful in its bid for UK City of Culture. The Council had, over the past three years, directly invested in the city's independent cultural sector and through Great Place and Cultural Destinations awards, to work that has commenced to reposition the city as a destination for tourism and events will progress. However, by demonstrating a clear financial commitment to (i) the City of Culture build-up programme (ii) the comprehensive programme for 2021, and (iii) the legacy period to 2024, the Council signalled its commitment for the next seven years, until a new city would deliver UK City of Culture 2025. Through phasing such investment, the Council secured sustainability in such arrangements and provided for a stable period of planning and delivery.

It was noted that, should Coventry's bid for City of Culture not be successful, the commitment of the City to its Cultural Strategy remained. Coventry would not realise the significant benefits outlined in the bid documentation, nor would it achieve the profile and recognition so many consider it should. However, by committing to a £1m investment in legacy, the Council would continue to demonstrate its commitment to the transformative power of culture and the

strength of new partnerships formed through the bidding process. The scale of emerging work could not compete with that which would be realised by a successful bid, but the Council's commitment would be likely to lever additional investment and the foundations for cultural growth, investment and impact in the city would be strengthened.

**RESOLVED that the Cabinet recommend that Council:-**

- 1. Commit £4.75m of Corporate Reserves for the UK City of Culture 2021 build-up programme, title year and legacy programme (across the period 2018-2024), to be drawn down if the City is awarded the title.**
- 2. Commit £0.75m of Corporate Reserves for cultural capacity funding as a legacy from the bidding process and commitment to the Coventry Cultural Strategy 2017-2027, should the City not be awarded the UK City of Culture 2021 title, to provide leverage to secure other partner commitments through the City of Culture Trust.**
- 3. Approve the Council acting as guarantor for the UK City of Culture 2021 programme, should Coventry be awarded the title for 2021.**
- 4. Delegate authority to the Deputy Chief Executive (Place) and the Director of Finance and Corporate Services to finalise the terms and condition of the Guarantee.**

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## Public report Cabinet Report

Cabinet  
Council

28 November 2017  
05 December 2017

**Name of Cabinet Member:**

Cabinet Member for Jobs and Regeneration – Councillor O’Boyle  
Cabinet Member for Strategic Finance and Resources – Councillor J Mutton

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:**

All wards

**Title:**

City Centre South – Early Acquisition of Long Leasehold Property Interests

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**Is this a key decision?**

Yes, the proposal in this report will incur expenditure above the £1m threshold and it will have implications for all wards in the city.

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**Executive Summary:**

The purpose of this report is to seek approval for the Council’s early acquisition of a third party’s long leasehold property interests in the City Centre South (CCS) red line boundary area and subject to this acquisition being successful, the demolition of Coventry Point.

The long leasehold property interests in the CCS red line boundary area comprises of 21-25 Hertford Street, 26-48 Hertford Street, 13-21 Shelton Square and Coventry Point, extending to approximately 88,500 sq ft of office and retail space. The property interests constitute the largest proportion of the third party property interests in the CCS red line boundary area.

An opportunity has arisen to purchase these long leasehold property interests with completion before the end of the calendar year i.e. 31 December 2017.

The early acquisition of these long leasehold property interests provides a number of benefits, which are as follows:-

- a) Purchasing these long leasehold property interests would bring the largest third party interest in the CCS red line boundary area under the Council’s control.
- b) Increasing the Council’s control of the property interests in the CCS red line boundary area reduces the risk associated with scheme delivery.

- c) Reducing the risk associated with scheme delivery will also improve the project programme as the timescale for completing land assembly is likely to be reduced.
- d) This decision will help to provide confidence in scheme deliverability for SPG, the developer, the West Midlands Combined Authority ("WMCA") and a development funder to invest in the scheme.
- e) The early purchase of these long leasehold property assets would enable the early demolition of Coventry Point, thereby removing a significant eyesore and impediment to connectivity in the city centre.
- f) The interests are currently available, which might not be the case if they were purchased by another third party.

**Recommendations:**

Cabinet is requested to recommend that Council:

1. Approve the terms of the acquisition of the long leasehold property interests at 21-25 Hertford Street, 26-48 Hertford Street, 13-21 Shelton Square and Coventry Point subject to the current tenancy.
2. Delegate authority to the Deputy Chief Executive (Place) in conjunction with the Legal Services Manager to undertake the necessary due diligence and to complete the necessary legal documentation.
3. Delegate authority to the Deputy Chief Executive (Place) in consultation with the Cabinet Member for Jobs and Regeneration, for any subsequent variation in terms.
4. Delegate authority to Deputy Chief Executive Place) and S151 Officer in consultation with the Leader and the Legal Services Manager to make any additional early land acquisitions as is deemed necessary where such acquisition represents value for money.
5. Delegate authority to Deputy Chief Executive (Place) and S151 Officer in consultation with the Cabinet Member for Jobs and Regeneration and the Cabinet Member for Strategic Finance and Resources to draw down funding from the WMCA to undertake the demolition of Coventry Point.

Council is recommended to:

1. Approve the terms of the acquisition of these long leasehold property interests at 21-25 Hertford Street, 26-48 Hertford Street, 13-21 Shelton Square and Coventry Point subject to the current tenancy.
2. Delegate authority to the Deputy Chief Executive (Place) in conjunction with the Legal Services Manager to undertake the necessary due diligence and to complete the necessary legal documentation.
3. Delegate authority to the Deputy Chief Executive (Place) in consultation with the Cabinet Member for Jobs and Regeneration, for any subsequent variation in terms.
4. Delegate authority to Deputy Chief Executive (Place) and S151 Officer in consultation with the Leader and the Legal Services Manager to make any additional early land acquisitions as is deemed necessary where such acquisition represents value for money

5. Delegate authority to Deputy Chief Executive (Place) and S151 Officer in consultation with the Cabinet Member for Jobs and Regeneration and the Cabinet Member for Strategic Finance and Resources to draw down funding from the WMCA to undertake the demolition of Coventry Point.

**List of Appendices included:**

Appendix 1 – Plan detailing the City Centre South red line boundary area.

Appendix 2 – Plan detailing these long leasehold property interests in the City Centre South red line boundary area.

**Background papers:**

None.

**Other useful documents**

Report to Cabinet and Council 24 January 2017 – City Centre South Development.  
<http://democraticservices.coventry.gov.uk/ieListDocuments.aspx?CId=130&MId=11141&Ver=4>

**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 – 05 December 2017.

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## Report title: City Centre South – Early Acquisition of Long Leasehold Property Interests

### 1. Context (or background)

- 1.1 The City Centre South (CCS) scheme is a mixed use regeneration scheme in Coventry city centre. The site is located in a pedestrianised shopping area, which was built after World War II. The area and buildings are not fit for purpose for modern retailing requirements and provide an extremely poor environment. The general trend is one of decline and for this reason, the area has been identified for regeneration for a considerable number of years. A plan showing the CCS red line boundary area is attached at Appendix 1.
- 1.2 Following a compliant OJEU competitive dialogue procurement exercise, Cabinet took a decision on 24 January 2017 to appoint Shearer Property Group (SPG) as the developer for the CCS scheme.
- 1.3 SPG's scheme proposal would provide a mixed use regeneration scheme, anchored by a new department store with a leisure offer including a boutique cinema, bowling and restaurants as well as a hotel. There is also a large element of residential, PRS and private market sales units.
- 1.4 The Council has secured a £98.8m grant from the West Midlands Combined Authority ("WMCA") towards the cost of the CCS scheme.
- 1.5 The Council already owns the majority of the land and property interests in the CCS red line boundary area, however there are a number of property interests that are held by third parties. Some of these long leasehold property interests comprise of the assets of 21-25 Hertford Street, 26-48 Hertford Street, 13-21 Shelton Square and Coventry Point. The accommodation extends to 88,500 sq ft of office and retail space. A plan showing these long leasehold property interests in the CCS red line boundary area is attached at Appendix 2.
- 1.6 The opportunity to acquire these long leasehold property interests within the CCS red line boundary area has arisen. The purchase needs to be completed by the end of the calendar year i.e. 31 December 2017.

### 2. Options considered and recommended proposal

#### 2.1 Option 1 - Wait and Purchase Later

- 2.1.1 This approach involves temporarily deferring a decision to purchase these long leasehold property interests in the hope that there will be an opportunity to purchase the interests at some point in the future.
- 2.1.2 This option is based on a number of assumptions as follows:-
  - a) The opportunity to purchase the long leasehold property interests will remain on the table. This is an unknown and will probably depend on the perceived level of purchaser interest in the market, which is something that is outside of the Council's control.

