

Coventry City Council
Minutes of the Meeting of Council held at 2.00 pm on Tuesday, 4 December 2018

Present:

Members:

Councillor J Blundell (Chair)

Councillor F Abbott

Councillor N Akhtar

Councillor P Akhtar

Councillor A Andrews

Councillor R Auluck

Councillor R Bailey

Councillor L Bigham

Councillor J Birdi

Councillor R Brown

Councillor J Clifford

Councillor G Crookes

Councillor G Duggins

Councillor D Gannon

Councillor L Harvard

Councillor P Hetherton

Councillor B Kaur

Councillor L Kelly

Councillor D Kershaw

Councillor T Khan

Councillor AS Khan

Councillor R Lakha

Councillor R Lancaster

Councillor M Lapsa

Councillor J Lepoidevin

Councillor P Male

Councillor K Maton

Councillor T Mayer

Councillor J McNicholas

Councillor C Miks

Councillor J Mutton

Councillor M Mutton

Councillor J O'Boyle

Councillor G Ridley

Councillor E Ruane

Councillor K Sandhu

Councillor T Sawdon

Councillor P Seaman

Councillor B Singh

Councillor R Singh

Councillor D Skinner

Councillor T Skipper

Councillor H Sweet

Councillor K Taylor

Councillor C Thomas

Councillor D Welsh

Councillor G Williams

Honorary Alderman

Apologies: Councillor R Ali, S Bains, K Caan, J Innes, A Lucas and S Walsh

Public Business

67. Minutes of the meeting held on 16 October 2018

The minutes of the meeting held on 16 October 2018 were signed as a true record.

68. 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 Minute 83 below headed “Binley Court, Brindley Avenue, Coventry – Investment Acquisition”, on the grounds that it involved the likely disclosure of information defined in Paragraph 3 of Schedule 12A of the Act as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information) and that in all of the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

69. Coventry Good Citizen Award

On behalf of the City Council, the Deputy Lord Mayor and His Honour Judge Lockhart QC presented Mr Clive Benfield with the Good citizen Award. His citation read:

“Since 2014 Clive has been a pro-bono Trustee and Director of the Albany Theatre Trust, founded in 2013 to save the Albany Theatre which had historically been the focus of community arts in the City. He has worked tirelessly to put the venture onto a sound footing by negotiating robust tenure arrangements from which the Trust’s Vision ‘To promote well-being through Arts for Life’ is being delivered. Arts for Life involves extensive community involvement, regardless of social background and access, to achieve wellbeing, community cohesion and active citizenship. The Albany is an important contributor to Coventry UK City of Culture 2021, of which his company is a business sponsor. Despite his own extensive business commitments, his overall contribution to the development of the Trust is invaluable, and his wise counsel has helped the Board on numerous occasions when faced with challenge.

As a prime-mover in the Chartered Institute of Building, he has been a passionate force for good and for continuous improvement in the service given by the construction industry to society. He founded FORCE, the Coventry & Warwickshire Forum for Constructing Excellence and best-practice club, and is a great advocate for the Chartered Builder Scheme and

led the development of a construction industry visualization training centre in Coventry, the first in the UK.

Clive is also the President of the Enterprise Club for Disabled People who have recently celebrated their 80th Anniversary and honoured with a Queen's Award for Voluntary Service. The club provides a range of social, handicraft and sporting activities for its 150 members with the assistance of a large number of dedicated volunteers each galvanised by his enthusiasm. He has been the driving force behind the club which has enabled disabled people within the city to improve their quality of life by providing a range of leisure activities. He has also launched fundraising appeals as part of their 80th anniversary as the charity needs £100,000 a year to operate as it receives no public funding. He has a deep-rooted ethos of service to the community which shows through everything he has achieved, he is a worthy recipient of this Good Citizen Award."

70. Correspondence and Announcements of the Lord Mayor - Jaydon Washington James

The Lord Mayor referred to the recent tragic death of Jaydon Washington James after being fatally wounded in Wood End recently.

It was noted that, on behalf of the City Council, the Leader and Lord Mayor had sent a joint letter to his family expressing sincerest condolences.

