

**Coventry City Council**  
**Minutes of the Meeting of Council held at 2.00 pm on Tuesday, 8 September 2020**

Present:

Members: Councillor A Lucas (Chair)

Councillor F Abbott	Councillor R Lancaster
Councillor N Akhtar	Councillor M Lapsa
Councillor P Akhtar	Councillor J Lepoidevin
Councillor M Ali	Councillor G Lloyd
Councillor R Ali	Councillor P Male
Councillor A Andrews	Councillor K Maton
Councillor R Auluck	Councillor T Mayer
Councillor R Bailey	Councillor J McNicholas
Councillor L Bigham	Councillor C Miks
Councillor J Birdi	Councillor J Mutton
Councillor J Blundell	Councillor M Mutton
Councillor R Brown	Councillor J O'Boyle
Councillor K Caan	Councillor G Ridley
Councillor J Clifford	Councillor E Ruane
Councillor G Duggins	Councillor K Sandhu
Councillor L Harvard	Councillor P Seaman
Councillor G Hayre	Councillor B Singh
Councillor M Heaven	Councillor R Singh
Councillor Hetherton	Councillor D Skinner
Councillor J Innes	Councillor R Thay
Councillor T Jandu	Councillor C Thomas
Councillor L Kelly	Councillor S Walsh
Councillor AS Khan	Councillor D Welsh
Councillor R Lakha	Councillor G Williams

Apologies: Councillor B Gittins, B Kaur and T Sawdon  
Honorary Alderman, M Hammon

### **Public Business**

**18. Minutes of the Meeting held on 16 June 2020**

The minutes of the Meeting held on 16 June 2020 were agreed as a true record.

**19. Exclusion of the Press and Public**

**RESOLVED** that the City Council agrees to exclude the press and public under Sections 100(A)(4) of the Local Government Act 1972 relating to the private report in Minute 34 below headed 'Funding and Delivery of Two Friargate' on the grounds that the report involves the likely disclosure of information as defined in Paragraph 3 of Schedule 12A of the Act, as it contains information relating to the financial affairs of a particular person (including the authority holding that information) and in all circumstances of

**the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.**

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

Death of Councillor Hazel Sweet

The Lord Mayor referred to the recent sad death of Councillor Hazel Sweet.

Councillor Sweet represented the Wyken ward of the city for 13 years.

During this time, she served as Chair and Deputy Chair of Planning Committee, Chair of Audit Committee and as a member of both Business, Economy and Enterprise Scrutiny Board and Health and Social Care Scrutiny Board and was also a former Chair of Adoption Panel.

The Lord Mayor indicated that Hazel was a good friend and respected colleague who was always determined to do the best for the people she represented.

After tributes had been paid by Members, a minute's silence was held to mark the passing of Councillor Sweet who had contributed so much to the city.

**21. Petitions**

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

- (a) Objection to Planning Application FUL/2020/1533 – St Thomas House, Albany Road, 32 signatures, presented by Councillor N Akhtar.**
- (b) Request to Coventry City Council, WM Police and KT Management company to draw up a plan to deal with multiple issues in Signet Square, 28 signatures, presented by Councillor J O'Boyle**
- (c) Request to stop the removal of parking spaces in Agincourt Road by not approving Citizens plans, 10 signatures, presented by Councillor R Bailey.**
- (d) Request to stop the proposed change to parking at Daventry Road shopping centre, 363 signatures, presented by Councillor R Bailey.**
- (e) Objection to Planning Application OUT/2020/1505, on the A444, Land at Wilsons Lane, CV6 6HN and the diversion of the B25 footpath, 318 signatures, presented by Councillor L Bigham.**
- (f) Request that it be more difficult for travellers to access the Brookstray, 504 Signatures, presented by Councillor G Ridley.**
- (g) Request to British Telecom and the City Council work together to re-purpose a telephone box proposed for removal to be used to house a defibrillator, 200 Signatures, presented by Councillor G Ridley.**

- (h) Request that the City Council review the Local Plan to protect green spaces and return land to the Green Belt, 2 petitions with a total of 4917 signatures, presented by Councillor G Ridley.
- (i) Objection to Planning Application FUL/2020/1179 - Milverton Gates Care Centre, Lodge Road, 54 signatures, presented by Councillor J Mc Nicholas.
- (j) Request the installation of a pedestrian crossing on Coundon Wedge Drive, 304 Signatures, presented by Councillor G Williams.
- (k) Request for urgent traffic calming measures along Valley Road to Blackberry Lane, 8 Signatures, presented by Councillor K Caan.

