



Cabinet Member for Policing and Equalities

Time and Date

3.30 pm on Monday, 8th October, 2018

Place

Meeting Rooms, Council House, Earl Street, Coventry, CV1 5RR

Public Business

1. **Apologies**

2. **Declarations of Interest**

3. **Minutes** (Pages 3 - 14)

(a) To agree the minutes of the Cabinet Member (Policing and Equalities) meetings held on 26th July, 2018 and 13th August, 2018

(b) Matters arising

4. **Exclusion of Press and Public**

To consider whether to exclude the press and public for the item (s) of private business for the reasons shown in the report.

5. **Monitoring Officer Protocol** (Pages 15 - 26)

Report of the Deputy Chief Executive (Place)

6. **The Coventry Award of Merit** (Pages 27 - 32)

Report of the Deputy Chief Executive (Place)

7. **Any Other Business**

To consider any other items of business which the Cabinet Member decides to take as a matter of urgency because of the special circumstances involved.

Private Business

8. **The Coventry Award of Merit** (Pages 33 - 38)

Report of the Deputy Chief Executive (Place)

(Listing Officer: S Bennett tel: 024 7683 3072)

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

Martin Yardley, Executive Director, Place, Council House Coventry

Friday, 28 September 2018

Note: The person to contact about the agenda and documents for this meeting is Michelle Rose Tel: 024 7683 3111; michelle.rose@coventry.gov.uk

Membership: Councillors P Akhtar (Deputy Cabinet Member), A Andrews (Shadow Cabinet Member) and A Khan (Cabinet Member)

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

If you require a British Sign Language interpreter for this meeting OR if you would like this information in another format or language please contact us.

Michelle Rose

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Coventry City Council
Minutes of the Meeting of Cabinet Member for Policing and Equalities held at 3.00
pm on Thursday, 26 July 2018

Present:

Members: Councillor A Khan (Cabinet Member)
 Councillor A Andrews (Shadow Cabinet Member)
 Councillor P Akhtar (Deputy Cabinet Member)

Other Members: Councillor F Abbott
 Councillor J O'Boyle
 Councillor C Thomas
 Councillor D Welsh

Employees (by Directorate):

People N Hart
Place D Blackburn, G Carter, G Hood, M McHugh, T Miller
 W Ohandjanian, M Rose

Invited: Sergeant Sherrie Kimberley

Public Business

1. Declarations of Interest

There were no disclosable pecuniary interests.

2. Minutes

The minutes of the meeting held on 13th March, 2018 were agreed as a true record.

3. Gambling Act 2005 - Revised Statement of Licensing Policy 2019 - 2022

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which sought Members views and approval to consult on the draft revised Statement of Licensing Policy 2019-2022 under the Gambling Act 2005. The report was due to be considered by Licensing and Regulatory Committee on 14th August, 2018.

Under the terms of the Gambling Act 2005 the Council's Statement of Gambling Policy had to be renewed every three years. The current Statement of Gambling Policy came into effect on 31st January 2016 and a review must therefore be completed. There was a requirement in the Act for the Council to publish and advertise the revised Statement of Gambling Policy at least 4 weeks before, by 3rd January 2019.

The Gambling Policy produced by the Licensing Authority under the Gambling Act 2005 was relevant for all licensing decisions taken by the Council as the Licensing Authority over three years commencing on 31st January 2019.

The general principles of the Gambling Policy remain the same and the document was still centred around the Gambling Act's three licensing objectives, namely:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling was conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Before amending the policy for a further three year period, licensing authorities were required to carry out a wide consultation process. In addition to those it must consult by law, the Council had authority to include in the process any individuals or organisations it deemed appropriate.

The Responsible Authorities (statutory consultees - Gambling Commission, West Midlands Police, West Midlands Fire and Rescue Service, Planning, Environmental Health (functions in relation to pollution to the environment or harm to human health) Safeguarding Children Board, HM Revenue & Customs), Community Safety team and Public Health would be consulted on the draft revised policy.

The public consultation exercise would begin on the 7th August 2018, for a 6 week period and finish on the 18th September 2018 and would include the following elements:-

- Mail shots to representatives of the licensed trade, clubs and key partners;
- Formally writing to the Chief Officers of the responsible authorities;
- Mail shots to businesses and organisations; and
- Wider public consultation through the City Council Web Site

The revised policy complied with updated Gambling Commissions guidance and regulations. It had been developed with all 6 Warwickshire Licensing Authorities (Warwickshire County Council, North Warwickshire Borough Council, Nuneaton and Bedworth Borough Council, Rugby Borough Council, Stratford on Avon District Council and Warwick District Council), although each authority had adapted the policy to suit the needs of their area and profile.

A copy of the draft revised policy was attached as an Appendix to the report. There were no proposed significant changes to the policy only minor amendments and additions. These were highlighted in grey in the draft revised policy.

The Licensing and Regulatory Committee was requested to consider the draft revised Statement of Gambling Policy and forward any comments as part of the consultation process.

RESOLVED that the Cabinet Member for Policing and Equalities approve the draft revised Statement of Gambling Policy and authorise the Deputy Chief Executive (Place) to carry out the consultation as detailed in the report.

