

Coventry City Council
Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 12 October 2021

Present:

Members: Councillor G Duggins (Chair)
Councillor AS Khan(Deputy Chair)
Councillor R Brown
Councillor K Caan
Councillor P Hetherton
Councillor M Mutton
Councillor J O'Boyle
Councillor K Sandhu
Councillor P Seaman
Councillor D Welsh

Non-Voting Deputy
Cabinet Members: Councillor P Akhtar
Councillor G Hayre
Councillor G Lloyd

Non-Voting Opposition
Members: Councillor G Ridley
Councillor P Male

Other Non-Voting
Members: Councillors N Akhtar
Councillor J Clifford
Councillor C Thomas

Employees (by Service):

Chief Executive M Reeves

Adult Services P Fahy (Director of Adult Services), A Errington

Children J Gregg (Director of Children), N Jeffrey

Education and Skills K Nelson (Director of Education and Skills), R Sugars,
C Webb

Finance B Hastie (Director of Finance)

Legal and Governance J Newman (Director of Law and Governance), S Bennett,
L Knight

Property Services and
Development R Moon (Director of Property Services and Development),
L Hobbs

Transportation and Highways C Knight (Director of Transportation and Highways),
J Seddon

Apologies: Councillor L Bigham
Councillor B Gittins
Councillor R Lakha

Public Business

29. Declarations of Interest

Councillor P Akhtar declared a Disclosable Pecuniary Interest in the matters referred to in Minute 34, headed 'Coventry Transport Strategy' and Minute 35, headed 'Coventry Very Light Rail'. He withdrew from the meeting for the consideration of these matters.

30. Minutes

The minutes of the meeting held on 31st August 2021 were agreed as a true record. There were no matters arising.

31. Exclusion of Press and Public

RESOLVED that the Cabinet 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 41 below headed 'SEND Proposals for the Use of the Woodlands Site' on the grounds that the report involves the likely disclosure of information contained 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.

32. Coventry City Council's Youth Justice Strategy and Plan - 2021-23 (Youth Justice Plan)

The Cabinet considered a report of the Director of Children's Services, which sought Council endorsement of the Coventry Youth Offending Service (CYOS) Youth Justice Plan for 2021-23, which was appended to the report.

The report indicated that Youth Offending Teams were established under the Crime and Disorder Act 1998. The functions assigned to the Youth Offending Service include the duty upon the local authority, under the Children Act 1989, to take all reasonable steps to encourage children not to commit offences. The Crime and Disorder Act imposed a duty on each local authority, acting in cooperation with its Statutory Partners (Police, Health and Probation), to ensure that all Youth Justice services are available in their area to such an extent as is appropriate for the area. The key tasks of the service were set out in the report.

The Crime and Disorder Act also imposed a duty to complete and submit a Youth Justice Plan each year, which provides an overview of CYOS achievements against key indicators, plans and target and identifies the key strategic priorities for the next 12-24 months. The plan also demonstrates, in line with the Youth Justice Board grant requirements, the continued delivery of statutory responsibilities as described in the Crime and Disorder Act 1998. The CYOS has submitted its plan which demonstrates the delivery of the statutory functions and the methods for achieving this to the Youth Justice Board. The Plan outlined specific areas including:

- Governance, Leadership and Partnership Arrangements
- Resources and Services
- Performances and Priorities
- Responding to the Pandemic and Recovery from Covid 19
- Challenges, risks and opportunities
- Improvement and Business Plan.

RESOLVED that the Cabinet recommend that the Council endorse the Youth Justice Strategy and Plan 2021/2023.

33. Adult Social Care Annual Report and Key Areas of Improvement 2020/21 (Local Account)

The Cabinet considered a report of the Director of Adult Services, which set out the Adult Social Care Annual Report and Key Areas of Improvement 2020/21.

The Adult Social Care Annual Report and Key Areas of Improvement 2020/21 (also referred to as the Local Account) describes the performance of Adult Social Care and the progress made against the priorities for the year. It also provides specific examples of the operational activities to support service users and carers.

Although there is no statutory requirement to produce an annual report, it is considered good practice as it provides an opportunity to be open and transparent about the successes and challenges facing Adult Social Care and to show what is being done to improve the outcomes for those that come into contact with the service. The production of the annual report is part of the Local Government Association's approach to Sector Led Improvement. This approach was launched following the removal of national targets and assessments for Adult Social Care. However, the Government has announced an intention for a formal oversight regime for Adult Social Care to be introduced, led by the Care Quality Commission. No details or specific timescales have been set for this, but the indication is that a move away from Sector Led Improvement will be forthcoming.