## 22. Declarations of Interest

There were no declarations of interest.

## 23. Proposed Changes to the Constitution

Further to Minute 26 of the Cabinet Member for Policing and Equalities meeting, the City Council considered a report of the Chief Executive which set out proposed changes to the Constitution, as considered by the Constitutional Advisory Panel at its meeting on 19 November 2019.

These were:

- (a) Revisions to the Conference and Travel Protocol: Part 4E of the Constitution
- (b) Revisions to the Rules for Contract: Part 3G
- (c) Revisions to the Financial Procedure Rules: Part 3F
- (d) Audit and Procurement Committee Terms of Reference: Part 2I
- (e) Protocol for Conferring the Title of Honorary Alderman
- (f) Code of Conduct for Elected and Co-opted Members: Part 4A
- (g) Licensing and Regulatory Committee Terms of Reference: Parts 2F and 2M

These changes were set out in detail in Appendices 1 to 7 of the report, including the required tracked changes to the Constitution.

The Advisory Panel had agreed all the proposed revisions with the following exceptions or additions:

- **Travel and Conference Protocol:** The Advisory Panel recommended that, once drafted, officers submit a new policy on conference and travel to Ethics Committee for approval.
- **Rules for Contract:** The proposal to reduce the frequency of reports on the activities of the Procurement Board to the relevant Cabinet Member from every 6 to every 12 months was not approved. The Advisory Panel recommended that this continues to be made every 6 months. (Rule 9.2). In addition, officers will speak to the Chair of Audit and Procurement

Committee to seek their agreement to remove the requirement to make an annual report to the Committee on procurement.

- **Finance Procedure Rules:** The Advisory Panel recommended that a proviso be inserted so that where a grant bid will require match funding by the Council, there should be a requirement to seek the approval of the Cabinet Member and that footnote 6 in the table of financial thresholds should read “following consultation with the relevant Cabinet Member(s)”.
- **Protocol for Conferring the Title of Honorary Alderman:** The Advisory Panel recommended that Paragraph 2 d) be amended to increase the minimum service required as a Member from 15 to 20 years.

In proposing the report, in accordance with the Constitution, the Cabinet Member, Councillor AS Khan, moved the Recommendations with a specified alteration to withdraw all proposals relating to Honorary Alderman as detailed in Recommendation 5 of the report, thus maintaining the status quo.

**RESOLVED that the City Council:**

- (1) **With regard to the Conference and Travel Protocol, agree that:**
  - (a) **The Conference and Travel Protocol be removed from the Constitution;**
  - (b) **Officers be authorised to produce a policy for the approval of conference and travel costs for members and officers;**
  - (c) **Once drafted, the policy be approved by Ethics Committee;**
  - (d) **A register of travel and conference attendance costing more than £500 and all travel outside of the UK be maintained and published; and**
  - (e) **The register of travel and conference costs be scrutinised by Ethics Committee twice a year.**
- (2) **Subject to the continued inclusion of the requirement for a six-monthly report to the relevant Cabinet Member in Rule 9.2, and to officers speaking to the Chair of Audit and Procurement Committee to seek their agreement to remove the requirement to make an annual report to the Committee on procurement, approval be given to the proposed revisions to Part 3G of the Constitution (Rules for Contract) set out in Appendix 2 to this report.**
- (3) **With regard to the Financial Procedure Rules:**
  - (a) **Where a grant bid requires match funding by the Council, there should be a mandatory requirement to seek the**

