

Coventry City Council
Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 15 February 2022

Present:

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

Non-Voting Deputy
Cabinet Members:

Councillor P Akhtar
Councillor B Gittins
Councillor G Hayre
Councillor G Lloyd

Non-Voting Opposition
Members:

Councillor P Male
Councillor G Ridley

Other Non-Voting
Members:

Councillor N Akhtar
Councillor J Clifford
Councillor C Thomas

Employees (by Service):

Chief Executive

M Reeves (Chief Executive)

Adult Services

J Reading

Business, Investment and
Culture

M Dillow, B Willers

Finance

B Hastie (Chief Operating Officer (Section 151 Officer)),
P Jennings

Law and Governance

J Newman (Director of Law and Governance), M Salmon

Streetscene and
Regulatory Services

D Butler

Transportation and
Highways

C Knight (Director of Transportation and Highways),
P Bowman

Others Present: Alison Cole, Warwickshire County Council

Apologies: Councillor L Bigham
Councillor R Lakha
Councillor M Mutton
Councillor R Singh

Public Business

Former Councillor Margaret Lancaster

The Chair, Councillor Duggins, referred to the recent sad death of former Councillor Margaret Lancaster. The Cabinet held a minute's silence as a mark of respect.

72. Declarations of Interest

There were no disclosable pecuniary interests.

73. Minutes

The minutes of the meeting held on 11th January 2022 were agreed and signed as a true record. There were no matters arising.

74. 2021/22 Third Quarter Financial Monitoring Report (to December 2021)

The Cabinet considered a report of the Chief Operating Officer (Section 151 Officer), that would also be considered at the Audit and Procurement Committee on 21st March 2022, which advised of the forecast outturn position for revenue and capital expenditure and the Council's treasury management activity as at the end of December 2021. Appendices to the report provided details of the Revenue Position: Detailed Directorate breakdown of forecast outturn position; the Capital Programme: Analysis of Budget/Technical Changes; the Capital Programme: Estimated Outturn 2021/22; the Capital Programme: Analysis of Rescheduling; and Prudential Indicators.

The headline revenue forecast for 2021/22 was for net expenditure to be £12.8m over budget before the application of COVID-19 emergency funding for local government. After the use of this grant, the net forecast over-spend was £2.5m. At the same point in 2020/21 there was a projected underspend of £0.5m. This overall position incorporates two key areas of overspend.

There was an underlying overspend of £10.1m within Children's Services, although £8.5m of this has been attributed to the pandemic and funded from one-off Covid funding leaving a net overspend of £1.6m. (3.4m at Quarter 2). Despite this use of Covid funding the underlying overspend represented a serious worsening of the position since the start of the year and a heightened risk to the Council's overall financial position. Whilst this position was consistent with the basis of the 2022/23 Pre-Budget Report, it remained critical that work continued to be undertaken to understand the likelihood and extent of these pressures and any potential actions to reduce them in the future. It was clear that a combination of

societal and demographic trends and market pressures were creating a very difficult environment for the service, part of the effect of which was the challenging financial position reflected here.

After adjusting for the effects of Covid, the Streetscene and Regulatory Service was forecasting to be overspent by £4.3m by the year-end if the current industrial dispute by HGV drivers continued over this period. The HGV driver industrial dispute was resulting in a net pressure of c£1.8m, due primarily to the facilitation of the temporary waste collection sites, the revised arrangements for a fortnightly household waste collection and the loss of commercial waste income.

Elsewhere, lower-level budget pressures had continued or emerged within Business, Investment and Culture, Finance and Legal and Governance Services. Underspends were reported within Corporate budgets and Housing and Transformation such that the corporate position had stayed within acceptable tolerances and could be reasonably expected to improve towards the year-end.

The Council and the city continued to receive Government support linked to Covid within the 2021/22 financial year. This amounted to c£24m announced to date to support Council services directly and a further c£43m channelled through the Council to support Coventry businesses and external suppliers. Although further allocations could be ruled out, the pace of funding announcements had slowed markedly reflecting the wider easing of lockdown measures. The scale of any residual Covid related grants was therefore likely to be modest although the emergence of any further Covid- variants could still change the landscape of Government funding through 2022.