The production of the 2020/21 report has drawn on the pool of feedback and information that was gathered over the year from a range of sources including social care staff, Adult Social Care Stakeholder Reference Group, providers, partner organisations and people that have been in contact with Adult Social Care along with their families and carers. It reflects the performance and activities throughout the main period of the Covid-19 pandemic to date.

The Local Account also looks forward to 2021/22 and includes summary details regarding key areas for improvement. These are improvements the service intends to look at to achieve better service delivery, improve outcomes for people and, in doing so, to create a stable provider market for the City, within the context of the Adult Social Care reforms recently announced.

The Cabinet noted that the report had been considered by the Health and Social Care Scrutiny Board (5) at its meeting on 29th September 2021. The Board had welcomed the report and supported the recommendations.

RESOLVED that, the Cabinet:

- 1. Note the comments from the Health and Social Care Scrutiny Board (5).**
- 2. Approve the Adult Social Care Annual Report and Key Areas of Improvement 2020/21 (Local Account).**

34. Coventry Transport Strategy

The Cabinet considered a report of the Director of Transportation and Highways, which set out the Coventry Transport Strategy.

The Council has developed a draft Coventry Transport Strategy, which was attached as Appendix 1 to the report submitted. The Strategy sets out a long term (15 year) vision for the way that people and goods will travel to, from and around the City in the future. Through the exploitation of new technologies and ideas, which are being developed in the City, it is intended to achieve the following 4 broad objectives:

- Supporting the City's economic recovery and enabling long term growth;
- Delivering a sustainable, low carbon transport system;
- Ensuring equality of opportunity;
- Maximising health and wellbeing.

The draft Strategy is closely linked to the West Midlands Combined Authority (WMCA) Local Transport Plan (LTP) for the region as a whole. The LTP is currently under review and the Coventry Transport Plan will form part of the final West Midlands LTP.

A public consultation on the draft Coventry Transport Strategy is proposed, with a view to the adoption of the final Strategy before the end of March 2022.

The Strategy is supported by a separate draft Implementation Plan, attached as Appendix 2 to the report, which is focussed primarily on the first five years of the Strategy (2022/23 – 2026/27). The Plan sets out the specific transport schemes that will be delivered in order to implement the Strategy and reflects an expected five-year funding settlement between the Department for Transport and the WMCA - the City Region Sustainable Transport Settlement (CRSTS) – which is expected to provide the bulk of the funding required for many of these schemes.

Discussions between the Department for Transport and WMCA are ongoing, however, it is expected that a final funding allocation will be confirmed before the end of 2021 as part of the Government's Comprehensive Spending Review. The draft Implementation Plan will be updated to reflect this prior to the Council being asked to adopt the final Strategy before the end of March 2022.

RESOLVED that, the Cabinet:

- 1. Approve the draft Coventry Transport Strategy as shown in Appendix 1 of the report, for public consultation.**
- 2. Note that following the consultation, a further report will be produced for Cabinet to adopt the Coventry Transport Strategy.**

35. Coventry Very Light Rail

The Cabinet considered a report of the Director of Transportation and Highways, which provided a progress update on Coventry Very Light Rail, a flagship project for the Council.

The Coventry Strategic Transport Investment Strategy 'Connecting Coventry', approved by Council in January 2017, aims to maximise the economic potential of the city through investment in transport infrastructure to support growth and jobs. It set out an ambitious £620m programme over the next ten years to improve the resilience of the road network, ensuring connectivity to job opportunities, expansion of railway capacity, including Coventry Very Light Rail (CVLR) and linking key development opportunities and employment sites.

A progress report in March 2018 provided an update on how the strategy had progressed and sought further approvals to take forward the schemes in the Strategy to delivery.

The report now submitted provides a further update on Coventry's Transport Strategy and outlined the City Region Sustainable Transport Settlement submission recently approved by the West Midlands Combined Authority (WMCA) for submission to Government. This made provision for securing funding for the CVLR project for the 2022-27 period, subject to Government approval.

The CVLR project is supported by Transport for West Midlands and has gained national and global interest. Appendix 1 of the report outlined the VLR vision, progress to date, next steps and evidence of progress. It was proposed that delivery of a City Centre CVLR Demonstrator be brought forward to showcase the City's position as a world class centre for innovation. The CVLR team will explore the viability of delivering the infrastructure required to operate a city demonstrator between the Railway Station and Pool Meadow. The report also outlined capital investment by the Council of up to £3.2m required to deliver the first route, the funding opportunities currently identified, together with the project's funding requirements for the 2021/22 financial year. This investment is essential in 2021/22 to deliver the following activities:

- Enable progression of the business and commercial case for the first route.
- Enable the procurement of the Outline Design Concept and Operations and Maintenance input for the first route.
- Progression of the track workstream to enable Test Track facilities of the new track design to be procured and constructed.