**approval of the relevant Cabinet Member;**

- (b) Footnote 6 to the table of financial thresholds be amended to read “Following consultation with the relevant Cabinet Member(s); and**
  - (c) Subject to (3)(a) and (3)(b) above, approval be given to the proposed revisions to Part 3F of the Constitution set out in Appendix 3 to this report.**
- (4) In relation to amending paragraph 8.5 of the Audit and Procurement Committee’s Terms of Reference:**
- (a) Authority be delegated to the Monitoring Officer and City Solicitor to remove all reference to severance packages from the paragraph on the enactment of The Restriction of Public Sector Payments Regulations: and**
  - (b) Approval to be given to the reference to “salary over £100,000” being amended to “salary level for a new post over £100,000”.**
- (5) Approval to be given to the proposed revisions to Part 4A of the Constitution (Code of Conduct for Elected and Co-opted Members) as set out in Appendix 6 of the report be approved**
- (6) Approval to be given the proposed revisions to Part 2F and 2M of the Constitution (Functions of Licensing and Regulatory Committee and Scheme of Delegation to Employees) as set out in the Appendix 7 of the report.**
- (7) The Monitoring Officer be authorised to make any necessary amendments to the Constitution arising from recommendations (1) to (7).**

#### **24. Revenue and Capital Outturn 2019/2020**

Further to Minute 71 of the Cabinet, the City Council considered a report of the Director of Finance, that would also be considered by the Audit and Procurement Committee at their meeting on 19<sup>th</sup> October 2020, that outlined the final revenue and capital outturn position for 2019/2020 and reviewed treasury management activity and 2019/2020 Prudential Indicators reported under the Prudential Code for Capital Finance.

The overall financial position included the following headline items:

- A balanced revenue position after a recommended £5.5m is set aside in reserves for the Council’s reset and recovery following the Covid-19 outbreak.
- Capital Programme expenditure of £216m which represents the largest programme in the modern era.
- An increase in the level of Council revenue reserves from £82m to £90m including the Covid funding and the net underspend contribution.

Further detail included:

- A revenue overspend of £3.4m relating to housing and homelessness as a result of demand for temporary accommodation and the associated costs not recoverable from Housing Benefit.
- A revenue overspend of £2.5m across services for children and young people driven principally by the number and cost of children's placements.
- A net underspend across the rest of the Council and in particular a £12m position within central budgets resulting overwhelmingly from one-off circumstances.
- Identified expenditure and income loss related to the Covid-19 situation in March 2020 of £2.85m funded by Government emergency funding provided for this purpose.
- Receipt of overall Covid-19 funding of £10.4m of which £7.55m is proposed be set aside to deal with Covid costs in 2020/21.

The underlying revenue position had improved by £3.6m since Quarter 3 when an underspend of £1.9 was forecast. In particular, the overall underspend and the improved position related to improvements within Contingency and Central budgets which were set out in the report. In overall terms the favourable outturn position shown must be put in the context of the Covid-19 crisis. The human and public health impacts of this have been widely reported and some of these could be expected to continue for the foreseeable future. Councils had been assessing the estimated additional costs and lost income that had already been incurred or were expected and this task was essential to inform the Government's pledge to ensure that such costs were fully funded.

Given the huge uncertainties, it was difficult to provide robust estimates of the forward looking financial impact on the Council although even with optimistic forecasts of the lifting of restrictions, the overall cost could exceed £30m. Notwithstanding early Government commitments, there had been subsequent indications that councils may be expected to 'share the burden' of these costs. On this basis it was important that the Council continued to maintain a strong financial position to protect itself from what could be a very challenging financial environment which would certainly be felt well beyond financial year 2020/21. The recommended proposals put forward through the Director of Finance, the Council's Section 151 officer, were reflected in the report recommendations and explained in section 5.1 of the report. Appendices to the report provided: a detailed breakdown of Directorate Revenue Variations; Capital Programme Changes and Analysis of Rescheduling; and Prudential Indicators.

**RESOLVED that the City Council approve reserve contributions of £5.5m to a Reset and Recovery reserve and £7.55m to fund costs resulting directly from Covid-19.**

## 25. Ring Road - Swanswell Viaduct Refurbishment Phase 2

Further to Minute 26 of the Cabinet, the City Council considered a report of the Director of Transportation and Highways on further funding from the Department for Transport Local Highways Maintenance Challenge Fund for Phase Two of the Swanswell Viaduct Refurbishment Scheme. Appendices to the report provided a Location Plan and Project Delivery Structure.