- b) The third party owner does not sell their long leasehold property interests to another third party. This assumption is dependent upon the level of purchaser interest in the market, so it is currently an unknown and something that is outside of the Council's control.
  - c) If another third party purchased the long leasehold property interests, they would be cooperative and supportive of the CCS scheme. This assumption is dependent on the goodwill of a third party that is unknown at this time and is something that is outside of the Council's control.
- 2.1.3 This option is based on several unknown assumptions and will not guarantee that if the Council adopts a "wait and see policy", that the long leasehold property interests will be available to purchase at some point in the future.
- 2.1.4 Following due consideration, the option of "Wait and Purchase Later" has been discounted for the reasons stated in 2.1.3.
- 2.2 Option 2 - Wait and CPO
- 2.2.1 This approach involves a decision not to purchase these long leasehold property interests now and waiting to pursue a CPO at the appropriate time in the project programme as currently scheduled.
- 2.2.2 This option is representative of the status quo and means the budget, programme and risk profile of the CCS project will continue on its current course with the project progressing as intended. However, it also means that the opportunity to shorten the timescale for land assembly would be lost to the project.
- 2.2.3 Following due consideration, the option of "Wait and CPO" has been discounted for the reasons stated in 2.2.4.
- 2.3 Option 3 Buy Now (Recommended)
- 2.3.1 This option involves taking a decision to purchase these long leasehold property interests in the CCS red line boundary area.
- 2.3.2 There are a number of benefits of making an early purchase of these long leasehold property interests, which are as follows:-
- a) Purchasing these long leasehold property interests would bring the largest third party property interest in the CCS red line boundary area under the Council's control.
  - b) Increasing the Council's control of the property interests in the CCS red line boundary area reduces the risk associated with scheme delivery.
  - c) Reducing the risk associated with scheme delivery is also likely to improve the project programme as the timescale for completing land assembly is likely to be reduced.
  - d) This decision will help to provide confidence in scheme deliverability for SPG, the developer, the WMCA and a development funder to invest in the scheme.
  - e) The early purchase of these long leasehold property interests would enable the early demolition of Coventry Point, thereby removing a significant eyesore and impediment to connectivity in the city centre.

- f) The interests are currently available, which might not be the case if they were purchased by another third party.

2.3.3 Following due consideration, the option of “Buy Now” is recommended for the reasons stated above.

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

- 3.1 No consultation has been undertaken on this decision to date because it is not appropriate to consult on commercial deals.

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

- 4.1 The vendor has indicated that they wish to complete the sale of their long leasehold property interests by the end of this calendar year i.e. 31 December 2017.

### **5. Comments from Director of Finance and Corporate Services**

#### **5.1 Financial implications**

This purchase will be funded from the £98.8m funding awarded by the WMCA in January 2017.

#### **5.2 Legal implications**

- 5.2.1 The Council has a general power to acquire land or premises used for the purposes of any of their functions by virtue of section 120 Local Government Act 1972.
- 5.2.2 The Council is required to comply with its statutory duty under section 123 of the Local Government Act 1972 to achieve best consideration reasonably obtainable to maximise its returns.
- 5.2.3 The proposal is to acquire the freehold of the largest third party interest within the CCS development scheme.
- 5.2.4 The proposed transaction as detailed in the report is considered to be an exempt land transaction for the purposes of EU Procurement Rules.

### **6. Other implications**

#### **6.1 How will this contribute to the Council Plan ([www.coventry.gov.uk/councilplan/](http://www.coventry.gov.uk/councilplan/))?**

The recommendations in this report will result in a step forward towards making the CCS scheme deliverable. The scheme itself is critical to Coventry's aspirations of creating a vibrant city centre environment for the benefit of its residents, with development of the city centre being an integral part of meeting these aspirations. The improved city centre environment is expected to increase footfall to the city centre and significantly broaden the catchment shopper population. This would elevate Coventry's position to become the second largest retail destination in the West Midlands.

The scheme presents a significant opportunity to act as an interface between the existing city centre projects and also to act as a catalyst for other private sector investment. This is therefore an exciting time for Coventry and is an opportunity for the city to develop an

offering of significant scale to differentiate itself through a unique shopping and leisure offering.

The scheme will also contribute to achievement of the Coventry Plan by delivering c1500 new permanent jobs and over 2,000 jobs during the construction period, and providing a positive impact on the local economy. It is estimated that the economic impact of increased daytime footfall will be £16.6m per annum and £3.8m from additional evening footfall.

The development of 130 PRS apartments, 150 private for sale residential apartments and 585 student beds, will increase city centre living in Coventry.

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

The key risk associated with this proposal are as follows:-

- a) The due diligence undertaken fails to identify a key issue before completion of the purchase. This risk has been partially mitigated by conducting an analysis of the existing leases by the Council's legal team

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

The recommendations in this report have an impact on the Council's assets. In the short term additional assets will be acquired and in the medium term, they will need to be managed and maintained. In the long term, the assets will form part of the CCS development.

## **6.4 Equalities / EIA**

There is no Public Sector Equality Duty implications of this decision, so there is no need to undertake an Equality Impact Assessment at this stage in the project process.

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

There are no implications for the environment as this decision will result only in a change in ownership of the specified long leasehold property interests and there will be no impact on the existing day to day operations undertaken in, of or by the interests purchased.

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

The purchase of these interests has an impact on two of the Council's partners as follows:-

- a) WMCA – this purchase will help to expend financial resources and demonstrate that the CCS project is progressing, which will increase confidence that the scheme will be delivered.
- b) SPG – this purchase will help to reduce the risk and increase confidence in the Council to deliver its land assembly obligation, which will help to increase the overall scheme deliverability. Specifically, it will help the developer to demonstrate commitment to the scheme and market it to potential anchor stores and development funders.



**Report author(s):****Name and job title:** David Cockroft, Director of City Centre and Major Projects Development**Directorate:** Place**Tel and email contact:** 02476 833964

david.cockroft@coventry.gov.uk

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> |
|--|---|------------------------------------|--------------------------|---|
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| Lara Knight  | Governance Services Officer                             | Place                              | 26/10/17                 | 27/10/17                                  |
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| Paul Beesley   | Manager – Property Development, Disposal & Acquisitions | Place                              | 26/10/17                 | 27/10/17                                  |
| Aimee Proctor  | Programme Manager - Finance                             | People                             | 26/10/17                 | 30/10/17                                  |
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| Oluremi Aremu  | Major Projects Lead Lawyer                              | Place                              | 26/10/17                 | 31/10/17                                  |
| <b>Names of approvers for submission: (officers and members)</b> |   |                                    |                          |   |
| Finance: Phil Helm   | Finance Manager   | Place                              | 26/10/17                 | 30/10/17                                  |
| Legal: Julie Newman  | Legal Services Manager                                  | Place                              | 26/10/17                 | 31/10/17                                  |
| Director: Martin Yardley   | Deputy Chief Executive (Place)                          | Place                              | 01/11/17                 | 02/11/17                                  |
| <b>Members:</b>  |   |                                    |                          |   |
| Name: Cllr O'Boyle   | Cabinet Member for Jobs and Regeneration                | N/A                                | 03/11/17                 | 03/11/17                                  |
| Name: Cllr J Mutton  | Cabinet Member for Strategic Finance and Resources      | N/A                                | 03/11/17                 | 03/11/17                                  |

This report is published on the council's website:

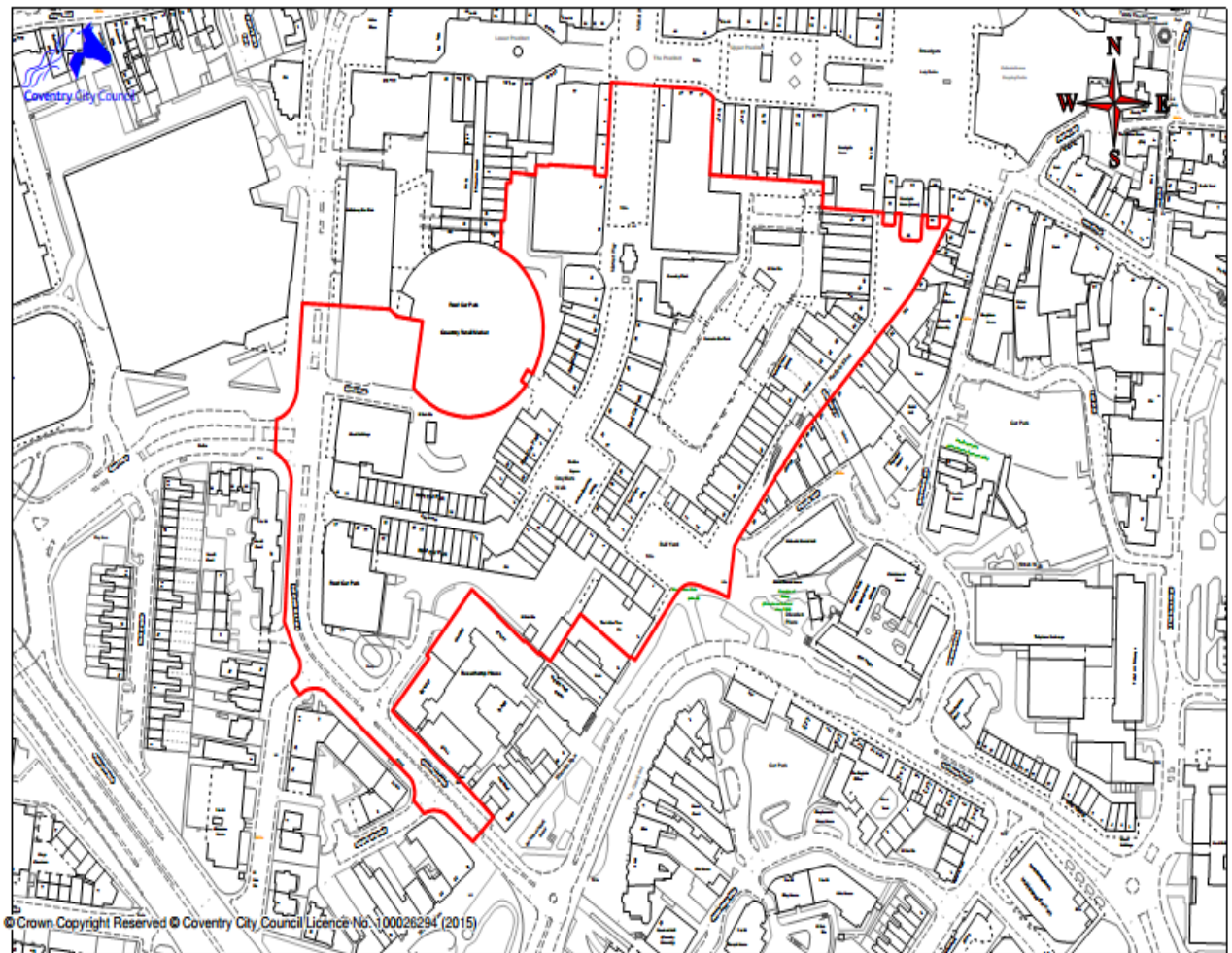
[www.coventry.gov.uk/councilmeetings](http://www.coventry.gov.uk/councilmeetings)

## Appendices

Appendix 1 – Plan detailing the City Centre South red line boundary area.

### City Centre South, Coventry.

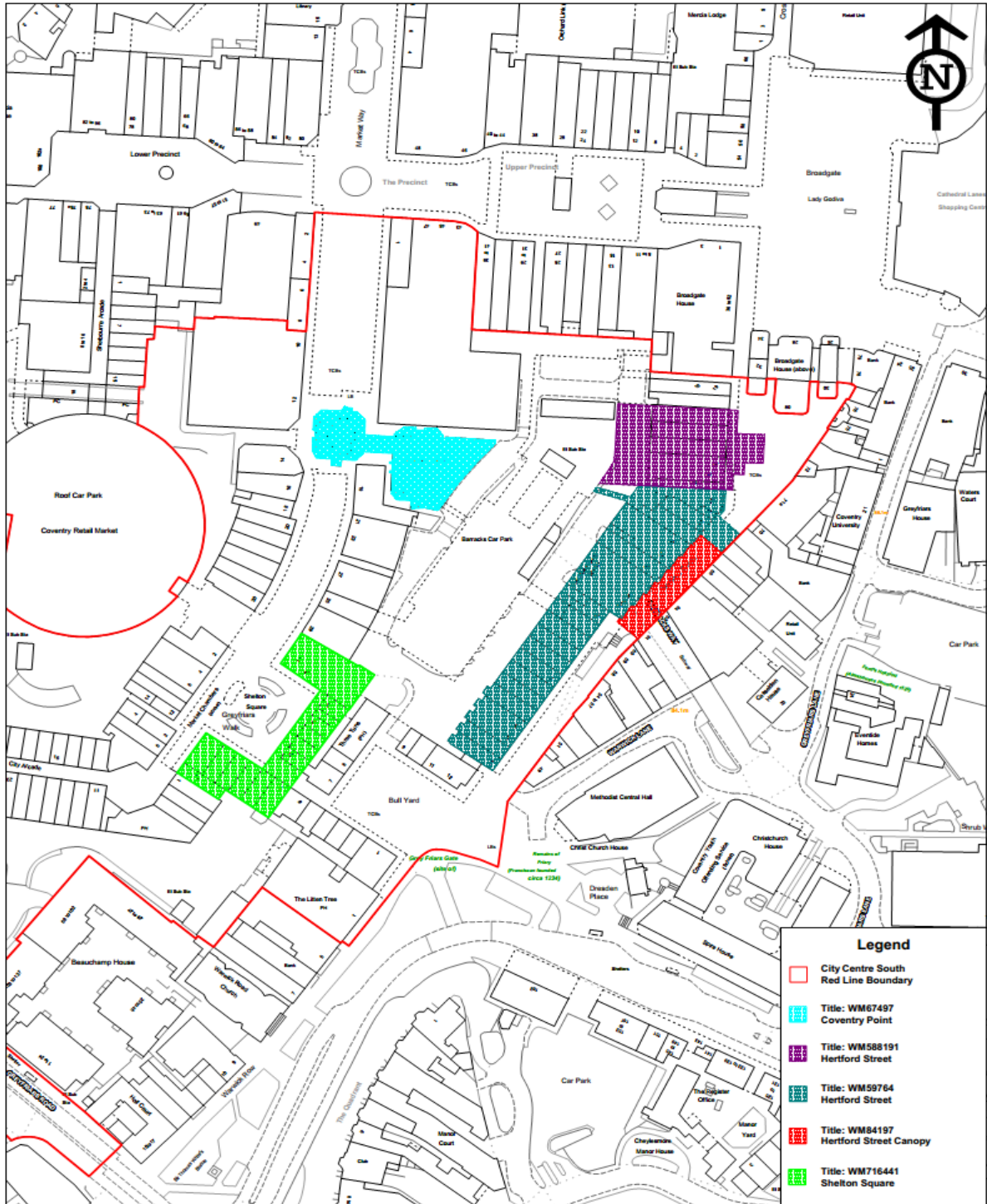
Scale at A4 1 : 1250



Plan Production Date: 20/08/2015

This plan is for identification purposes only.