4. **Response to a petition regarding concerns over environmental issues, anti-social and criminal behaviour and a lack of police assistance in the vicinity of Winchester Street**

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which responded to a petition bearing 15 signatures, sponsored by Councillor O'Boyle, a St Michaels Ward Councillor, which had been submitted to the City Council on 20th May, 2018. The petition was regarding concerns over; environmental issues, anti-social and criminal behaviour and a lack of police assistance in the vicinity of Winchester Street. The petition specifically mentioned acts of criminal damage to vehicles by persons unknown and the presence of litter throughout the area as a result of the activity of sex workers. Councillor O'Boyle and Councillor Welsh attended the meeting and spoke along with the petitioners in attendance. The Police were also in attendance and spoke to residents regarding the petition.

The report stated that the main issue concerned a spate of incidents between 18th and 19th May 2018 during which a large number of local resident's vehicles were damaged. Residents felt that the police could have done more on this occasion. Another issue of concern was that the area was affected by litter which often included condoms which were believed to emanate from sex workers within the area. Residents wanted to know what could be done to ensure the area was kept in a clean state. Residents felt that the activity of the sex workers in the area make it an unsafe place for young children to play and grow up. This made the area look dirty and untidy and discouraged the children from playing outside. Residents were keen to have the issues addressed at the earliest opportunity.

The report detailed the recorded data regarding litter and refuse complaints from June 2017 to June 2018 which showed 30 reports directly related to Winchester Street. Of those reports, 18 were as a result of council officers logging the issues.

Another notable street in the area was that of Colchester Street, due to the proximity of the 2 streets it is difficult to treat both in isolation, and over the same period June 2017 to June 2018, 68 reports were directly related to Colchester Street. Of those reports, 44 were as a result of council officers logging the issue.

Both streets were patrolled regularly, at least once a week by officers from the Neighbourhood Enforcement Team and referrals were made to ensure the area was kept clean. Officers also visit the area as a result of specific complaints as and when they were reported. The operatives also visit the neighbouring Raglan Street and Vauxhall Street every Friday and would pick up additional litter as and when they see it. In addition, specific visits were undertaken to collect reported fly tipping from council land. All cases of littering and fly tipping were investigated, with the appropriate course of action depending on any evidence found at the scene and witnesses to the offence(s).

Police data for the same period showed a total of 49 logs for Winchester Street and 69 logs for Colchester Street. A large proportion of these logs related to one individual who had been evicted from the area earlier this year. Other logs related to regular Police business and were not relevant for the purposes of this report. Police undertake targeted operations to educate those involved in sex work and enforce against those sex workers and the associated antisocial behaviour that it brings.

In response to the petition, officers from the Council and the Police had made contact with the lead petitioner. West Midlands Police and the Council were monitoring the situation. Extra patrols took place as duties allow and individuals found to be causing issues were challenged and appropriate action taken. The issues around the specific incidents on the 18th to 19th May 2018 form part of an ongoing police investigation and therefore the police were unable to comment further at this moment in time.

The report recommended ways to take this matter forward including monitoring the area, encouraging the establishment of Neighbourhood Watch and temporary deployment of cameras to the area.

The Ward Councillors and many of the residents present all provided further detail regarding the concerns of local residents. Their quality of life was being affected by the sex workers using the area, fly tipping, criminality in the area and their fear of crime. Examples were provided and included gardens being used by sex workers, a bottle thrown at children, observing drug use, children too scared to use gardens, fear for property damage, litter including condoms, needles and clothing.

The police sergeant present agreed to continue to monitor the area and to work with residents. They were taking action in the area however evidence was required.

Council officers agreed to visit the area and consider lighting and where to sight the CCTV and signage and to provide a contact for assistance with Neighbourhood Watch.

The Cabinet Member discussed contacting Whitefriars and timescales.

RESOLVED that the Cabinet Member for Policing and Equalities

- 1) Request West Midlands Police and Council officers to continue their monitoring of the area and respond accordingly to residents requests for assistance.**
- 2) Encourage residents to set up a Neighbourhood Watch in the area and report incidents of concern to Police and the Council as soon as they occur.**
- 3) Approve the installation of CCTV and signage within the area to deter antisocial and criminal activity.**
- 4) Councillor Khan to write to Whitefriars regarding liaising with Council officers about concerns within the area, relating to the behaviour of its tenants and a row of garages owned by them, as well as any other matters.**
- 5) Officers to explore the possibility of increasing lighting in parts of the area.**

5. **Petition - Upgrade of the Caludon Castle Park Play Area**

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which responded to a petition bearing 41 signatures, sponsored by Councillor Abbott, a Wyken Ward Councillor, which had been submitted to the City Council on 12th April, 2018. The petition requested that the Council upgrade the children's play area located within Caludon Castle Park. Councillor Abbott attended the meeting and spoke on behalf of the petitioners.