The Swanswell Viaduct Refurbishment scheme involved the structural refurbishment of substandard elements on the Swanswell Viaduct Junction 1 – 4 of the Coventry Ring Road. Following award of funding from Tranche 1 of the Department for Transport Local Highways Maintenance Challenge Fund, Phase 1 of the refurbishment was completed in 2018.

The Council had been successful in securing a further £5.0million through the same Fund for Phase 2 of the Scheme with a requirement for 2.5% (£250k) contribution from the Council. In total £5.25 million was available to spend on the refurbishment of the structure. Department for Transport conditions required all funds to be spent by the end of financial year 2020/21.

**RESOLVED that the City Council:**

- 1) Authorise the Council to accept and add Department for Transport Local Highways Maintenance Challenge Fund of £5.0million grant for the purposes of refurbishing the Swanswell Viaduct, to the Council's 5 Year Capital Programme.**
- 2) Delegate authority to the Director of Transportation and Highways, following consultation with the Cabinet Member for City Services, to agree detailed terms of the transaction and to enter into the relevant legal agreements and associated documents necessary to complete the transaction and appoint the contractor to deliver the works.**

**26. Funding and Delivery of Two Friargate**

Further to Minute 27 of the Cabinet, the City Council considered a report of the Chief Executive that sought approval for funding to acquire the land and building to be constructed necessary to deliver the Two Friargate scheme. Appendices to the report provided a Site Plan and the General Masterplan Layout.

A corresponding private report was also submitted to the meeting setting out the commercially confidential matters of the proposals. (Minute 34 below refers.)

The delivery of the Friargate business district was a key corporate priority for the Council. The Council secured £51.2m of grant funding from the West Midlands Combined Authority in 2018 to support the delivery of the next commercial office building, Two Friargate. A condition of the funding was the establishment of the Friargate Joint Venture between the Council and Cannon Cannon Kirk to deliver the wider Friargate development scheme. Following the establishment of the joint venture in January 2019, work on design and development stages for the building and a tender process to appoint a contractor to deliver the building had been on-going. Two Friargate was due to start on site during Autumn 2020.

The total capital cost of the Two Friargate scheme was anticipated to be £68.2m. This report sought approval for the £17m of funding (in excess of the WMCA grant) to acquire the land and building to be constructed necessary to deliver the Two Friargate scheme.

Friargate was located next to Coventry Railway Station, one of the fastest growing stations outside of London, which was currently benefiting from an £78m masterplan to create a new transport hub, second station building and new car park.

**RESOLVED that the City Council:**

- 1) **Approve capital expenditure up to a capped amount of £17m from prudential borrowing to fund the grant of the 250 years long leasehold interest in the land to the Council and the delivery of the building to be constructed on Two Friargate.**
- 2) **Make available additional working capital in the sum as highlighted in the private version of this report, to match the other Friargate JV Project Limited shareholder's contribution and ensure that the JV Company is adequately funded to promote schemes to investor and secure development in accordance with the business plan.**
- 3) **Approve the necessary adjustment to the Capital programme to reflect the capital expenditure incurred in the delivery of Two Friargate.**

**27. Amendment to Allocation of Executive Function within Cabinet**

The City Council noted a report of the Leader which informed the Council of a change to the allocation of Executive Functions within Cabinet.

The report indicated that on 25 June 2020, in accordance with Paragraph 9.4 of Part 2B of the Constitution, the Leader of the Council notified the Director of Law and Governance that the function of ICT was moved from the portfolio of Strategic Finance and Resources to the portfolio for City Services.

**28. Motion without Notice - Appointment to Outside Body**

In accordance with the Constitution, the Leader moved a Motion without Notice that was seconded by Councillor AS Khan and carried that Councillor R Ali be appointed to the West Midlands Combined Authority Transport Scrutiny Sub-Committee.