Appendix 2 – Plan detailing third party long leasehold property interests in the City Centre South red line boundary area.



| Legend |  |
|--------|--|
|        | City Centre South Red Line Boundary      |
|        | Title: WM67497<br>Coventry Point         |
|        | Title: WM588191<br>Hertford Street       |
|        | Title: WM59764<br>Hertford Street        |
|        | Title: WM84197<br>Hertford Street Canopy |
|        | Title: WM716441<br>Shelton Square        |

PLACE DIRECTORATE  
STRATEGY & PERFORMANCE TEAM  
FLOOR 9, CIVIC CENTRE 4  
MUCH PARK STREET  
COVENTRY CV1 2PY  
024 7683 2755



Coventry City Council

Title: Third Party Long Leasehold Property Interests - Ground Leases

Drawn By: NH  
Scale: 1:1250 at A3  
Date: 31/10/2017

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Martin Yardley - Executive Director, Place  
Richard Moon - Assistant Director, Project Management & Property Services

For Identification purposes only

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**Agenda Item 19  
Recommendation from Cabinet  
28<sup>th</sup> November 2017**

**Coventry City Council**

**Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 28 November 2017**

Present:

Members: Councillor G Duggins (Chair)  
Councillor F Abbott  
Councillor L Bigham  
Councillor K Caan  
Councillor J Innes  
Councillor K Maton  
Councillor J Mutton  
Councillor J O'Boyle  
Councillor E Ruane

Deputy Cabinet Members Councillor R Ali  
Councillor R Lakha  
Councillor C Thomas

Non-Voting Opposition Members: Councillor A Andrews  
Councillor G Ridley

Other Members: Councillor R Bailey  
Councillor J Lepoidevin  
Councillor G Williams

Employees (by Directorate):

Chief Executive's People M Reeves (Chief Executive),  
G Quinton (Deputy Chief Executive (People)), P Barnett, L  
Gaulton, N Hart, M McGinty

Place M Yardley (Deputy Chief Executive (Place)), M Andrews,  
O Aremu, D Cockroft, C Knight, L Knight, R Palmer, R Moon,  
D Nuttall, T Miller, J Murphy, A Walster

Apologies: Councillor B Kaur, A Khan

**RECOMMENDATIONS**

**72. Declarations of Interest**

Councillor Thomas declared a Disclosable Pecuniary Interest in the matter referred to in Minutes 85 and 92 below, headed "City Centre South – Early Acquisition of Long Leasehold Property Interests". She withdrew from the meeting during the consideration of these matters.

85. **City Centre South - Early Acquisition of Long Leasehold Property Interests**

The Cabinet considered a report of the Deputy Chief Executive (Place), which set out proposals for the Council's early acquisition of a third party's long leasehold property interests in the City Centre South red line boundary area and, subject to the acquisition being successful, the demolition of Coventry Point.

A corresponding private report detailing confidential aspects of the proposals was also submitted to the meeting for consideration.

The City Centre South (CCS) scheme was a mixed use regeneration scheme in Coventry city centre. The site was located in a pedestrianised shopping area, which was built after World War II. The area and buildings are not fit for purpose for modern retailing requirements and provided an extremely poor environment. The general trend was one of decline and, for this reason, the area had been identified for regeneration for a considerable number of years. A plan showing the CCS red line boundary area was attached as Appendix 1 to the report submitted. It was noted that the Council had secured a £98.8m grant from the West Midlands Combined Authority towards the cost of the CCS scheme.

The Council already owned the majority of the land and property interests in the CCS red line boundary area. However, there were a number of properties that were held by third parties. Some of these long leasehold property interests comprised of the assets of 21-25 Hertford Street, 26-48 Hertford Street, 13-21 Shelton Square and Coventry Point. The opportunity to acquire these long leasehold interests had arisen, with the purchase needing to be completed by 31<sup>st</sup> December 2017. The report submitted set out the benefits of acquiring the long leasehold interests at this stage.

**RESOLVED that the Cabinet recommend that the Council:-**

- 1. Approve the terms of the acquisition of the long leasehold property interests at 21-15 Hertford Street, 26-48 Hertford Street, 13-21 Shelton Square and Coventry Point, subject to the current tenancy.**
- 2. Delegate authority to the Deputy Chief Executive (Place) in conjunction with the Legal Services Manager to undertake the necessary due diligence and to complete the necessary legal documentation.**
- 3. Delegate authority to the Deputy Chief Executive (Place) in consultation with the Cabinet Member for Jobs and Regeneration, for any subsequent variation in terms.**
- 4. Delegate authority to the Deputy Chief Executive (Place) and S151 Officer in consultation with the Leader and the Legal Services Manager to make any additional early land acquisitions as is deemed necessary where such acquisition represents value for money.**
- 5. Delegate authority to the Deputy Chief Executive (Place) and S151 Officer in consultation with the Cabinet Member for Jobs and Regeneration and the Cabinet Member for Strategic Finance and**

**Resources to draw down funding from the West Midlands Combined Authority to undertake the demolition of Coventry Point.**

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## Public report Cabinet Report

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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

28<sup>th</sup> November 2017  
5<sup>th</sup> December 2017

**Name of Cabinet Member:**

Cabinet Member for Jobs and Regeneration – Councillor O’Boyle

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:**

All

**Title:**

*National Battery Manufacturing Development Facility - Faraday Challenge*

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**Is this a key decision?**

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

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**Executive Summary:**

More and more car manufacturers are announcing their intention to move towards building electric cars, and the demand for batteries will increase sharply over the next ten to twenty years. Currently, expertise in battery development is concentrated in Asia, Germany and the United States, and the UK is lagging behind.

The UK Government announced the Faraday Challenge, part of the Industrial Strategy Fund, during the summer. It aims to fund battery research and development work to ensure that the demand for batteries leads to the creation of jobs here in the UK rather than overseas in battery manufacturing.

One of the strands of the Faraday Challenge aims to bridge the gap between battery research in universities and large-scale battery production by car manufacturers.

The National Battery Manufacturing Development Facility (NBMDF) aims to bridge this gap by providing an environment where universities, SMEs and car manufacturers can collaborate on battery development using state of the art equipment.

The University of Warwick (UoW), Coventry & Warwickshire Local Enterprise Partnership (CWLEP) and Coventry City Council (CCC) have come together to develop a proposition in response to the Faraday Challenge set out by Government. The bid was submitted earlier in the autumn. The partnership has now got through to the final stage of the bidding process and an announcement on the successful bid is expected imminently from Government. We are confident that Coventry & Warwickshire offers the best solution for Government's aspiration in this area.

It has been estimated that the value of the NBMDF's work could be worth as much as £1bn to the economy, and create 10,000 jobs in the West Midlands.

The Council has significant role in making this happen by bringing its expertise to the partnership. This includes financial management, Government liaison, and a strong knowledge and experience in securing, managing and delivering economic development over many years in both Coventry and the wider sub region. In addition, the Council has proven track record in being the accountable body for successful large scale external funding and investment.

#### **Recommendations:**

Should the bid be successful, Cabinet is asked to recommend that Council:

- 1) Authorise that the Council accept the Faraday Challenge funding and to act as accountable body on behalf of the Coventry and Warwickshire Local Enterprise Partnership
- 2) Delegate authority to the Deputy Chief Executive (Place) and the Director of Finance and Corporate Services to accept the terms and conditions of the grant, to enter into the necessary agreement to secure the grant and add to the Capital Programme as necessary
- 3) Delegate authority to the Deputy Chief Executive (Place), following consultation with the Cabinet Member for Jobs and Regeneration, to:
  - determine the final content of the relevant business cases required to submit the bid to the West Midlands Combined Authority
  - submit the relevant Strategic Outline Business Cases to the West Midlands Combined Authority in relation to the work packages within the National Battery Manufacturing Development Facility Programme
  - progress the business cases to the final stage in accordance with the Combined Authority's Assurance Framework
- 4) Should the bids to the West Midland Combined Authority be successful; that Coventry City Council enters into the necessary legal documentations to secure the funding required to deliver the National Battery Manufacturing Development Facility Programme

Council is asked to:

- 1) Authorise that the Council accept the Faraday Challenge funding and to act as accountable body on behalf of the Coventry and Warwickshire Local Enterprise Partnership
- 2) Delegate authority to the Deputy Chief Executive (Place) and the Director of Finance and Corporate Services to accept the terms of conditions of the grant, to enter into the necessary agreement to secure the grant and add to the Capital Programme as necessary

- 3) Delegate authority to the Deputy Chief Executive (Place), following consultation with the Cabinet Member for Jobs and Regeneration, to:
- determine the final content of the relevant business cases required to submit the bid to the West Midlands Combined Authority
  - submit the relevant Strategic Outline Business Cases to the West Midlands Combined Authority in relation to the work packages within the National Battery Manufacturing Development Facility Programme
  - progress the business cases to the final stage in accordance with the Combined Authority's Assurance Framework
- 4) Should the bids to the West Midland Combined Authority be successful; that Coventry City Council enters into the necessary legal documentations to secure the funding required to deliver the National Battery Manufacturing Development Facility Programme

**List of Appendices included:**

None

**Background papers:**

None

**Other useful documents**

Faraday Challenge: <https://youtu.be/TGFRbGij29E>

**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 – 5 December 2017

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**Report title:**

**1. Context (or background)**

- 1.1 In July, the UK Government announced the opening of the Faraday Challenge, a fund designed to ensure that the UK benefits from the rapid developments needed in battery technology to support the electrification of the motor industry over the next twenty years.
- 1.2 One of the strands within the Faraday Challenge is called 'battery scale up'. This theme calls for the establishment of a National Battery Manufacturing Development Facility (NBMDF) which will enable UK businesses to seize the opportunities presented by the transition to a low carbon economy and ensure the UK is one of the best places in the world to undertake the design, development and manufacture of batteries for the electrification of vehicles.
- 1.3 Coventry and Warwickshire Local Enterprise Partnership (CWLEP), and WMG (Warwick University's specialist manufacturing division) who are the preferred partners have developed a proposal to establish the NBMDF and new building in Coventry and Warwickshire.
- 1.4 A local contribution will also be requested through the West Midlands Combined Authority Devo Deal 2, and the proposal has the full support of the West Midlands Mayor.
- 1.5 In its role as accountable body for CWLEP's economic development programmes, the Council's Economic Development Team has been closely involved in the development of the NBMDF proposal, and will enter into the grant agreement with Government in order to secure the funding for the project.
- 1.6 Economic modelling work completed as part of the bid submission process estimates the potential benefit of the NBMDF to the UK economy as approaching £1bn, as it safeguards the UK auto industry against the decline in internal combustion engine manufacturing. The overall European battery supply chain is estimated to grow to £50bn over the next twenty years, and up to 10,000 jobs could be created in the West Midlands as a result.