The report noted that the petition stated "As a mother of two very lively boys, I would like to ask if there is possibility for upgrade of the Caludon Park Play Area. The actual place is very poor and apart from the huge area for football there is no proper space for older kids to burn some energy. We were at Allesley Park on Sunday and it was so busy and noisy (in a positive meaning). There is a big slide, spider web climbing frame (it was the main attraction), a lot of swings and few other attractions to entertain kids. I live in Wyken area and seen a lot of families with small kids suffering from lack of space to keep the kids busy. Apart from St Margaret Road and Caludon Park poor play areas, there is no place to spend the time with kids. Is there any possibility at least for one more attraction (spider web frame) to place in Caludon?"

The report noted that Caludon Castle Park Play Area was located in the south east of the City and contained a number of items of equipment designed to be appropriate for both the younger age group, aged 4 to 7 years and the senior age group, 8 to 13 years. These play items included rockers, swings with both junior and toddler seats, Multi Use Play Units, dish roundabout and cable runway. In addition the play site also included items for informal sports play such as a basketball net and court and a Multi-Use Games Area. Infrastructural elements associated with the play site included fencing, wooden posts, seating, bins, tarmac footpaths and safer surfacing. Items of existing equipment were shown in the appendix to the report.

The park was under the control of the Parks Service within the Place Directorate. It was the Area Park for the South of the City and was submitted annually for a Green Flag award, which it had achieved for the last 6 years. Play facilities in the City were inspected on a weekly basis and repairs/replacements were undertaken as and when necessary to maintain the equipment and associated infrastructural features in a safe and usable condition.

During 2010/11 the play area was refurbished at a cost of approximately £105,000. This was financed from funding secured from the Governments Play Builder Initiative. Since that time a further £7,000 had been spent undertaking general refurbishment works. Recent inspections however had found that most of the equipment was nearing the end of its practicable life. Some items were showing signs of wear and tear, and an element of vandalism. In addition the sand-filled safer surfacing would require attention in the near future.

When external or internal inspections were undertaken, consideration was also given to the serviceable life expectancy of the facility, usually on an item by item basis as not all equipment needs to be replaced at the same time. In these cases, recommendations were made as to what items should be considered for

replacement or improvement and the works were then included in the play area maintenance programme.

The option to remove and not replace items of equipment deemed to have reached the end of its practicable life had been considered, however this would result in the gradual further and overall reduction in the play value and benefit of the facility over time and lead to its eventual removal. A full refurbishment of this play area had also been considered however, would cost approximately £100,000 to complete and the Parks Service does not have the existing resources to undertake this proposal.

The nearest other play facility was located at St Margarets Park and Caludon Castle Park falls outside its catchment area. The eventual removal of this play facility would leave the local community without any play provision within a reasonable distance. Removal of the play area would also potentially lead to its loss of Green Flag status. It was therefore recommended that the Councils Park Service retain the facility and it continued to explore and exploit all funding opportunities, both external and internal to replace items which reach the end of their practicable life with dynamic and high play value items of equipment and when possible, install additional items to provide an exciting and stimulating play environment.

Councillor Abbott provided further detail about the anti-social behaviour experienced at the park and a need for a mixture of equipment to challenge different age groups. Councillor Abbott asked about timescales and consultation with local people about the new equipment.

The Shadow Cabinet Member suggested that a 'friends of the Park' group may be able to access funding.

RESOLVED that the Cabinet Member for Policing and Equalities:

- 1) Note that inspections of the play area have identified that much of the equipment is reaching the end of their practicable life.**
- 2) Note that Caludon Castle Park falls outside the catchment area of the nearest equipped local play facility.**
- 3) Agree that Caludon Castle Park play area be retained and that items of the existing play equipment be replaced as and when it reaches the end of their practicable life and be funded through a combination of external funding and existing budget provision.**

6. Report of the Cabinet Member for Policing and Equalities - Disability Equality Advisory Panel (DEAP)

The Cabinet Member considered a report of the Deputy Chief Executive (People) which reported achievements of the Disability Equality Advisory Panel (DEAP) over the last 3 years and sought approval for the continuation of the Disability Equality Advisory Panel for a further 3 years. The Chair of the DEAP was present at the meeting.

The report noted that the Disability Equality Advisory Panel (DEAP) was appointed at the Annual Meeting of the Council with Terms of Reference. The panel meets three times a year and representatives of various groups were invited by the chair to attend, DEAP was not open to the public. The aim of the panel was to improve services, enable, empower, involve and educate various community organisation's representing persons with disability, who would otherwise struggle to put across their views, thereby improving the quality of life for people from the particular "communities of interest" they represent. The panel dealt with different issues at every meeting as well as providing updated information on on-going issues.

As a working proactive panel the DEAP had always been well attended by invited members. Councillor Christine Thomas has been Chair for two years. Each year the panel had been reassessed to ensure that new people were invited that represent a diverse cross section of Coventry residents, Charities/Voluntary Organisations and service users who meet to work together as an effective, proactive, working panel.