71. Petitions

RESOLVED that the following petitions be referred to the appropriate City Council bodies:

- (a) Petition for the Coventry Cross to remain in its present position – 38 signatures, presented by Councillor Lakha.
- (b) Petition to address antisocial behaviour at Cephass Court, Charles Street, Hillfields – 15 signatures, presented by Councillor O'Boyle
- (c) Petition from the residents in Cornelius Street to be included in residents' parking scheme – 59 signatures, presented by Councillor Brown
- (d) Petition for traffic calming measures on Grange Road – 17 signatures, presented by Councillor Bigham
- (e) Petition to stop the building plans for Coundon Wedge – 2328 signatures, presented by Councillor Williams
- (f) Petition requesting a restricted parking zone around Hill Farm School and St Augustine's school and sports Centre – 41 signatures, presented by Councillor M Mutton
- (g) Petition objecting to planning application FUL/2018/1033, 16 & 18 Delage Close – 47 signatures, presented by Councillor Bigham

72. Declarations of Interest

There were no declarations of interest.

73. Gambling Act 2005 - Revised Statement of Gambling Policy

Further to Minute 28 of the meeting of the Cabinet Member for Policing and Equalities, the City Council considered a report of the Deputy Chief Executive (Place) which provided an update for Members on the outcome of the 6 week consultation on the review of the Council's Statement of Gambling Policy for the Gambling Act 2005. The revised policy for the period 2019 – 2022 was appended to the report. The report had also been considered by the Licensing and Regulatory Committee on 23rd October, 2018 (their minute 44/18 refers).

The Gambling Act required each licensing authority to prepare and publish a Statement of Gambling Policy. The policy statement set out how the licensing authority intended to approach its licensing responsibilities and in particular how it intended to promote the three licensing objectives.

The current Gambling Policy came into effect on 3rd January 2016, to cover a period up to 31st January 2019. The policy had to be renewed every three years and be subject to a full consultation process.

The report advised Members of the consultation that had taken place and outlined the comments received and amendments made to the Council's draft Gambling Policy. There were no major changes to the Policy except some minor wording amendments. The general principles of the Gambling Policy remained the same and the document was still centred around the Gambling Act's three licensing objectives.

RESOLVED that the City Council adopt the revised Statement of Gambling Policy attached as Appendix A to the report.

74. Youth Justice Plan 2018/19

Further to Minute 60 of the Cabinet, the City Council considered a report of the Deputy Chief Executive (People) which sought approval of The Coventry Youth Offending Service (CYOS) Youth Justice Plan following its agreement and signing off by 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 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 cooperation 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 was 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, had agreed and signed off on the Plan.

Cabinet approved the Youth Justice Plan 2018-19 at their meeting on 30 October 2018.

RESOLVED that the City Council endorse the Youth Justice Plan 2018-2019.

75. **European Regional Development Fund 2014-2020 - Coventry Second Round Applications**

Further to Minute 79 of the Cabinet, the City Council considered a report of the Deputy Chief Executive (Place), which set out proposals for the Council to act as accountable body and guarantor for applications under the 2014-2020 European Structural Investment Fund.

The 2014-2020 European Structural Investment Fund (ESIF) Programme was launched in March 2015. The Programme would run until 2023 and in the first round, funding for projects running from January 2016 to December 2018, the Council was successful in acquiring £19.75m of funds to manage programmes under the Research and Innovation, Small Medium Enterprises (SME) Competitiveness, Low Carbon and Technical Assistance and Inclusive Labour Market themes.

These had added to the Council's strong track record in securing European funds in recent years and had secured in excess of £65m from the European Structural Funds since 2007.

However, the current EU funded Programmes were due to come to an end in December 2018 and the Council had submitted bids for Phase 2 programmes which run from January 2019 – December 2021 under the Research and Innovation, Small Medium Enterprise (SME) Competiveness, Low Carbon and Technical assistance themes. Across all the bids the amount being bid for in the Phase 2 round was £10.03m, 39% of the £26m funding made available in this round of Calls.

The Council had already taken a leadership role in bringing partners together from across the Coventry and Warwickshire LEP area to develop projects and programmes that would lead to greater economic growth across the City and the sub region. The Council had an outstanding track record of securing, managing and delivering EU-funded programmes.