**2. Options considered and recommended proposal**

- 2.1 The preferred option is for a consortium consisting of Coventry City Council, CWLEP and WMG to work together to develop a proposal to establish the NBMDF in the area. This option has been selected because it makes the most of the strengths of the three organisations involved in the consortium whilst giving the Council a significant amount of control over the way in which the facility is established, the ability to ensure that all public funding requirements are met, and that the economic development benefits are realised.
- 2.2 An alternative approach would have been for WMG to apply directly to the Faraday Challenge and establish the NBMDF itself without the direct involvement of CCC or CWLEP. Although this option would be attractive in that the benefits of the NBMDF could be secured without presenting any additional costs or risks to the Council, there is a danger that without the direct involvement of CCC and CWLEP, WMG may have found it necessary to locate the facility on a site out of the Coventry area, and the considerable economic development benefits of securing this facility would be lost.

- 2.3 Finally, it may have been possible for the partnership to bid for Faraday Challenge grant, before going out to the market in order to procure an operator for the facility. This option is not practical because the facility is designed to be a public intervention to ensure that developments in battery technology happen in the UK which private companies would either do overseas or not do at all. Therefore, looking for an existing private operator of the facility on the open market was not a viable option for the partnership. There are also very tight timescales attached to Faraday Challenge funding; the facility must be open within two years of the initial grant award, and it would not be possible to complete such a procurement exercise and still have the facility open during this period.

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

- 3.1 In preparation of the bid to the Faraday Challenge, CCC, CWLEP and WMG have consulted widely with the UK auto industry on the need for the NBMDf, and the right way to approach the advances in battery technology that the Faraday Challenge calls for. Over 40 letters of support have been received for the proposal, and representatives from Jaguar Land Rover, Nissan, and battery specialists AGM all joined the presentation team when the project was called to a Government assessment panel in October 2017.
- 3.2 A local stakeholder's event was held at the Coventry and Warwickshire Growth Hub was held for representatives from District Councils, FE colleges, Universities and the Chamber of Commerce in September, and the response from the attendees was overwhelmingly positive.

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

- 4.1 The terms of the Faraday Challenge grant funding say that the facility must be operational within 24 months of the grant award, which was made in November. This requires the partners to take immediate action in order to get the joint venture private Limited Company set up, begin work on planning consents and construction contracts etc. This should allow the building work and fit out to be completed in time to meet the Faraday Challenge deadline for having the facility up and running in late 2019.

### **5. Comments from Director of Finance and Corporate Services**

#### **5.1 Financial implications**

- 5.1.1 The recommendations seek authority to accept grant funding for the purpose of constructing, fitting out the facility and managing the project for the first five years for which the Council will act as accountable body.
- 5.1.2 The exact capital costs are yet to be finalised, but the capital elements of the scheme will need to be added to the Council's capital programme once details are finalised.

#### **5.2 Legal implications**

- 5.2.1 There are no legal implications of accepting the Faraday Challenge Grant, other than to fulfil the terms of and conditions of the grant award as set out by Government. The Council's Economic Development Service will be responsible for ensuring that the grant is managed correctly, and Legal Services will provide the necessary support.

## **6. Other implications**

### **6.1 How will this contribute to the Council Plan ([www.coventry.gov.uk/councilplan/](http://www.coventry.gov.uk/councilplan/))?**

6.1.1 The establishment of the NBMDF will make a significant contribution to the Council Plan. Coventry is already a focal point for the UK auto industry, and securing the NBMDF will make the area hugely attractive to investors from the industry. The manufacture in Internal Combustion Engines is expected to decline steadily over the next twenty years as more and more car manufacturers plan to move towards electric fleets. It is expected that the market for battery technology in the EU will be worth as much as EUR50Bn during this period, and with the NBMDF operating in Coventry this will provide an excellent incentive for inward investment and job creation, in line with the aims of the Council Plan.

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

6.2.1 Detailed work on risk management has been completed by the joint CCC-CWLEP-WMG project team, and considerable resources have been devoted to assessing these risks and planning mitigation actions. A risk register compliant with current City Council processes will be completed and made available should the bid be successful.

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

6.3.1 This project is likely to generate additional work for the Council, and it is anticipated that a new dedicated Project Manager post will be created in order to ensure that the building and equipment procurement happens smoothly over the two-year setup period for the facility. Establishing the NBMDF will also require officer time from existing staff in Finance, Legal and Procurement teams. The costs for both the new posts and existing officer time will be recovered from the Faraday Challenge grant income.

### **6.4 Equalities / EIA**

6.4.1 This project is not expected to have any negative equalities impacts. When the joint venture company is established, CCC and CWLEP will place requirements upon the new company to ensure that appropriate equalities impact assessment work takes place as it begins to run its services.

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

6.5.1 This project has the potential to have a positive environmental impact. As the UK auto industry moves to electrification there will be a huge reduction in emissions from road vehicles on the country's road. The work of the NBMDF aims to speed up this transition, and should therefore have a positive environmental impact.

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

6.6.1 Establishing the NBMDF here will allow the University of Warwick and WMG to cement their position among the top universities in the world for advanced engineering and automotive R&D. In turn this will lead to further benefits for the city.

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

Steve Weir, Business Development Manager  
Economic Development Service

**Directorate:**

Place

**Tel and email contact:**

[stephen.weir@coventry.gov.uk](mailto:stephen.weir@coventry.gov.uk)

024 7683 2036

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> |
|--|---|------------------------------------|--------------------------|---|
| Andy Williams  | Head of Economic Development                | Place                              | 14/11/17                 | 16/11/17                                  |
| Richard Moon   | Director of Property and Project Management | Place                              | 14/11/17                 | 10/11/17                                  |
| Oluremi Aremu  | Major Projects Lead Lawyer                  | Place                              | 14/11/17                 | 16/11/17                                  |
| Phil Helm  | Finance Manager                             | Place                              | 14/11/17                 | 16/11/17                                  |
| Lara Knight  | Governance Services Co-ordinator            | Place                              | 14/11/17                 | 15/11/17                                  |
| Mick Burn  | Head of Procurement & Commissioning         | People                             | 14/11/17                 | 16/11/17                                  |
| <b>Names of approvers for submission: (officers and members)</b> |   |                                    |                          |   |
| Barry Hastie   | Director of Finance & Corporate Services    | Place                              | 14/11/17                 | 16/11/17                                  |
| Julie Newman   | Legal Services Manager                      | Place                              | 14/11/17                 | 16/11/17                                  |
| Martin Yardley   | Deputy Chief Executive                      | Place                              | 14/11/17                 | 16/11/17                                  |
| Cllr Jim O'Boyle   | Cabinet Member Regeneration & Jobs          | n/a                                | 14/11/17                 | 16/11/17                                  |

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**Agenda Item 20  
Recommendation from Cabinet  
28<sup>th</sup> November 2017**

**Coventry City Council**

**Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 28 November 2017**

Present:

Members: Councillor G Duggins (Chair)  
Councillor F Abbott  
Councillor L Bigham  
Councillor K Caan  
Councillor J Innes  
Councillor K Maton  
Councillor J Mutton  
Councillor J O'Boyle  
Councillor E Ruane

Deputy Cabinet Members Councillor R Ali  
Councillor R Lakha  
Councillor C Thomas

Non-Voting Opposition Members: Councillor A Andrews  
Councillor G Ridley

Other Members: Councillor R Bailey  
Councillor J Lepoidevin  
Councillor G Williams

Employees (by Directorate):

Chief Executive's People M Reeves (Chief Executive),  
G Quinton (Deputy Chief Executive (People)), P Barnett, L  
Gaulton, N Hart, M McGinty

Place M Yardley (Deputy Chief Executive (Place)), M Andrews,  
O Aremu, D Cockroft, C Knight, L Knight, R Palmer, R Moon,  
D Nuttall, T Miller, J Murphy, A Walster

Apologies: Councillor B Kaur, A Khan

**RECOMMENDATIONS**

**86. National Battery Manufacturing Development Facility - Faraday Challenge**

The Cabinet considered a report of the Deputy Chief Executive (Place), which set out proposals for a consortium consisting of the Council, Coventry and Warwickshire Local Enterprise Partnership and WMG (Warwick University's

specialist manufacturing division) to work together to develop a proposals to develop a national battery manufacturing development facility in the area.