The Council's capital spending was projected to be £223.6m and included major scheme expenditure which ranged from: investment in the A46 Link Road; Coventry Station Masterplan; construction of a second office building and a hotel within the Friargate development; Air Quality highways works; and Secondary Schools expansion. The size of the programme and the nature of the projects within it continued to be fundamental to the Council's role within the city.

The Council's services and its financial position had been moving gradually towards a business-as-usual position as the year progressed with activity and impacts arising from the Covid pandemic starting to subside. This position could be disrupted with the recent rise in case numbers whilst some pockets of service activity continued to be significantly affected. Significant financial risk remained in relation to the underlying funding position for local government, the future trajectory of Covid costs and challenging financial situations within a few service areas. It remained a financial imperative therefore to focus on the medium-term horizon and for the Council to anticipate and address the anticipated legacy effects of Covid.

RESOLVED that the Cabinet:

- 1) Approves the Council's revenue monitoring position incorporating the application of Covid emergency funding.**

- 2) Approves the revised forecast capital outturn position for the year of £223.6m incorporating: £27.4m programme rescheduling since quarter two and £2.3m net reduction in spending relating to approved/technical changes.

75. **Coventry and Warwickshire All Age Autism Strategy 2021-2026**

The Cabinet considered a report of the Director of Adult Services that sought approval of an all-age Autism Strategy for Coventry and Warwickshire for the period 2021-2026. Appendices to the report provided the Joint All Age Autism Strategy 2021-2026, and the Autism Strategy Delivery Plan 2021-2022.

A Briefing Note and Presentation on the Strategy had been considered by the Health and Adult Social Care Scrutiny Board (5), with Members of Education and Children's Services Scrutiny Board (2) invited to the meeting, on 1st December 2021 (their minute 20/21 referred). The Board supported and endorsed the proposed Strategy.

Local Authorities and CCGs had a number of statutory responsibilities to support autistic people, such as those outlined in the Autism Act 2009, Equality Act 2010, Care Act 2014, Children and Families Act 2014, SEND code of Practice 2014 and NHS Long Term Plan 2019. In recognition of these statutory responsibilities and the inequalities faced by autistic people, the Coventry and Warwickshire Collaborative Commissioning Board approved the development of a joint all age strategy for autistic people. This was a joint five-year strategy owned by Warwickshire County Council, Coventry City Council, and NHS Coventry and Warwickshire Clinical Commissioning Group.

The Strategy built on the previous joint commissioning plan developed by Coventry City Council and Warwickshire County Council in 2017. Publication of the local Strategy was delayed while the national strategy was being developed, however, work had continued to work towards delivery of the Strategy in the meantime. Significant progress had been made since the previous joint commissioning plan to develop diagnostic pathways for adults and children; pilot new support services for autistic people pre and post diagnosis and those in mental health crisis; improve support for young people in education with communication and sensory needs; and deliver autism training for parents, carers, and the wider workforce. However, autistic people continued to experience inequalities due to gaps in services and support, hence the need for this Strategy.

This Autism Strategy was informed by a range of co-production and mapping activity which was completed in 2019 and 2020 with experts with lived experience and key professionals and was undertaken to build shared understanding of the experience of autistic people of all ages and their families in accessing support appropriate to their needs and getting a formal diagnosis of autism. An accessible and easy read version was being developed and would be published following sign off of the Strategy.

The Strategy gave the overarching objectives for the next 5 years. These would be delivered in a co-ordinated way across Coventry and Warwickshire and some elements would be delivered differently in different places to take account of the different services and communities across the area.

In line with the Coventry and Warwickshire Special Educational Needs and Disability (SEND) and Inclusion Strategies, the Autism Strategy emphasised the importance of promoting inclusive practice and supporting young people to access their full potential through education. Delivery of the Strategy would therefore be aligned with the Warwickshire SEND change programme and the Coventry SEND Strategy 2019 to 2022 'Lifting the Cloud of Limitation'.