RESOLVED that the Cabinet recommend that Council:

- 1. Approve the allocation of up to £3.2m corporate reserves to the CVLR programme activities to maintain programme which is working towards a delivery of a first route for Coventry at the earliest opportunity.**
- 2. Subject to approval of recommendation 1 above, delegate authority to the Director of Finance, following consultation with the Cabinet Member for Jobs, Regeneration and Climate Change, to determine the final allocation from corporate resources once the outcome of funding bids are known.**
- 3. Delegate authority to the Director of Transportation and Highways, following consultation with the Leader of the Council and the Cabinet Member for Jobs, Regeneration and Climate Change, to finalise and negotiate the terms of, and enter into, the relevant legal agreements as well as any associated documents deemed necessary pursuant to the procurements in relation to the CVLR activities.**

36. Coventry One Strategic Plan and Education Capital Programme

The Cabinet considered a report of the Director of Education and Skills, which set out the Coventry One Strategic Plan and Education Capital Programme.

Under Section 14 of the Education Act 1996, the Council has a statutory duty to ensure sufficient school places and fair, appropriate access to education. It is the Council's role to plan, commission and organise school places in a way that raises standards, manages supply and demand and creates a diverse infrastructure.

The Coventry One Strategic Plan was first presented to Council on 2nd October 2018 and set out pupils forecasts for special, primary and secondary education across education planning areas in response to rising or falling pupil cohorts across the City. It outlines the strategy proposed by the Local Authority and the Coventry Education Partnership to meet the additional places required in secondary provision from 2019 to 2024. Work has also been undertaken to look at the Special School provision and the primary estate in line with falling birth rates and new housing, outlining how the Local Authority will mitigate against these factors.

It is proposed that the strategy will be a flexible plan, able to adapt to shifting mechanisms of parental preferences, unforeseen changes in supply and demand of school places and future birth rates. To do this, the One Strategic Plan will be monitored and updated annually with presentation to the Cabinet Member with the Education Portfolio and Cabinet, alongside a wider process of constant review of School Place Planning. In addition, the procuring of places will take place annually so as not to create an unstable number of school places.

The Cabinet noted that a Memorandum of Understanding (MOU) has been established to ensure partnership commitment between the Council and secondary schools. Subject to approval, this will be rolled out to primary and special schools. The partnerships signify a commitment and cooperation between the Council, governing bodies and school leadership teams to meet the

educational needs of children and young people in the City, ensure the sustainability of Coventry schools and to enable the Council to meet its statutory obligations.

As part of this process, numerous options have been discussed at both Coventry Education Partnership meetings and the Secondary Headteacher Executive. The preferred option has been approved by the Coventry Education Partnership as being the best valid option keeping in line with the Local Authority's statutory requirement as outlined by the DfE to:

- Spend capital funding efficiently;
- Safeguard the quality of places in the system;
- Manage down spare capacity in the estate where it exists.

Capital allocations to meet projected shortfalls in provision are provided by the Education Skills Funding Agency (ESFA) to all Local Authorities based upon the data provided in the annual School Capacity return. Demand for places minus the supply of places is multiplied by a cost per pupil; place to inform the final allocation. This return informs the ESFA of the expected change in pupil numbers over the next few years, the current capacity of schools to meet those numbers and the planned changes to that capacity. The next tranche of funding will be announced in March 2022.

RESOLVED that, the Cabinet:

- 1. Authorise the programme of work outlined in the Coventry One Strategic Plan for Primary, Secondary Education and Special Education Needs (SEN).**
- 2. Delegate authority to the Director of Education and Skills to agree the most appropriate route for the works to be delivered and awarded.**

37. SEND Proposal for the Use of the Woodlands Site

The Cabinet considered a report of the Director of Education and Skills, which set out the next steps in the SEND proposal for the use of the Woodlands school site.

A corresponding private report detailing confidential financial matters was also submitted for consideration (Minute 41 below refers).

The report indicated that Section 14 of the Education Act 1996 places a statutory duty on councils to ensure that there are sufficient school places and fair, appropriate access to education for all. It is the Council's role to plan, commission and organise school places in a way that raises standards, manages supply and demand and creates a diverse infrastructure.

This means that local authorities have to provide a continuum of provision to meet a continuum of need. Whilst Coventry has relatively few specialist provisions delivered in the form of resourced centres / units in mainstream schools, it does have a good range of special school provision. Consequently, very few Coventry children have to attend schools outside of the City, which is a position that needs to be maintained.