A corresponding private report detailing confidential aspects of the proposals was also submitted to the meeting for consideration.

The report indicated that more and more car manufacturers were announcing their intention to move towards building electric cars, and the demand for batteries would increase sharply over the next ten to twenty years. Currently, expertise in battery development was concentrated in Asia, Germany and the United States, with the UK lagging behind.

The UK Government announced the Faraday Challenge, part of the Industrial Strategy Fund during the summer of 2017. It aimed to fund battery research and development work to ensure that the demand for batteries led to the creation of jobs in the UK rather than overseas.

One of the strands of the Faraday Challenge aimed to bridge the gap between battery research in universities and large-scale battery production by car manufacturers. The national battery manufacturing development facility (NBMDf) aimed to bridge this gap by providing an environment where universities, SMEs and car manufacturers could collaborate on battery development using state of the art equipment.

The University of Warwick, Coventry and Warwickshire Local Enterprise Partnership and the Council had come together to develop a proposition in response to the Faraday Challenge. The bid was submitted earlier in the autumn and had now got through to the final stage of the bidding process, with an announcement on the successful bid expected from Government imminently. The Council was confident that Coventry and Warwickshire offered the best solution for the Government's aspiration in this area. It had been estimated that the value of the NBMDf's work could be worth as much as £1bn to the economy and create 10,000 jobs in the West Midlands.

It was acknowledged that the Council had a significant role in making this happen by bringing its expertise to the partnership. This included financial management, Government liaison, and a strong knowledge and experience in securing, managing and delivering economic development over many years, both in Coventry and the wider sub-region. In addition the Council had a proven track record in being the accountable body for successful large scale external funding and investment.

**RESOLVED that the Cabinet recommend that Council:-**

- 1. Authorise that the Council accept the Faraday Challenge funding and to act as accountable body on behalf of the Coventry and Warwickshire Local Enterprise Partnership.**
- 2. Delegate authority to the Deputy Chief Executive (Place) and the Director of Finance and Corporate Services to accept the terms and conditions of the grant, to enter into the necessary agreement to secure the grant and add to the Capital Programme as necessary.**

3. **Delegate authority to the Deputy Chief Executive (Place), following consultation with the Cabinet Member for Jobs and Regeneration, to:**
  - **determine the final content of the relevant business cases required to submit the bid to the West Midlands Combined Authority**
  - **submit the relevant Strategic Outline Business Cases to the West Midlands Combined Authority in relation to the work packages within the National Battery Manufacturing Development Facility Programme**
  - **progress the business cases to the final stage in accordance with the Combined Authority's Assurance Framework**
  
4. **Should the bids to the West Midland Combined Authority be successful; that Coventry City Council enters into the necessary legal documentations to secure the funding required to deliver the National Battery Manufacturing Development Facility Programme.**

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## **Council Meeting**

5 December 2017

### **Booklet 1**

Written Questions

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| <b>1.</b>  | <b>QUESTION SUBMITTED BY: Councillor Crookes</b><br><br><b>TO BE ANSWERED BY: Councillor Bigham, Cabinet Member for Community Development</b> |
| <b>TEXT OF QUESTION:</b><br><br>“Would the Cabinet Member please supply the following information on the Council's official Travellers Site at Tollbar End:<br>The number of pitches on the site?<br>The number of pitches currently occupied?<br>The figures for pitches occupied over the last 3 years?<br>Whether any of the currently unoccupied pitches are fit for renting?” |   |

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| <b>2.</b>  | <b>QUESTION SUBMITTED BY: Councillor Crookes</b><br><br><b>TO BE ANSWERED BY: Councillor Bigham, Cabinet Member for Community Development</b> |
| <b>TEXT OF QUESTION:</b><br><br>“What has been the cost of cleaning up and repairing/upgrading defences after Traveller incursions onto Council owned land in the last 12 months? It would be appreciated if these figures could be broken down per incursion” |   |

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| <b>3.</b>   | <b>QUESTION SUBMITTED BY: Councillor Mayer</b><br><br><b>TO BE ANSWERED BY: Councillor Innes, Cabinet Member for City Services</b> |
| <b>TEXT OF QUESTION:</b><br><br>“Following recent press articles claiming our PCN’s deter the public from appealing because they state that all representations are on the full £60, the Coventry Council website that had 8 headings at the top was changed to 9 in the last week in October 2017. A new point entitled ‘How to challenge a bus lane / bus gate PCN) has been added, and you will see that all representations are on the full £60 has been removed.<br><br>Traffic officers have also recently confirmed in writing to a member of public that they admit the Council website was ‘unclear’ on the process and that they would arrange the website to be changed as soon as possible. They also both confirmed that despite the statement “All representations are on the full amount, not the discounted rate’ being used by the Council, it is in fact incorrect. Both officers confirmed that representations received within 14 days are NOT on the full £60, but in fact on the reduced £30. |  |

Would the cabinet member agree that as the website contained no advisement, and neither do the bus gate / bus lane PCNs sent via post, therefore the public have not been informed of the opportunity to appeal within 14 days on the reduced amount, and have in fact been misled by the statement "All representations are on £60"?

4. **QUESTION SUBMITTED BY: Councillor Mayer**

**TO BE ANSWERED BY: Councillor Innes, Cabinet Member for City Services**

**TEXT OF QUESTION:**

"There have been 3 separate rulings by the Tribunal, going back nearly 2 years. The tribunal have been asking Coventry to alter the statement on Coventry's PCN's **"You cannot pay the discounted rate and make representations at the same time"** This statement is incorrect. Why did the council take nearly 2 years to make these amendments? Why have the Council only acted on this in October 2017."

5. **QUESTION SUBMITTED BY: Councillor Mayer**

**TO BE ANSWERED BY: Councillor Innes, Cabinet Member for City Services**

**TEXT OF QUESTION:**

"The current Coventry PCN confirms that any sums already paid to Coventry Council will be refunded. Senior officers have very recently told an elected member that the public cannot pay and appeal. Why would the PCN state this if you cannot pay and appeal? Can the Cabinet member confirm whether residents can pay the discounted rate and make representations at the same time?"

6. **QUESTION SUBMITTED BY: Councillor Mayer**

**TO BE ANSWERED BY: Councillor Innes, Cabinet Member for City Services**

**TEXT OF QUESTION:**

"The cabinet member informed BBC C&W that only a tiny, tiny amount of PCNs out of thousands had not been collected due to 'issues' at Whittle Arch. Can the cabinet member please advise why over 2000 PCNs at Whittle Arch have been cancelled by the Council in the last few years if there was no issues at the location? Especially as the lion share of them were due to missing / hidden signage. This figure does not include appeals upheld by the TPT."