The report noted that the Chair of the Disabled Equality Action Partnership (DEAP) Councillor Thomas, had been encouraged by the way that this panel had raised and in certain circumstances been able to support community initiatives in relation to equality issues brought to the panel by members. One example was that a panel member raised the issue of pavement parking with regard to the difficulties it caused him and others due to his sight loss. The panel discussed the issue which was then picked up by the students of Hereward College who then took it forward with support from officers, the Chair, and the Cabinet Member Councillor Abdul Khan. The students of Hereward College had now developed and launched a pavement parking initiative with a campaign highlighting the problems all people with disability had due to thoughtless pavement parking. This and other initiatives undertaken by the panel confirmed, the best value of this panel.

DEAP had also supported and publicised the 'near miss' survey of cyclists, skateboarders and mobility scooter users having had near misses with pedestrians as part of the Public Space Protection Order (PSPO). Over the past year the DEAP had worked very effectively as a conduit for information and discussion about Coventry City Council's aspirations for the City. Members had been consulted on the masterplan of the redevelopment of the train station, bus services, and taxis and more recently Coventry City Centre South redevelopment.

Councillor Thomas attended the meeting with officers and discussed with the Cabinet Member the work of the Panel, representation and inviting members. Councillor Thomas thanked all those who supported the effectiveness of the DEAP.

RESOLVED that the Cabinet Member for Policing and Equalities:

- 1) **Following the successful format, approve the continuation of the Disability Equality Advisory Panel (DEAP) for a further 3 years from July 2018 to July 2021, to act as a formal advisory panel to the Cabinet Member with responsibility for equalities.**
- 2) **Accept and note the DEAP work and achievements as set out in the Report over the last 3 years.**

7. Social Media Protocol for Members

The Cabinet Member considered a report of the Deputy Chief Executive (People) which sought approval of the social media protocol, appended to the report and to confirm that it should be shared with all elected members. The report had been considered by the Ethics Committee.

The report noted that social media was a powerful communication and networking tool which had become increasingly part of our everyday life. Social media was used to describe any kind of on-line tool that you could use for sharing information, including blogs, photo sharing, video sharing, social networks, mobile phone applications, texting, digital TV services and collaboration tools. Unlike a telephone conversation or email, it was a broadcast medium meaning messages had the potential to be viewed by a wider range of people than just the intended recipient.

Although it was not a requirement for elected members to use social media to fulfil their job as a councillor, an increasing number did so in an attempt to share information and to give and gauge opinions. As a result, a first-ever social media protocol for Coventry City Council's elected members had been created. It was designed to offer basic help and advice, as well as highlighting good practice and helping to avoid potential pitfalls. The protocol also complemented the general rules under the Code of Conduct for Members. The protocol highlighted potential legal issues when using social media including libel, copyright and data protection. It also raised awareness of how members' use of social media could leave them at risk of falling foul of the Members' Code of Conduct.

The Ethics Committee fully supported the recommendations to the Cabinet Member and further recommended that the Protocol be "launched" with appropriate training sessions provided for all Elected Members. The Committee made the following comments to the Cabinet Member:

- They welcomed the Protocol, recognising the importance of providing guidance for Elected Members
- They commended the officers for the extremely well written and user friendly style of the Protocol
- They indicated that, for some Elected Members, it may be more appropriate to receive the Protocol in a hard rather than electronic version
- They recommended that the Protocol be "launched" with appropriate training sessions provided for Elected Members.
- They requested that a final version of the Protocol be circulated to all Members of the Ethics Committee

RESOLVED that the Cabinet Member for Policing and Equalities:

- 1) approve the Social Media Protocol and confirm that it should be shared with all elected members.**
- 2) following the suggestion during consideration by the Ethics Committee, the protocol be "launched" with appropriate training sessions provided for Elected Members.**

8. **Outstanding Issues**

The Cabinet Member considered a report of the Deputy Chief Executive (Place) that contained a list of outstanding issue items that would be submitted to future meetings and summarised the current position in respect of each item.

RESOLVED that the Cabinet Member for Policing and Equalities approves the dates for future consideration of matters relating to the outstanding issue items listed in the report.

9. **Any Other Business**

There were no other items of business.

(Meeting closed at 4.05 pm)

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Coventry City Council
Minutes of the Meeting of Cabinet Member for Policing and Equalities held at 4.00 pm on Monday, 13 August 2018

Present:

Members: Councillor A Khan (Cabinet Member)
Councillor P Akhtar (Deputy Cabinet Member)

Employees:

J Barlow, Place Directorate
G Carter, Place Directorate
L Knight, Place Directorate

Public Business

10. Declarations of Interest

There were no declarations of interest.

11. The Coventry Award of Merit

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which provided advice from the recent meeting of the Cabinet Member for Policing and Equalities Advisory Panel – Coventry Award of Merit to support the nomination of Mr R Stanton to receive the Coventry Award of Merit following the key role that he played in the rescue of 12 boys and their football coach from the Tham Luang caves in Thailand.

The report indicated that the Coventry Award of Merit was established by the City Council in the 1960s as a means of acknowledging and honouring personal behaviour reflecting the highest ideals of citizenship or outstanding performance in any field of human endeavour which enhances the good name of Coventry and affords inspiration to its citizens.