The report provided information on each of the bids and requested approval for the Council to act as accountable body and guarantor for these funding programmes.

RESOLVED that the City Council:

- 1) **Approve (if successful) the drawdown of the grant funding, totalling £10.03m from ESIF to be utilised in delivering the City's priorities as set out in the report.**
- 2) **Delegate authority to the Deputy Chief Executive (Place), the Director of Finance and Corporate Services and the City Solicitor, and following consultation with the Cabinet Member for Jobs and Regeneration, to negotiate final terms and approve entry into:**
 - (a) **The grant funding agreement to secure the ESIF funding with the City Council acting as the Accountable Body for the funding**
 - (b) **Back to back funding agreement with such delivery partners as deemed necessary to deliver the City's priorities as set out in this report**
- 3) **Subject to the terms of any agreement with ESIF and the delivery partners being approved by the Deputy Chief Executive (Place) in accordance with the delegation above, authorise the Deputy Chief Executive (Place) to administer the grant agreements with ESIF and the agreements with the delivery partners in accordance with their terms.**

76. Binley Court, Brindley Avenue, Coventry - Investment Acquisition

Further to Minute 83 of the Cabinet, the City Council considered a report of the Deputy Chief Executive (Place) which sought approval for the freehold acquisition of an income producing office investment known as Binley Court.

A corresponding private report was also submitted to the meeting setting out the commercially confidential matters of the proposal (Minute 83 below refers.)

The building comprised a purpose built, two storey, 31,000 sq ft, courtyard style office building with secured onsite car parking. It had recently been let on a floor by floor basis on new 10 year leases with break options at year 5, to Orbit Group Limited and Aptiv Services UK limited. The level of return generated was assessed based on the level of risk associated with the length of lease and the security of the income.

The negotiated price had been validated by external property experts as providing 'market value' for the Council. It was intended that the property would be held by the Council as an investment asset and managed by the Council's Commercial Property Management.

RESOLVED that the City Council:

- 1) **Approve the adjustment of the capital programme to reflect the proposed capital expenditure incurred in the acquisition of the freehold interest in Binley Court (identified edged red on the plan in the Appendix attached to the report) subject to the current tenancies. Details of the financial commitment are outlined in the private report.**

- 2) **Delegate authority to the Deputy Chief Executive (Place) advised by and in consultation with the Director of Finance and Corporate Resources and the City Solicitor 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) **Approve the adjustment of the capital programme to reflect the proposed capital expenditure incurred in the acquisition of the freehold interest in Binley Court.**

77. Appointments to Outside Bodies, Cabinet and Committees

The City Council considered a report of the Deputy Chief Executive (Place) which sought approval for changes to appointments to the Audit, Risk and Assurance Committee and the Housing and Land Delivery Board of the West Midlands Combined Authority for the remainder of the Municipal Year 2018/2019.

The report also sought approval for changes to appointments to the City Council's Licensing and Regulatory Committee and informs Council of the appointment of a Cabinet Member for City Services.

RESOLVED that the City Council:

- 1) **Appoint Councillor R Brown as the representative of Coventry City Council on the West Midlands Combined Authority Audit, Risk and Assurance Committee for the remainder of the Municipal Year 2018/2019, to replace Councillor S Bains.**
- 2) **Appoint Councillor E Ruane as the representative of Coventry City Council on the West Midlands Combined Authority Housing and Land Delivery Board for the remainder of the Municipal Year 2018/2019, to replace David Cockroft.**
- 3) **Appoint Councillor C Thomas as Chair of the City Council's Licensing and Regulatory Committee.**
- 4) **Notes the Leader's appointment of Councillor P Hetherington as Cabinet Member for City Services.**

78. Recommendations of Ethics Committee Following Code of Conduct Hearing

The City Council considered a report of the Acting Chair of Ethics Committee which asked the City Council to note the recommendations of the Ethics Committee following a Code of Conduct Hearing.