The new national Autism Strategy (2021-2026) launched in July 2021 built on the previous national Strategy's pre-existing duties placed on commissioners and service delivery providers in relation to adults, and through the SEND Code of Practice in relation to children and young people. Overall, there was close alignment between the local and national strategies, although the priorities were described differently between the two documents.

A year 1 Strategy delivery plan had been developed to describe activities that had been initiated while awaiting the publication of the national Strategy. Priorities identified within this plan were funded and were deliverable. The year 1 plan focussed on reducing waiting times for a diagnosis and pre and post diagnostic support, as well as reducing the numbers of autistic people admitted to Mental Health hospitals. In year 2 priorities would reflect the wider scope beyond health, social care, and education.

In reflecting on the national strategy priorities, there was the opportunity to strengthen the focus on workforce development in the local delivery plan for year 2 and building the links with education, criminal justice, and public health as well as with the organisation's own employment practices in promoting the employment of autistic people. For example, greater consideration needed to be given in the local delivery plan to improving the experience of autistic people in accessing public transport and advocacy services and improving support in and environments of services working with autistic people.

RESOLVED that the Cabinet approves the Coventry and Warwickshire All Age Autism Strategy 2021-2026.

76. **Sustainable Warmth Competition (Inc. Green Homes Grant Local Authority Delivery Phase 3 and Homes Upgrade Grant)**

The Cabinet considered a report of the Director of Business, Investment and Culture that sought approval for acceptance of Sustainable Warmth Competition grant funding of c.£2.18 million to support the retrofit of energy efficiency measures for low income and low Energy Performance Certificate (EPC) rated residential households within the City.

The Midlands Energy Hub (MEH) was successful in a regional bid to the Sustainable Warmth Competition (SWC) from the Department of Business, Energy and Industrial Strategy (BEIS). A proportion of this funding was notionally allocated to Coventry City Council for which approval is now being sought to accept. Subject to acceptance, Coventry City Council's allocation would be c.£2.18 million (£1,908,500 to be spent on Local Authority Delivery (LAD) Phase 3 for on gas properties and £275,000 to be spent on Home Upgrade Grant (HUG) Phase 1 for off gas properties). Neither required any local match contribution from the Council.

Following Cabinet approval, full project development plans would be created, with delivery of the scheme to be completed by March 2023.

The SWC was available for up to 100% of both capital and revenue costs associated with its delivery. The SWC would support and complement the existing 'Keeping Coventry Warm' scheme that had been operating in Coventry for several years, in addition to building on the previous Green Home Grant schemes that the Council was already part-way through delivering.

The funding was essential to support some of the most vulnerable residents in the community to improve the energy efficiency of their homes and reduce the levels of fuel poverty across the City. This would in turn lead to:

- 1) Reduction in Coventry's domestic carbon emissions.
- 2) Reduction in health-related morbidity and mortality associated with living in cold homes.
- 3) Reduced demand placed on health and care services.
- 4) Improved energy efficiency for the homes supported, reducing their energy bills and increasing thermal comfort.

RESOLVED that the Cabinet:

- 1) Approves the acceptance of c.£2.18 million pounds of the Sustainable Warmth Competition grant funding from the Midlands Energy Hub to deliver a scheme of domestic retrofit measures to fuel poor and low-income households in Coventry as set out in this report.**
- 2) Delegates authority to the Director of Business, Investment and Culture, following consultation with the Chief Operating Officer (Section 151 Officer) and the Director of Law and Governance, to undertake the necessary due diligence, finalise the terms and conditions of the Sustainable Warmth Competition grant, and enter into any legal agreements required to facilitate delivery of the project.**
- 3) Requests that officers continue to pursue further funding opportunities that may be offered to support further decarbonisation of the City's residential buildings, following consultation with the Cabinet Member for Jobs, Regeneration and Climate Change and the Cabinet Member for Strategic Finance and Resources. This includes but is not limited to, further GHG LAD Schemes and further waves of the Social Housing Decarbonisation Fund.**
- 4) If further grant funding opportunities are secured, delegates authority to the Chief Operating Officer (Section 151 Officer), following consultation with the Director of Business, Investment and Culture, the Director of Law and Governance, the Cabinet Member for Jobs, Regeneration and Climate Change and the Cabinet Member for Strategic Finance and Resources, to undertake the necessary due diligence, finalise the terms and conditions of the grant and enter into any legal agreements required to facilitate delivery of each project up to a maximum amount of £2.5 million pounds.**

77. **Local Development Scheme**

The Cabinet considered a report of the Director of Streetscene and Regulatory Services sought approval of the updated Local Development Scheme, which was published in 2021, to incorporate new work.