However, the recent evidenced growth in need, specifically in the area of complex communication (autism spectrum conditions) and social emotional and mental health (SEMH), has placed a level of demand on the special school system that exceeds supply. School age Education, Health and Care Plans have increased from 2,145 in January 2020 to 2,344 in January 2021, demonstrating a 26% growth across a 5-year period.

On 30th October 2018, the Cabinet approved in principle the refurbishing of the existing Woodlands School site to provide a new home for the existing Woodfield Primary and Secondary schools and the potential subsequent relocation of the Woodfields schools to the Woodlands site. It was agreed that a further report be submitted containing a full detailed feasibility study. Approval of this feasibility study would enable education to proceed with a more detailed examination of the costings and look at the funding sources available.

Following an Ofsted inspection at Woodfield School in March 2020, which resulted in a grading of 'Inadequate', Woodfield School is required to academise. The Governing Body of the school has made a successful application to the Secretary of State for an Academy Order under the Academies Act 2010. Following the West Midlands Headteacher Board in October 2020, it was agreed that Woodfield School will join the Sidney Stringer Multi-Academy Trust (Sidney Stringer MAT) as a convertor academy and thereafter will cease to be maintained by the Local Authority. The Council, in conjunction with the Department for Education, Woodfield School and Sidney Stringer MAT are working towards a target conversion date of 1st April 2022, subject to leases being agreed and all other agreements in place. The conversion is also dependent upon significant progress being made on this project.

The move to the Woodlands site allows both Woodfield primary and secondary phases to benefit from shared working practices, provision of more efficient and improved facilities and a purpose designed building. It would also allow Woodfield School to increase the number of pupils. In addition, the refurbishment of the Woodlands site would potentially allow a continuation and expansion of the community sporting provision that has been successfully provided at the site for many years.

The existing Woodlands buildings are of a 1950's vintage and are Grade II listed. As such, significant investment is required to allow them to be used as a modern SEND school. The DfE transferred the building across to the Council in September 2017. The condition report highlighted a sum required for the upkeep and maintenance costs and many of the buildings have remained vacant since the Woodlands Academy closure.

RESOLVED that the Cabinet:

- 1. Note the outcome of the feasibility study report (as identified in the corresponding private report) and the consultation set out in Appendices 3 and 4.**

2. **Approve the commencement of a competitive procurement process to appoint the design team and the building contractor to enable the delivery of the capital refurbishment works required on the Woodlands Site to facilitate the relocation of the existing Woodfield Primary and Secondary Schools.**
 3. **Subject to acting within approved budgets, delegate authority to the Director of Education and Skills and the Director of Finance, following consultation with the Director of Law and Governance, to undertake the necessary due diligence including but not limited to the award of contracts to successful tenderers and entry into all necessary legal agreements.**
 4. **Note that where the costs of delivering the relocation of the existing Woodfield Primary and Secondary schools to the Woodlands Site exceeds the approved budget limit (“the Shortfall Gap”) a further report will be presented to Cabinet and Council for the approval of the Shortfall Gap prior to award of the contract to the successful building contractor.**
 5. **Recommends that Council:**
 - a. **Approve the capital budget for the delivery of the capital refurbishment works on the Woodlands Site to facilitate the relocation of the existing Woodfield Primary and Secondary schools in the sum identified in the corresponding private report.**
 - b. **Approve that the Council capital programme is adjusted to facilitate the recommendation set out in a. Above.**
 - c. **Delegate authority to the Director of Education and Skills and the Director of Finance to refine and manage the financial projections within the capital budget associated with the delivery of capital refurbishment works on the Woodlands site to facilitate the relocation of the existing Woodfield Primary and Secondary Schools.**
38. **Academies Act 2010 - Grant of temporary 5-year excluded act lease following the proposed academy conversion in respect of Woodfield School site and the grant of a 125-year Long Lease in respect of Woodlands School site to the Sidney Stringer Multi-Academy Trust (MAT)**

The Cabinet considered a report of the Director of Education and Skills, which set out proposals for the grant of a temporary 5-year excluded act lease following the proposed academy conversion of Woodfield School site and the grant of a 125-year Long Lease in respect of Woodlands School site to the Sidney Stringer Multi-Academy Trust (MAT).

The report indicated that although authority was delegated to the Cabinet Member for Education and Skills in respect of academy conversion sign-off, officers considered that a formal Cabinet report is appropriate for the academy conversion of Woodfield Primary and Secondary school (Woodfield School) given the unique

nature of this conversion. There is a requirement for multiple leases and also a significant cost implication for the Council in relation to the planned works at the existing Woodfield School sites and the Woodlands School site, the aim of which is to continue and improve SEND education provision and opportunities in the City.