On 6 November 2018, the Ethics Committee held a hearing in to a complaint that Councillor Rois Ali had breached the Code of Conduct for Elected and Co-opted Members. It related to an allegation that Councillor Ali had failed to register disclosable pecuniary interests on his Register of Interests.

The Committee decided that Councillor Ali had breached the Code of Conduct and imposed a number of sanctions upon him. A copy of the Decision Notice issued on behalf of the Committee was attached at Appendix A of the report. Among other things, the Committee decided to report its findings to full Council for information.

RESOLVED that the City Council notes the findings of the Ethics Committee held on 6 November 2018 in respect of Councillor R Ali.

79. Question Time

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

	Questions asked by	Question put to	Subject matter
1	Councillor Mayer	Councillor Duggins	Member/Officer protocol
2	Councillor Lapsa	Councillor Hetherton	Matters relating to previously issued traffic fines
3	Councillor Sawdon	Councillor Duggins	Bullying allegations

80. Statements

The Cabinet Member for Policy and Leadership, Councillor Duggins, made a Statement in respect of “Progress on the Combined Authority”.

Councillor Ridley responded to the Statement.

81. Debate - Modern Slavery

The following Motion was moved by Councillor P Seaman and seconded by Councillor L Bigham:

“This Council notes that though slavery was abolished in the UK in 1833, there are more slaves today than ever before in human history. Figures from the International Labour Organisation (ILO) suggests that there are more than 40 million people in modern slavery across the world, with nearly 25 million held in forced labour.

There were 3805 victims identified in the UK in 2016. A rising number but still well below the 10,000 and 13,000 potential victims estimated by the Home Office.

Modern Slavery is happening nationwide. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment. This can include sexual and criminal exploitation.

This Council believes that

1. Action needs to be taken to raise awareness of modern slavery and the fact that it is happening all over the UK.
2. That the current support for victims is not sufficient and needs to go beyond the 45 days they are currently given by government.
3. That councils have an important role to play in ensuring their contracts and supplies don't contribute to modern day slavery and exploitation

This Council therefore resolves to adopt the Co-operative Party's Charter against Modern Slavery to ensure our procurement practices don't support slavery

Coventry City Council will

1. Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supplies (CIPS) online course on Ethical Procurement and Supply.
2. Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
3. Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
4. Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
5. Publicise its whistleblowing system for staff to blow the whistle on any suspected examples of modern slavery.
6. Require its tendered contractors to adopt a whistle blowing policy enables their staff to blow the whistle on any suspected examples of modern slavery.
7. Review its contractual spending regularly to identify any potential issues with modern slavery.
8. Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
9. Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause of concern regarding modern slavery.
10. Report publicly on the implementation of this policy annually."

It was noted that Members Seminar would be held on this issue.

RESOLVED that the Motion, as set out above, be unanimously adopted.

82. Debate - Ward Councillor Consultation on Section 106 Agreements

The following Motion was moved by Councillor T Sawdon and seconded by Councillor P Male:

"This Council resolves to consult ward Councillors before signing off section 106 agreements on planning applications."

RESOLVED that the Motion as set out above be not adopted.

83. Binley Court, Brindley Avenue, Coventry - Investment Acquisition

Further to Minute 76 above, the City Council considered a private report of the Deputy Chief Executive (Place) setting out the commercially confidential matters relating to the freehold acquisition of an income producing office investment, comprising a purpose built, two storey, 31,000 sq ft, courtyard style office building with secured onsite car parking, known as Binley Court.

RESOLVED that the City Council:

- 1) Approve the adjustment of the capital programme to reflect the proposed capital expenditure incurred in the acquisition of the freehold interest in Binley Court subject to the current tenancies for the sum indicated.**
- 2) Delegate authority to the Deputy Chief Executive (Place), advised by and following consultation with the Director of Finance and Corporate Resources and the City Solicitor, to complete the necessary legal documentation**
- 3) Delegate authority to the Deputy Chief Executive (Place), following consultation with the Cabinet Member for Jobs and Regeneration, for any subsequent variation in terms.**
- 4) Approve the adjustment of the capital programme to reflect the proposed capital expenditure incurred in the acquisition of the freehold interest in Binley Court.**

(Meeting closed at 4.45 pm)