It was a legal requirement that a Local Planning Authority must prepare and maintain a Local Development Scheme (LDS), it must be kept up to date and made publicly available. It was a project plan setting out which Development Plan documents were to be prepared and the timetable for the preparation of these documents, so that local communities and interested parties could keep track of progress.

The 2022 LDS was updated to include a Houses in Multiple Occupancy (HMO) DPD and a related Article 4 Direction.

The Local Plan for Coventry was adopted in December 2017. Paragraph 33 of the National Planning Policy Framework and Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 required that policies in local plans should be reviewed to assess whether they needed updating at least once every five years. Consideration had been given to whether the Local Plan should be reviewed earlier than this date and determined by Council on 8th December 2020 (their minute 58/20 referred) that the triggers had not been met, and that the review should take place in December 2022. This LDS therefore ran until December 2022 in line with the timescale for review of the policies.

For clarity (although not a legal requirement) the LDS, attached as an Appendix to the report, also included a timetable for a suite of Supplementary Planning Documents which expanded upon Local Plan policy. The topics for these Documents were: Open Space; Affordable Housing; Energy; Tall Buildings & View Management; Residential design; and Biodiversity.

For completeness, the LDS set out information and guidance on Neighbourhood Plans, local plan monitoring and data standards.

RESOLVED that the Cabinet approves the Local Development Scheme attached as Appendix 1 to the report, to be brought into effect at the earliest opportunity.

78. **To Seek Approval to Apply for Moving Traffic Enforcement Powers**

The Cabinet considered a report of the Director of Transportation and Highways that sought approval to apply to the Secretary of State for the powers to enforce moving traffic offences under the Traffic Management Act 2004 part 6 which would help to improve road safety and bus journey times, reduce traffic congestion, and thereby have a positive impact on air quality.

The TMA 2004 part 6 introduced civil enforcement of traffic offences in England and Wales. The legislation allowed local authorities to enforce parking restrictions together with some moving traffic offences, like making banned left / right turns, exceeding weight limits, and stopping in yellow box junctions.

To date, the powers to enforce moving traffic offences were not available to local authorities outside of London. However, in July 2020, the government committed to change this and allow local authorities outside of London the powers to manage moving traffic contraventions. Consequently, local authorities could now apply to the Secretary of State for a Designation Order to obtain moving traffic enforcement (MTE) powers.

The enforcement of speeding traffic and footway parking were not covered by the changes in legislation, any enforcement of these was currently undertaken by the Police under criminal law, although a relatively low priority for them.

The proposed adoption of the powers by the Council was expected to free up valuable Police resources to concentrate on tackling crime, although the Police would not relinquish their existing powers to the Council and therefore may continue to undertake MTE in conjunction with the Council subject to available resources and other priorities.

RESOLVED that the Cabinet:

- 1) Agrees that approval be given for officers to apply to the Secretary of State for the powers to undertake moving traffic enforcement pursuant to Part 6 of the TMA 2004 using CCTV camera systems, which requires consultation with stakeholders including West Midlands Police, and a minimum six-week public communication and engagement to raise public awareness.**
- 2) Delegates authority to the Director of Transportation and Highways, following consultation with the Cabinet Member for City Services and the Chief Operating Officer (Section 151 Officer) or nominated deputy, to approve the expenditure needed to implement moving traffic enforcement subject to a satisfactory business case.**
- 3) Delegates authority to the Director of Transportation and Highways, following consultation with the Cabinet Member for City Services, for the development of a 'Prioritisation Criteria' to identify locations where the introduction of moving traffic enforcement will have the greatest benefit and impact.**

79. Outstanding Issues

There were no outstanding issues.

80. 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.

(Meeting closed at 2.40 pm)