**RESOLVED** that Councillor R Ali be appointed to the West Midlands Combined Authority Transport Scrutiny Sub-Committee

**29. Exercise of Emergency Functions**

The City Council noted a report of the Chief Executive which set out decisions undertaken by the Chief Executive since the last Council Meeting on 16 June 2020, in accordance with the Constitution and following consultation with the Leader of the Council, Councillor G Duggins, to exercise emergency functions, as a consequence of the Covid-19 pandemic to ensure the continuous functioning of the business of the Authority, including its response to the pandemic.

All decisions, including the reasons for the decisions taken, had been published on the City Council's website.

### 30. **Question Time**

Councillors AS Khan, J Mutton, S Walsh, K Caan and T Khan provided written answers to the questions set out in the Questions Booklet together with oral responses to supplementary questions put to them at the 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>Question put to</b>	<b>Subject matter</b>
1	Councillor M Heaven	Councillor P Hetherton and Councillor K Caan	Impact of traffic in the vicinity of the Avenue Bowls Club, Coundon
2	Councillor A Andrews	Councillor A S Khan	Covid compliance regarding the fair at Hearsall Common
3	Councillor T Jandu	Councillor J Mutton	Coombe Abbey Loan
4	Councillor G Ridley	Councillor J Mutton	Value of Coombe Abbey
5	Councillor G Williams	Councillor J O'Boyle	Bicycle Mayor

### 31. **Statements**

The Leader, Councillor G Duggins, made a Statement in respect of a number of issues relating to Covid-19 including ongoing work by the City Council and the re-opening of businesses and schools in the City.

Councillor G Ridley responded to the statement.

### 32. **Debate: A-level and GCSE Grading Process**

The following Motion was moved by Councillor K Maton and seconded by Councillor J Innes:

“In its management of this year’s A-level and GCSE grading process, the Conservative Government has failed in its responsibility for this Nation’s young people and their future.

Over the last decade, Tory Ministers have pursued Qualifications and methods of Assessment that have narrowed the curriculum and failed to respond to student and employer needs. They have consistently shown a complete lack of trust in teachers and education leaders. A dogma driven attitude that this year has culminated in a situation where teacher and school assessments of their students’ potential were ditched in favour of an Ofqual algorithm. For most students, grades were awarded with no reference to, or evidence of, their individual achievements. Despite their protestations it has shown that this Government has little time for too many of our young citizens.

In contrast, this Council believes that the needs of our young people must be the foundation upon which curriculum and teaching is built. These needs vary from school to school and between different geographical areas.

So, this Council calls on the government to:

- Work with teachers and school leaders to develop a robust national system of moderated centre assessed grades in recognition of the likely continued disruption to teaching throughout the next 12 months.
- Commission a thorough independent review into assessment methods used to award key stage qualifications in England.
- Move away from the reliance on end of course exams that increases student anxiety and fails to give a fair reflection of what students can achieve.

Go local: let leaders from a range of education institutions work with public private and third sector employers to develop a curriculum mix in our schools and colleges that is relevant to all youngsters and best prepares them for their future lives.”

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

**33. Debate: Recognising work of staff during COVID-19**

The following Motion was moved by Councillor Heaven and seconded by Councillor D Skinner:

“This Council recognises the efforts of its officers during this difficult time caused by Covid19. Council acknowledges the flexibility which many officers have shown during this period and expresses its grateful thanks. In particular, to those who have served on the front-line including staff who have adapted into emergency roles.”

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

**34. Funding and Delivery of Two Friargate**

Further to Minute 26 above, the City Council considered a private report of the Chief Executive setting out the commercially confidential matters relating to the funding and delivery of Two Friargate. Appendices to the report provided a Site Plan and the General Masterplan Layout.

**RESOLVED that the City Council:**

- 1) Approve capital expenditure up to a capped amount of £17m from prudential borrowing to fund the grant of the 250 years long leasehold interest in the land to the Council and the delivery of the building to be constructed on Two Friargate**
- 2) Make available working capital up to the sum now indicated to match the other Friargate JV Project Limited shareholder’s contribution and ensure**

**that the JV Company is adequately funded to promote schemes to investor and secure development in accordance with the business plan**

- 3) Approve the necessary adjustment to the Capital programme to reflect the capital expenditure incurred in the delivery of Two Friargate.**

(Meeting closed at 5.15 pm)