The Advisory Panel met on 30th July, 2018 to advise the Cabinet Member for Policing and Equalities following the receipt of a nomination for Mr R Stanton and unanimously supported the granting of the award. Rick Stanton was nominated following his internationally publicised key role in the rescue of 12 boys and their football coach from the Tham Luang caves in Thailand. The group had been trapped for 9 days before being found by Rick and his diving partner John Volanthen. It had been reported to be the most challenging underground rescue in history. Mr Stanton had previously been involved in other rescue missions, as well as being a firefighter with West Midlands Fire Service for 25 years. A copy of the nomination form was set out at an appendix to the report.

RESOLVED that, having considered the advice from the meeting of the Cabinet Member for Policing and Equalities Advisory Panel – Coventry Award of Merit held on 30th July, 2018, the Cabinet Member for Policing and Equalities recommends the City Council grant the Coventry Award of Merit to Mr R Stanton.

12. **Any Other Business**

There were no additional items of public business.

(Meeting closed at 4.05 pm)



Cabinet Member for Policing and Equalities
Council

8 October 2018
16 October 2018

Name of Cabinet Member:

Cabinet Member for Policing and Equalities—Cllr Abdul Khan

Director Approving Submission of the report:

Director of Finance and Corporate Services

Ward(s) affected:

Not applicable

Title: Monitoring Officer Protocol

Is this a key decision?

No

Executive Summary:

At its meeting on 26 July 2018, the Ethics Committee approved a draft Monitoring Officer's Protocol. The Protocol is attached at the Appendix to this report. The members of the Constitutional Advisory Panel have also been consulted about the contents of the protocol and have approved it for consideration by the Cabinet Member and then by full Council.

Recommendations:

The Cabinet Member is recommended to:

- (1) Approve the draft Monitoring Officer Protocol; and
- (2) Recommend to full Council that it approves the Protocol and agrees to its being included in the Constitution.

Full Council is recommended to:

- (1) Approve the Protocol and agree to its being included in the Constitution.

Appendix included: Draft Monitoring 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?

Yes, it will be considered by full Council

Will this report go to Council?

Yes

Report title: Draft Member/Officer Protocol

1. Context (or background)

- 1.1 At its meeting on 15 July 2016 the Ethics Committee resolved that the then Acting Monitoring Officer be requested to draft a Monitoring Officer Protocol for its consideration.
- 1.2 The decision to draft a Monitoring Officer Protocol arose from the Committee's consideration of public interest reports issued in connection with two other councils. The Acting Monitoring Officer at that time undertook a review of governance matters raised by these two reports to ensure that appropriate checks and balances were 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 were, and 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.
- 1.3 Such arrangements are typically set out in Member/Officer Relations Protocol and a Monitoring Officer Protocol. Such protocols are considered to be good practice.
- 1.4 A Monitoring Officer Protocol is beneficial as it sets out for both members and officers the roles and responsibilities of the Monitoring Officer, what resources should be available to the Monitoring Officer and how they will discharge those duties. It also sets out what is expected of members and other officers in terms of keeping the Monitoring Officer informed to ensure the effective and efficient discharge of their roles and responsibilities.

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. It includes revisions made by members of the Ethics Committee and Independent Persons following informal consultation after the Committee's meeting on 29 March. The draft Protocol was approved by Ethics Committee on 26 July 2018 and approved by members of the Constitutional Advisory Panel.
- 2.2 The Protocol sets out the statutory responsibilities of the Monitoring Officer and how those will be discharged. 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 makes it clear that the Monitoring Officer can only fulfil their statutory functions with the assistance and co-operation of members and other officers.
- 2.3 The Protocol outlines working arrangements including:
 - Access to resources
 - Access to information
 - The relationship between the Monitoring Officer, other statutory officers, leading members and external bodies
 - Standards matters
 - The Constitution

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

- 2.4 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.

2.5 Recommendation

The Cabinet Member is recommended to:

- (1) Approve the draft Monitoring Officer Protocol; and
- (2) Recommend to full Council that it approves the Protocol and agrees to its being included in the Constitution.

Full Council is recommended to:

- (1) approve the Protocol and agree to its being included in the Constitution.

Option 2: Do nothing (not recommended)

- 2.6 The Council is not required by law to have a Monitoring Officer Protocol. If the Cabinet Member 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 the roles and responsibilities of the Monitoring Officer and in setting clear standards which will help to maintain excellent working relationships.

3. Results of consultation undertaken

The protocol has been considered and approved by the Ethics Committee and members of the Constitutional Advisory Panel.

4. Timetable for implementing this decision

- 4.1 The decision will be implemented as soon as it has been through the procedure for making changes to the Constitution.

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 Monitoring Officer Protocol, although it is recommended as it assists both officers and members in understanding the role, what is expected of them and what they can expect in return from the Monitoring Officer. The approval of a Monitoring 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?