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| <b>7.</b>  | <p><b>QUESTION SUBMITTED BY: Councillor Mayer</b></p> <p><b>TO BE ANSWERED BY: Councillor Innes, Cabinet Member for City Services</b></p> |
| <p><b>TEXT OF QUESTION:</b></p> <p>“In the last full council Meeting October 10<sup>th</sup> I asked – “If the council have stated the bus gate signage was stolen why was a drawing produced in May 2014 with the signage removed?” This drawing would have had the signage present if officers thought we needed them. The drawing from Feb 2014 have the signs present. The worry is though these signs were actually missing from 2012.</p> <p>This information was emailed to Cllr Innes on the 10<sup>th</sup> October. Can the Cabinet Member please respond to this question?”</p> |   |

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| <b>8.</b>   | <p><b>QUESTION SUBMITTED BY: Councillor Mayer</b></p> <p><b>TO BE ANSWERED BY: Councillor Innes, Cabinet Member for City Services</b></p> |
| <p><b>TEXT OF QUESTION:</b></p> <p>“On the 22nd November, a link in the PCN page of the website was removed. This link told people about the refunds for Park Road, Warwick Road and Gosford Street. How are the public supposed to know they can claim a refund if the link is missing or hidden? Was there a reason why it was removed on the 22nd November?”</p> |   |

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| <b>9.</b>  | <p><b>QUESTION SUBMITTED BY: Councillor Ridley</b></p> <p><b>TO BE ANSWERED BY: Councillor J Mutton, Cabinet Member for Strategic Finance and Resources</b></p> |
| <p><b>TEXT OF QUESTION:</b></p> <p>“Should the council have an ethical investment policy?”</p> |   |



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| 10.  | <p><b>QUESTION SUBMITTED BY: Councillor Ridley</b></p> <p><b>TO BE ANSWERED BY: Councillor O’Boyle, Cabinet Member for Jobs and Regeneration</b></p> |
| <p><b>TEXT OF QUESTION:</b></p> <p>“Could the cabinet member confirm when he plans to bring forward a public report about the purchase of Coombe Abbey?”</p> |  |

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| 11.   | <p><b>QUESTION SUBMITTED BY: Councillor Lapsa</b></p> <p><b>TO BE ANSWERED BY: Councillor K Caan, Cabinet Member for Public Health and Sport</b></p> |
| <p><b>TEXT OF QUESTION:</b></p> <p>“Can the Cabinet Member inform the chamber what facilities for disabled swimmers there are in Coventry?”</p> |  |

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| 12.  | <p><b>QUESTION SUBMITTED BY: Councillor Williams</b></p> <p><b>TO BE ANSWERED BY: Councillor Innes, Cabinet Member for City Services</b></p> |
| <p><b>TEXT OF QUESTION:</b></p> <p>“Would the Cabinet Member confirm how many traffic accidents there have been on Keresley Road over the past 4 years?”</p> |  |

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# **Council Meeting**

5 December 2017

**Booklet 1**

Answers to Written Questions

**NOTES:**

- (a) Questions 1 and 2 below were deferred from the Council Meeting held on 10 October, 2017
- (b) Questions 3-6 and 8 were directed at the Cabinet Member for City Services. These questions relate to legal enforcement action and the Leader has subsequently clarified that these should be dealt with by the Cabinet Member for Policing and Equalities in line with his portfolio responsibilities for issues including community safety, public protection, local policing and Legal Services.

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| <b>1.</b>   | <b>QUESTION SUBMITTED BY: Councillor Crookes</b><br><br><b>TO BE ANSWERED BY: Councillor Bigham, Cabinet Member for Community Development</b> |
| <b>TEXT OF QUESTION:</b><br><br>“Would the Cabinet Member please supply the following information on the Council's official Travellers Site at Tollbar End:<br>The number of pitches on the site?<br>The number of pitches currently occupied?<br>The figures for pitches occupied over the last 3 years?<br>Whether any of the currently unoccupied pitches are fit for renting?”<br><br><b>ANSWER:</b><br><br>The total number of pitches is 22.<br>3 pitches are currently occupied.<br>4 pitches were occupied in 2015 dropping to 3 in late 2015.<br>None of the unoccupied pitches are fit for renting. |   |

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| <b>2.</b>  | <b>QUESTION SUBMITTED BY: Councillor Crookes</b><br><br><b>TO BE ANSWERED BY: Councillor Bigham, Cabinet Member for Community Development</b> |
| <b>TEXT OF QUESTION:</b><br><br>“What has been the cost of cleaning up and repairing/upgrading defences after Traveller incursions onto Council owned land in the last 12 months? It would be appreciated if these figures could be broken down per incursion”<br><br><b>ANSWER:</b><br><br>To date in 2017/18 the City Council has spent £43,100 on illegal traveller incursions. £20,200 of this has been on defences and site clearance, and £22,900 has been spent on legal fees and bailiffs etc. We currently do not hold this information for individual sites, and the information is stored in financial years rather than as a rolling total |   |

3.

**QUESTION SUBMITTED BY: Councillor Mayer**

**TO BE ANSWERED BY: Councillor A Khan, Cabinet Member for Policing and Equalities**

**TEXT OF QUESTION:**

“Following recent press articles claiming our PCN’s deter the public from appealing because they state that all representations are on the full £60, the Coventry Council website that had 8 headings at the top was changed to 9 in the last week in October 2017. A new point entitled ‘How to challenge a bus lane / bus gate PCN) has been added, and you will see that all representations are on the full £60 has been removed.

Traffic officers have also recently confirmed in writing to a member of public that they admit the Council website was ‘unclear’ on the process and that they would arrange the website to be changed as soon as possible. They also both confirmed that despite the statement “All representations are on the full amount, not the discounted rate’ being used by the Council, it is in fact incorrect. Both officers confirmed that representations received within 14 days are NOT on the full £60, but in fact on the reduced £30.

Would the cabinet member agree that as the website contained no advisement, and neither do the bus gate / bus lane PCNs sent via post, therefore the public have not been informed of the opportunity to appeal within 14 days on the reduced amount, and have in fact been misled by the statement “All representations are on £60?”

**ANSWER:**

The Coventry City Council website has been updated to make the wording clearer for recipients of PCN’s. A Penalty Charge Notice (PCN) is reduced by one half if paid within the 14 day period from the date of the service of the PCN. Representations can be made at any time within the 28 day period from the date of service if people are disputing liability. A recipient of a PCN is now entitled to make representations and then subsequently pay the discounted penalty charge both within the 14 day period.

If a motorist submits a representation within the initial 14 day period and the representation is subsequently rejected, a further 14 day period will now be offered from the date of the Notice of Rejection letter to pay at the reduced rate of one half of the PCN.

The website has already been changed to reflect these updates and the PCN paperwork is currently being updated with new wording. The revised wording on the PCN is currently being checked to ensure it is correct and the changed PCN paperwork will be implemented as soon as possible.

4.

**QUESTION SUBMITTED BY: Councillor Mayer**

**TO BE ANSWERED BY: Councillor A Khan, Cabinet Member for Policing and Equalities**

**TEXT OF QUESTION:**

“There have been 3 separate rulings by the Tribunal, going back nearly 2 years. The tribunal have been asking Coventry to alter the statement on Coventry's PCN's **"You cannot pay the discounted rate and make representations at the same time"** This statement is incorrect. Why did the council take nearly 2 years to make these amendments? Why have the Council only acted on this in October 2017.”

**ANSWER:**

The Council reviews the independent adjudicator's decisions and considers if any changes to its documentation is required. Following the review of decisions received in late 2016 and early 2017 revised documentation was developed in the spring of 2017 and changes to the PCN were made in May 2017. Further changes have been made to the documentation during October and November to make the information clearer for motorists.

It is important to note that when a PCN is paid it is deemed to be closed as the motorist has accepted liability for the contravention incurred. Any representations that have been made up until that point of payment will not be considered once the PCN has been paid. This does not prevent the motorist from making a representation and then paying the reduced amount within the initial 14 day period.

5.

**QUESTION SUBMITTED BY: Councillor Mayer**

**TO BE ANSWERED BY: Councillor A Khan, Cabinet Member for Policing and Equalities**

**TEXT OF QUESTION:**

“The current Coventry PCN confirms that any sums already paid to Coventry Council will be refunded. Senior officers have very recently told an elected member that the public cannot pay and appeal. Why would the PCN state this if you cannot pay and appeal? Can the Cabinet member confirm whether residents can pay the discounted rate and make representations at the same time?”

**ANSWER:**

A recipient of a PCN is entitled to make representations at any point within the 28 day period from the date of service of the PCN. If the recipient of a PCN

submits a representation within the 14 day period from the date of the service of the PCN and then subsequently pays the PCN still within the first 14 days, the penalty charge is reduced to one half of the original amount, i.e. £30. If a recipient of a PCN submits a representation and then subsequently pays before receiving a reply to their representation then their case will be closed as liability of the contravention by the motorist will be deemed to have been accepted.