Following an Ofsted inspection at Woodfield School in March 2020, which resulted in a grading of 'Inadequate', Woodfield School is required to academise. The Governing Body of the school has made a successful application to the Secretary of State for an Academy Order under the Academies Act 2010 (the 2010 Act). Following the West Midlands Headteacher Board in October 2020, it was agreed that Woodfield School will join the Sidney Stringer Multi-Academy Trust (Sidney Stinger MAT) as a convertor academy and thereafter will cease to be maintained by the Local Authority.

The Local Authority has a statutory duty to provide appropriate education provision for children and young people with Special Educational Needs and Disabilities (SEND). The Council aims to deliver support for children and young people in SEND in the mainstream sector where possible, and within their community, to enable them to enjoy the same range of experiences and opportunities as children with no additional needs. Following the conversion to an academy, Sidney Stringer MAT will provide the appropriate education provision for children and young children with SEND from Woodfield School.

It is proposed that the Sidney Stringer MAT will use and occupy Woodfield School for the delivery of the aforementioned educational provisions under a 5-year lease and, upon the practical completion of agreed works being carried out by the Council to the adjoining Woodlands School, Sidney Stringer MAT will decant from Woodfield School to Woodlands School. At the point of practical completion of the agreed works at Woodlands School and relocation of Woodfield School to this site, even if this is prior to the expiry of the 5-year term of the Woodfield School temporary leases, it is agreed that Sidney Stringer will surrender the 5-year lease of Woodfield School and complete a 125-year lease of the agreed land and buildings at Woodlands School in accordance with Section 1 of the 2010 Act.

This will enable officers to subsequently market and dispose of Woodfield School together with surplus playing field land at Woodlands School for housing development thereby securing a capital receipt for the Council.

RESOLVED that, the Cabinet:

- 1. Note Woodfield School's intent to convert to an academy by joining the Sidney Stringer MAT.**
- 2. Authorise the Director of Law and Governance to agree and complete the suite of legal documentation to facilitate the short-term 5-year lease in respect of Woodfield School, the grant of 125-year long lease in respect of Woodlands School, the separate lease or leases in respect of the Site Services Officer (SSO) accommodation and any necessary Commercial Transfer Agreement (CTA).**

3. **Delegate authority to the Director of Education and Skills, following consultation with the Cabinet Member for Education and Skills, to agree where necessary any amendments to the legal agreements arising from further consideration by both the Council and Sidney Stringer MAT.**

39. **Outstanding Issues**

There were no outstanding issues.

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

There were no other items of public business.

41. **SEND Proposal for the Use of the Woodlands Site**

Further to Minute 37 above, the Cabinet considered a private report of the Director of Education and Skills, which set out commercially confidential matters relating to the next steps in the SEND proposal for the use of the Woodlands school site.

RESOLVED that the Cabinet:

1. **Note the outcome of the feasibility study report in Appendix 1 and the consultation in Appendices 4 and 5 of the report.**
2. **Approve the commencement of a competitive procurement process to appoint the design team and the building contractor to enable the delivery of the capital refurbishment works required on the Woodlands Site to facilitate the relocation of the existing Woodfield Primary and Secondary Schools.**
3. **Subject to acting within approved budgets, delegate authority to the Director of Education and Skills and the Director of Finance, following consultation with the Director of Law and Governance, to undertake the necessary due diligence including, but not limited to, the award of contracts to successful tenderers and entry into all necessary legal agreements.**
4. **Note that where the cost of delivery the relocation of the existing Woodfield Primary and Secondary schools to the Woodlands Site exceeds the approved budget limit (“the Shortfall Gap”), a further report will be presented to Cabinet and / or Council for the approval of the Shortfall Gap prior to the award of the contract to the successful building contractor.**
5. **Recommends that Council:**
 - a. **Approve a capital budget for the delivery of the capital refurbishment works on the Woodlands Site to facilitate the relocation of the existing Woodfield Primary and Secondary schools in the sum set out in the report.**

- b. Approve that the Council capital programme is adjusted to facilitate the recommendation set out in a. above**
- c. Delegate authority to the Director of Education and Skills and the Director of Finance to refine and manage the financial projections within the capital budget associated with the delivery of capital refurbishment works on the Woodlands site to facilitate the relocation of the existing Woodfield Primary and Secondary schools.**

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

There were no other items of private business.

(Meeting closed at 2.55 pm)