6.4 Equalities / EIA

6.5

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 Services

Directorate: Place Directorate

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Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Suzanne Bennett	Governance Services	Place	26.09.18	
Names of approvers for submission: (officers and members)				
Finance: Graham Clark		Place	10.07.18	10.07.18
Legal: Julie Newman	City Solicitor and Monitoring Officer	Place	10.07.18	11.07.18
Barry Hastie	Director of Finance and Corporate Services	Place	10.07.18	10.7.18

Councillor Walsh	Chair, Ethics Committee		10.07.18	10.07.18
Councillor A Khan	Cabinet Member for Policing and Equalities		27.09.18	27.09.18

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Appendix 1: Draft Monitoring Officer Protocol

1. STATUTORY RESPONSIBILITIES

- 1.1 The Monitoring Officer is a statutory appointment under the provisions of Section 5 of the Local Government and Housing Act 1989. This Protocol provides guidance on how the duties of the Monitoring Officer will be carried out at Coventry City Council.
- 1.2 The role of the Monitoring Officer is assigned to the Legal Services Manager under the provisions of the Constitution. The Monitoring Officer may appoint a Deputy Monitoring Officer.
- 1.3 A summary of the Monitoring Officer's responsibilities are set out more fully in the Table set out at the end of this Protocol.

These duties will be carried out in accordance with the Council's Constitution, legislative requirements and relevant Government guidance. The Monitoring Officer's ability to carry out these duties and responsibilities effectively will depend upon the proactive assistance and co-operation of Members and Officers:

- (i) complying with the law and relevant Codes of Conduct;
- (ii) complying with any general guidance, codes or protocols issued by the Ethics Committee and the Monitoring Officer;
- (iii) making lawful and proportionate decisions;
- (iv) not taking action that would bring the Council, their offices or professions into disrepute.

2. WORKING ARRANGEMENTS

- 2.1 The Monitoring Officer will promote effective working relations with Members and Officers to advance good governance, the highest standards of ethical behaviour, as set out in the Seven Principles of Public Life (the "Nolan Principles", first formulated by the Committee on Standards on Public Life in 1995) and the effective discharge of the Monitoring Officer's statutory duties. A speedy flow of relevant information and access to debate, particularly at the early stages of any decision-making by the Council, is central to fulfilling those responsibilities. Members and Officers are required to work with the Monitoring Officer (and relevant staff) to this end.
- 2.2 The following arrangements and understandings between the Monitoring Officer, Members, the Head of Paid Service, the Section 151 Officer and Officers are designed to ensure the effective discharge of the Council's business and functions.

Resources

2.3 The Monitoring Officer will:

- (i) report to the Council, as necessary, on the staff, accommodation and resources s/he requires to discharge his/her statutory functions;
- (ii) have sufficient resources to enable him/her to address any matters concerning his/her functions as Monitoring Officer;
- (iii) have control of a budget sufficient to enable him/her to seek Counsel's opinion on any matter concerning his/her functions;
- (iv) appoint a deputy and keep the deputy briefed on any relevant issues that may be required to be dealt with in the absence of the Monitoring Officer.

Access to Information

2.4 The Monitoring Officer will:

- (i) be informed by Members and Officers of any issue(s) that may become of concern to the Authority, including: issues relating to legal powers, ethical standards, probity, propriety, procedural or other constitutional issues that are likely to arise or have arisen;
- (ii) have advance notice (including receiving agendas, minutes, reports and related papers) of all relevant meetings of the Authority (including any meetings at which Officer delegated decisions are taken) at which a binding decision may be made (including a failure to take a decision where one should have been taken);
- (iii) have the right to attend (including the right to be heard at) any meeting of the Authority (including any meetings at which Officer delegated decisions are taken) before any binding decision is taken (including a failure to take a decision where one should have been taken);
- (iv) have access to the Strategic Management Board and receive advance notice of meetings, agenda and reports to those meetings, including the right to attend;
- (v) in carrying out investigation(s), have unqualified and unrestricted access to any information held by the Council and to any Officer who can assist in the discharge of his/her functions.

Relationships

2.5 The Monitoring Officer will:

- (i) ensure the other two Statutory Officers (Head of Paid Service and the

Section 151 Officer) are kept up to date with relevant information regarding any legal, ethical standards, probity, propriety, procedural or other constitutional issues that are likely to arise or have arisen;

- (ii) meet as frequently as necessary with the Chief Executive (Head of Paid Service) and the Director of Finance and Corporate Services to consider and recommend action in connection with Corporate Governance issues and any legal, ethical standards, probity, propriety, procedural or other constitutional issues that are of concern, that are likely to arise or have arisen;
- (iii) develop a close working relationship of respect and trust with the Leader, Cabinet Members and Ethics Committee with a view to ensuring the effective and efficient conduct of Council business;
- (iv) develop an effective working relationship with the Council's Independent Persons, its external auditors and the Local Government Ombudsman (including having the authority, on behalf of the Council, to refer any breaches or give and receive any relevant information, whether confidential or otherwise, through appropriate protocols, if necessary);
- (v) in consultation, as necessary, with the Leader, Cabinet, Ethics Committee and the Council's Independent Persons, defer the making of a formal report under Section 5 of the Local Government and Housing Act 1989 where another investigative body is involved.