**6. QUESTION SUBMITTED BY: Councillor Mayer**

**TO BE ANSWERED BY: Councillor A Khan, Cabinet Member for Policing and Equalities**

**TEXT OF QUESTION:**

“The cabinet member informed BBC C&W that only a tiny, tiny amount of PCNs out of thousands had not been collected due to ‘issues’ at Whittle Arch. Can the cabinet member please advise why over 2000 PCNs at Whittle Arch have been cancelled by the Council in the last few years if there was no issues at the location? Especially as the lion share of them were due to missing / hidden signage. This figure does not include appeals upheld by the TPT.”

**ANSWER:**

The number of appeals that have been upheld by the Independent Adjudicator relative to the number of PCN’s issued during the period 2013 to 2017 is extremely small: 42 PCN’s from circa 65,000 PCN’s issued during this period.

Data that was provided in response to an FOI showed that circa 2,000 PCN’s had been cancelled as a result of representations that were accepted. It is incorrect to state that the “lion’s share” of these were due to missing / hidden signage – as they were cancelled for a number of reasons.

**7. QUESTION SUBMITTED BY: Councillor Mayer**

**TO BE ANSWERED BY: Councillor Innes, Cabinet Member for City Services**

**TEXT OF QUESTION:**

“In the last full council Meeting October 10<sup>th</sup> I asked – “If the council have stated the bus gate signage was stolen why was a drawing produced in May 2014 with the signage removed?” This drawing would have had the signage present if officers thought we needed them. The drawing from Feb 2014 have the signs present. The worry is though these signs were actually missing from 2012.

This information was emailed to Cllr Innes on the 10<sup>th</sup> October. Can the Cabinet Member please respond to this question?”

**ANSWER:**

You ask a question that relates to a technical drawing that was done by Highways Officers before you became a Councillor, and 2 years before I became Cabinet Member. No useful purpose can be served by speculating on the reason for the absence of an icon from a drawing that was done 3 years ago, particularly when a new sign was introduced at this site earlier this year.

8.

**QUESTION SUBMITTED BY: Councillor Mayer**

**TO BE ANSWERED BY: Councillor A Khan, Cabinet Member for Policing and Equalities**

**TEXT OF QUESTION:**

“On the 22nd November, a link in the PCN page of the website was removed. This link told people about the refunds for Park Road, Warwick Road and Gosford Street. How are the public supposed to know they can claim a refund if the link is missing or hidden? Was there a reason why it was removed on the 22nd November?”

**ANSWER:**

This information was in two places on the Council’s website. As part of the routine tidying up of Council web pages one of the links was removed, the second location still remains. This is the link:

[http://www.coventry.gov.uk/info/117/parking/279/parking\\_bus\\_lane\\_and\\_bus\\_gate\\_enforcement/9](http://www.coventry.gov.uk/info/117/parking/279/parking_bus_lane_and_bus_gate_enforcement/9)

9.

**QUESTION SUBMITTED BY: Councillor Ridley**

**TO BE ANSWERED BY: Councillor J Mutton, Cabinet Member for Strategic Finance and Resources**

**TEXT OF QUESTION:**

“Should the council have an ethical investment policy?”

**ANSWER:**

The Council’s Scrutiny Board 1 considered a paper on Ethical Investment in November 2014.

The Board noted that the adoption of an ethical investment strategy would have no practical impact on the Council’s investing activities.



at Cabinet and Council and are therefore open to full scrutiny by members.

The Council's treasury management investments are made either with mainstream financial institutions or with pooled funds used by large numbers of local authorities. There are no examples of effective ethical investment policies within councils for such treasury purposes. The clear advice of the Council's Treasury Management Advisors is that it is not practical to implement an Ethical Investment Policy for Local Authority treasury investments.

The West Midlands Pension Fund make investments on behalf of its members, many of whom are current or ex-employees of the City Council. Due to the massive long-term investments placed by the Pension Fund, including the purchase of shares in companies, this means that the Fund can operate a Responsible Investment Framework. However, the Framework does not allow the Fund to exclude companies on ethical grounds and the fund has a duty to ensure that investment returns are the top priority. The West Midlands Pension Fund website states that "if companies indirectly or directly involved in subjectively deemed unethical activities were excluded for investment purposes, there would be very few companies left in which to invest."

For these reasons it is impractical for the Council to operate an ethical investment policy.

10. **QUESTION SUBMITTED BY: Councillor Ridley**

**TO BE ANSWERED BY: Councillor O'Boyle, Cabinet Member for Jobs and Regeneration**

**TEXT OF QUESTION:**

"Could the cabinet member confirm when he plans to bring forward a public report about the purchase of Coombe Abbey?"

**ANSWER:**

"A public report concerning the purchase of Coombe Abbey will be presented to my Cabinet Member meeting on 14 December 2017"

11. **QUESTION SUBMITTED BY: Councillor Lapsa**

**TO BE ANSWERED BY: Councillor K Caan, Cabinet Member for Public Health and Sport**

**TEXT OF QUESTION:**

"Can the Cabinet Member inform the chamber what facilities for disabled swimmers there are in Coventry?"

## **ANSWER:**

Please see below details of disabled facilities for swimmers in Coventry (Public Leisure Facilities).

### Xcel Sports and Leisure Centre

- Disability Parking
- Hearing Induction Loops on Reception
- Disability Friendly Reception Counter
- Half Movable Pool Floor
- Portable Hoist
- Changing Places Toilet
- 1 x Disabled Toilet (wetside)
- 2 x Disability Shower Area
- Textured poolside tiling for individuals with visual impairment

### Coventry Sports and Leisure Centre

- External ramp access to front on facility automatic access / egress doors
- Reception hearing loop
- Lift that goes from ground floor to 2<sup>nd</sup> floor providing access / egress to swimming pools / changing facilities at level 1.
- X1 disabled change / shower that service the Olympic pool
- X2 disabled change / shower areas that service the splash / teaching pool hall
- One disabled hoist with separate access fixing points in the Olympic, splash and teaching pool
- The splash pool has a beached entry starting from 0m and has a gradual gradient leading to a maximum depth of 1.2m

### AT7

- Disability Parking
- Hearing induction loops on reception
- Ramped access to facility
- Disability Low counters
- Changing Places Toilet
- 1 x disabled changing wet changing
- Disabled wet side toilets male / female
- Disability shower area
- Platform Pool Lift
- Pool Hoist
- Beach on splash pool with gradual graded access to a maximum depth of 0.7 metres

In addition the following have been included within the design and fixtures, fittings and equipment allowances for the City Centre Destination Leisure Facility (CCDLF) and the Development of 50 Metre Swimming Pool and Enhancement of the Associated Public Leisure Facilities at the Alan Higgs Centre:

## CCDLF

### Ground floor:

- Pool pod to 25m pool
- Mobile hoist access to 25m pool and spa pool
- Induction loops at reception desk and servery
- Accessible change and a Changing Places Facility to serve Health and fitness and the spa pool.
- Accessible change to serve the spa.

### First floor

- Accessible change and Changing Places Facility to wet change for waterpark
- Two ambulant toilet cubicles to the male and female wet changing areas.
- Eight Accessible changing cubicles within the wet changing area.
- Accessible access throughout children's play area.
- Ramped access to waterpark.
- Lift access to waterpark and health and fitness.
- Accessible toilet to health and fitness area.

## Alan Higgs Centre

### Ground floor

- Induction loop at reception.
- Three accessible changing rooms to wet change.
- One Changing Places Facility to wet change.
- Pool pod access to both halves of pool.
- Easy tread stair access to both sides of pool.
- One ambulant cubicle to wet change toilets
- One accessible toilet cubicle to wet change.
- Two existing dry side accessible changing rooms.
- Four new accessible toilets in GF corridor.
- Two existing accessible toilets in GF dry changing.

### First Floor

- One new accessible toilet
- One existing accessible toilet
- Lift access via existing lift or new lift to spectator seating.

12.

**QUESTION SUBMITTED BY: Councillor Williams**

**TO BE ANSWERED BY: Councillor Innes, Cabinet Member for City Services**

**TEXT OF QUESTION:**

“Would the Cabinet Member confirm how many traffic accidents there have been on Keresley Road over the past 4 years?”

**ANSWER:**

There is no way of knowing how many traffic accidents there have been on Keresley Road over the past 4 years, as 'the number of traffic accidents' is not collected data.

I can, however, inform you that data collected by the police reveals there have been 20 personal injury accidents on Keresley Road since 1st January 2013.

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