Standards Matters

2.6 The Monitoring Officer will:

- (i) give informal advice and undertake relevant enquiries into allegations of misconduct and, if appropriate, make a written report to the Ethics Committee where, in the opinion of the Monitoring Officer, there is a serious breach of the Members' Code of Conduct, in accordance with the Council's Complaints Protocol;
- (ii) be responsible, on behalf of the Ethics Committee, for preparing any training programme for Members on ethical standards and Code of Conduct;
- (iii) carry out investigations into matters referred to him/her under the Council's Whistle Blowing Policy in respect of Members and arrange the conduct of hearings into allegations of breaches of the Code of Conduct.
- (iv) Maintain and keep up to date the Member's Registers of Interest and publish those registers along with those for parish councils within the city.

The Constitution

2.7 The Monitoring Officer will regularly review and monitor operation of the Constitution, reporting changes as necessary through the agreed procedure for amending the Constitution.

3. MEMBER AND OFFICER RESPONSIBILITIES

To ensure the effective and efficient discharge of the arrangements set out in paragraph 2 above, Members and Officers will report any breaches of statutory duty, Council policies or procedures and other constitutional concerns to the Monitoring Officer, as soon as practicable, who will keep the reporting Members/Officers informed as appropriate.

4. ADVICE

The Monitoring Officer is available for Members and Officers to consult on any issues relating to the Council's legal powers, possible maladministration, impropriety and probity issues, or general advice on the constitutional arrangements (e.g. Council Procedure Rules, Policy Framework, Terms of Reference and Scheme of Delegation etc.).

5. MONITORING THE PROTOCOL

The Monitoring Officer will monitor the arrangements set out in the Protocol to ensure that they have been complied with. S/he will report to the Ethics Committee if s/he thinks that amendments are necessary in the light of any issues that have arisen during the year.

6. CONFLICTS AND INTERPRETATION

- 6.1 Where the Monitoring Officer has received a complaint or is aware of an event which may lead to him/her issuing a statutory report, relating to a matter upon which s/he has previously advised the Council, s/he shall consult the Chief Executive who may then either refer the matter to the Deputy Monitoring Officer for investigation and report to the Chief Executive, or ask a neighbouring authority to make their Monitoring Officer available to investigate the matter and report to the Chief Executive and/or the authority as appropriate.
- 6.2 Questions of interpretation of this guidance will be determined by the Monitoring Officer.

7. SUMMARY OF FUNCTIONS

	Description	Source
1	Report on contraventions or likely contraventions of any enactment or rule of law.	Ss5 and 5A, Local Government and Housing Act 1989
2	Report on any maladministration or injustice where the Ombudsman has carried out an investigation.	Ss5 and 5A, Local Government and Housing Act 1989
3	Appointment of a Deputy.	S5, Local Government and Housing Act 1989
4	Report on the sufficiency of resources.	S5, Local Government and Housing Act 1989
5	Establish and maintain the Register of Members' Interests, and declarations of gifts and hospitality received.	S28 , Localism Act 2011 and Code of Conduct for Elected and Co-opted Members
6	Receive copies of certificates under the Local Authorities (Contracts) Regulations 1997.	Local Authorities (Contracts) Regulations 1997
7	Maintain, monitor and review the Constitution.	S9P Local Government Act 2000 and the Constitution
8	Support the Ethics Committee and promote and maintain high standards of conduct with particular reference to the Council's approved Code of Conduct for Elected and Co-opted Members.	S27 Localism Act 2011 and Code of Conduct for Elected and Co-opted Members
9	Conduct investigations into alleged misconduct.	S28 Localism Act 2011 and the Complaints Protocol
10	Consult with the Head of Paid Service and the Chief Finance Officer on issues of lawfulness and decision making.	Constitution
11	Advise whether executive decisions are within the budget and policy framework.	Constitution
12	Advise on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity, budget and policy framework issues to all Members.	Constitution

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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 individuals 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 individuals. The Recommendations to Council on 16 October will be in public, detailing the nominees for the Awards.

Name of Cabinet Member:

Cabinet Member for Policing and Equalities
Councillor A Khan
Council

8 October, 2018

16 October, 2018

Director Approving Submission of the report:

Deputy Chief Executive, Place

Ward(s) affected: None

Title:

The Coventry Award of Merit

Is this a key decision?

No

Executive Summary:

The Coventry Award of Merit was established by the City Council in the 1960s as a means of acknowledging and honouring personal behaviour reflecting the highest ideals of citizenship or outstanding performance in any field of human endeavour which enhances the good name of Coventry and affords inspiration to its citizens. The grant of the Award of Merit is made by full Council on the recommendation of Cabinet Member for Policing and Equalities, who is advised by a panel established for the purpose. Nominations can be received from any organisation or individual. A number of nominations have been received by the City Council for the Coventry Award of Merit from a variety of sources. The nominations were considered by the all-party Advisory Panel at its meeting on 25 September, 2018, the membership of which includes the Honorary Recorder and the Lord Mayor.

The Cabinet Member for Policing and Equalities is requested to consider the nominations in light of the advice of the Coventry Award of Merit Advisory Panel. A corresponding private report details the nominations recommended for approval by the Advisory Panel. The recommendations that are submitted to the Council Meeting will be in public detailing the nominees for the Award.

Recommendations:

The Cabinet Member for Policing and Equalities is recommended to:

Consider the advice from the meeting of the Cabinet Member for Policing and Equalities Coventry Award of Merit Advisory Panel held on 25 September, 2018 and make recommendations to Council accordingly.

Council is recommended to:

Approve the recommendations of the Cabinet Member for Policing and Equalities and grant the Coventry Award of Merit to the recipients recommended by the Cabinet Member for Policing and Equalities.

Has it or will it be considered by Scrutiny?

No

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

Yes - Cabinet Member for Policing and Equalities (Coventry Award of Merit) Advisory Panel – 25 September, 2018

Will this report go to Council?

Yes – 16 October, 2018

Report title:

The Coventry Award of Merit

1. Context (or background)

- 1.1 The Coventry Award of Merit was established by the City Council in the 1960s as a means of acknowledging and honouring personal behaviour reflecting the highest ideals of citizenship or outstanding performance in any field of human endeavour which enhances the good name of Coventry and affords inspiration to its citizens.
- 1.2 Any person, company or other organisation shall be eligible for consideration for the Coventry Award of Merit who has:-
- Rendered outstanding service to the City of Coventry in service to the local community.
 - By outstanding personal effort in the field of sport, industry, government or the arts, brought particular renown to the City of Coventry.
 - Made an outstanding contribution to the national life or in international affairs in any field of human activity in a manner which has brought credit upon the City of Coventry.
 - By personal example of courage or devotion to duty and service to others, demonstrated the highest ideals of citizenship.
- 1.3 The Award has previously taken the form of a citation under the common seal together with a presentation of a gold medallion pendant from a ribbon in the City's colours. The motif on the medallion is the phoenix, symbolising the resurgence of Coventry from the flames of the Blitz.
- 1.4 The Advisory Panel is made up of the following members:
- Cabinet Member for Policing and Equalities, Councillor A Khan (Chair)
 - Cabinet Member for Strategic Finance and Resources, Councillor J Mutton
 - Shadow Cabinet Member for Policing and Equalities, Councillor A Andrews
 - Chair of Scrutiny Co-ordination Committee, Councillor T Khan, (or his representative)
 - The Lord Mayor, ex officio, Councillor J Blundell
 - The Council's Honorary Recorder, His Honour Judge A Lockhart QC
- 1.5 The Advisory Panel met on 25 September, 2018 to advise the Cabinet Member for Policing and Equalities on possible recipients of the Award.
- 1.6 The Cabinet Member for Policing and Equalities will consider the advice from the Panel and make recommendations to Council for approval at the Council meeting on 16 October, 2018.

- 1.7 The Panel noted that where the Cabinet Member was minded to accept its advice that he would have to consult the proposed recipient of the Award prior to presenting proposals for approval to full Council on 16 October, 2018. It was recommended that pending such consultation that the nominations should remain confidential.

2. Options considered and recommended proposal

- 2.1 Cabinet Member is recommended to endorse the view that confidentiality should be maintained pending reporting to the full Council meeting.

3. Results of consultation undertaken

- 3.1 The Cabinet Member consulted the Advisory Panel on 25 September, 2018 and will consider its advice in making his recommendations to Council.

4. Timetable for implementing this decision

- 4.1 The Cabinet Member for Policing and Equalities will consider recommendations from the Coventry Award of Merit Advisory Panel and will then make recommendations regarding recipients to the City Council for approval at their meeting on 16 October, 2018.
- 4.2 Following the decision of Council on 16 October, 2018 suitable arrangements will be made for an Awards Ceremony should the Council approve recipients of the Awards.

5. Comments from the Director of Finance and Corporate Services

- 5.1 Financial implications
As in previous years the costs associated with the Ceremony and the Awards will be met from within the existing budget of the Lord Mayor's Hospitality Budget.
- 5.2 Legal implications
There are no legal implications associated with this decision.

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 / LAA (or Coventry SCS)?

One of the Council's key priorities is to develop a strong sense of civic pride across the city. These awards give recognition to individuals or organisations that have rendered outstanding service to the city and promote civic pride.

6.2 How is risk being managed?

None identified.

6.3 What is the impact on the organisation?

These Awards enhance and promote the reputation of the Council and the City of Coventry

6.4 Equalities / EIA

There are no EIA implications

6.5 Implications for (or impact on) the environment

None.

6.6 Implications for partner organisations?

None.

Report author(s):**Name and job title:**

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Directorate:

Place

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Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
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Jane Barlow	Principal Private Secretary to the Lord Mayoralty	Place	17/09/18	17/09/18
Names of approvers for submission: (officers and members)				
Finance: Graham Clark	Lead Accountant, Finance	Place	17/09/18	18/09/18
Legal: Julie Newman	City Solicitor and Monitoring Officer	Place	17/09/18	17/09/18
Director: Barry Hastie	Director of Finance and Corporate Services	Place	17/09/18	17/09/18
Deputy Chief Executive: Martin Yardley	Deputy Chief Executive, Place	Place	26/09/18	28/09/18
Members:	Councillor A Khan	Cabinet Member for Policing and Equalities	26/09/18	27/09/18

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