

Coventry City Council
Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 11 October 2022

Present:

Cabinet Members: Councillor G Duggins (Chair)
Councillor A S Khan (Deputy Chair)
Councillor R Brown
Councillor K Caan
Councillor M Mutton
Councillor K Sandhu
Councillor P Seaman
Councillor P Hetherington
Councillor D Welsh

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

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

Other Non-Voting
Members: Councillor R Lakha
Councillor C E Thomas

Employees (By Service)

Chief Executive M Reeves (Chief Executive)

Adult Services and
Housing P Fahy (Director of Adult Services and Housing), S Caren

Business, Investment and
Culture S Weir

Children's Services J Gregg (Director of Children's Services), N Jeffreys,
A Whitrick

Education and Skills K Nelson (Director of Education and Skills), N Hart, K Mawby,
J Moffat

Finance B Hastie (Chief Operating Officer (Section 151 Officer)),
E Dewar

Law and Governance O Aremu, L Knight, C Taylor

Streetscene and
Regulatory A Walster (Director of Streetscene and Regulatory Service), D
Blackburn, A Chowns

Public Business

28. **Declarations of Interest**

There were no disclosable pecuniary interests.

29. **Minutes**

The minutes of the meeting held on the 30th August 2022 were agreed and signed as a true record. There were no matters arising.

30. **Exclusion of Press and Public**

RESOLVED that the press and public be excluded under Sections 100(A)(4) of the Local Government Act 1972 for the consideration of the following private reports on the grounds that the reports involve the likely disclosure of information defined in Paragraphs of Schedule 12A of the Act as indicated, and that in all circumstances of the cases, the public interest in maintaining the exemption outweighs the public interest in disclosing the information:

Minute Number	Report Title	Paragraph(s) Of Section 12A Of the Act
44	Capital Scheme for Children's Homes Offering Same Day / Short-Term Placements	3
45	Social Care Reforms: Fair Cost of Care	3
46	Loan for Material Recycling Facility	3

31. **Transfer of Charitable Trust Funds**

The Cabinet considered a report of the City Solicitor and Monitoring Officer, which sought approval to transfer charitable funds into a Coventry established fund to be managed by the Heart of England Foundation.

The Council acts as trustee for a number of charitable funds operating in and around the City, with varying numbers of charitable trustees appointed and different degrees of control. Many of these are active and effective in utilising their assets and delivering their charitable objectives. However, others have limited or no activity.

Following a review of the charities, it was proposed to transfer the Tansley Charity Trust, Doctor William MacDonald of Johannesburg Trust, and the John Friends Memorial Fund into a Coventry established fund which would be managed by the Heart of England Community Foundation and utilised for the benefit of the residents of Coventry.

The Charity Commission published guidance in 2019 to encourage dormant charities to either close and transfer their assets or to change their purposes and operate more effectively. The Charity Commission has identified that £20m is being held in dormant charitable trusts, which could be redirected within the sector. The proposed transfer is in keeping with the Charity Commission's wider strategy.

RESOLVED that, the Cabinet:

- 1. Approve the transfer of the 3 Charitable Trust Funds as detailed in Appendix 1 of the report, subject where necessary to the agreement of the Charity Commission and other trustees, to the Heart of England Community Foundation (HOECF).**
- 2. Agree to set up a Coventry Trust managed by the HOECF to serve the residents of the City with the following charitable objectives:**
 - Projects benefitting children and young people;**
 - Projects to support the welfare of older people;**
 - Projects that support general community / cultural / sporting activity.**
- 3. Agree that (to the extent necessary) the Monitoring Officer be authorised to:**
 - (a) Support the charitable trustee complete the necessary and legal processes, including but not limited to, making the necessary resolutions; and**
 - (b) Send a copy of these resolutions to the Charity Commission to progress the transfer.**

32. Adult Social Care Report 2021/22

The Cabinet considered a report of the Director of Adult Services and Housing, which described the performance of Adult Social Care and the progress made against the priorities for the year, along with specific examples of operational activities to support service users and carers.

The Cabinet noted that the report had also been considered by the Health and Social Care Scrutiny Board (5) at its meeting held on 14th September 2022. A briefing note was appended to the report setting out the following recommendations from the Board, which the Cabinet accepted:

- i. The Board welcomed the production of the report, and noted its value, acknowledging it was not a statutory requirement to produce the Adult Social Care Annual Report;
- ii. Supported the work being undertaken to promote Adult Social Care services to the City's diverse population to ensure services were available where needed;
- iii. That the impact of the growth in demand be monitored as the demand in growth did not correlate with an increase in workforce. The Board

- raised concerns that this may impact on the quality of care received and needed to be monitored;
- iv. That opportunities to diversify the workforce to reflect the population including at care assistant level be explored;
 - v. Assurances were sought that the reasons for the increase in safeguarding enquiries and concerns were being monitored and understood;
 - vi. The Board sought assurance regarding the reported performance measures including trends in compliments and complaints.

Although there was not a statutory requirement to produce an annual report, it was considered good practice and provided an opportunity to be open and transparent about the successes and challenges facing Adult Social Care and to show what was being done to improve objectives for those that come into contact with the Council's services. The production of an annual report was part of the Local Government Association's (LGA) approach to Sector Led Improvement. This approach was launched following the removal of national targets and assessments for Adult Social Care. The assessment framework was challenging and from April 2023 Adult Social Care would be subject to oversight by the Care Quality Commission (CQC).

The production of the 2021/22 report had drawn on the pool of feedback and information that was gathered over the year from a range of sources including social care staff, Partnership Boards, Adult Social Care Stakeholder Group, providers, partner organisations and people that had been in contact with Adult Social Care along with their families and carers. It reflected the performance and activities as the authority emerged from the Covid-19 pandemic and the end of domestic restrictions.

The Annual Report for 2021/22 was provided at Appendix 1 and highlighted key achievements based on the Adult Social Care Offer, which included:

- Taking a strength-based approach;
- Helping people to stay at home;
- Living and aging well;
- Making the best use of resources;
- Joined up care and support;
- Keeping people safe;
- Carers at the heart of everything the authority do
- Committed workforce.

The Local Account also looked forward to 2022/23 and included challenges and key areas for development under the headings of Adult Social Care Reform; Adult Social Care Improvement; and Adult Social Care Partnerships. These were improvements the service intended to make in order to improve service delivery, improve outcomes for people and support the Council's ability to operate within the resources available. The priority would be to improve care and support services for adults and to create a stable provider market for the City. The Cabinet welcomed the inclusion of case studies and commentaries from those who come into contact with Adult Social Care; their families and carers; as well as partner organisations and employees.

RESOLVED that, the Cabinet:

- 1. Agree the comments and recommendations from the Health and Social Care Scrutiny Board (5).**
- 2. Approve the Adult Social Care Annual Report 2021/22 (Local Account) and recommend that Council receive and note the report.**

33. Youth Justice Plan 2021/23 Update

The Cabinet considered a report of the Director of Children's Services, which sought endorsement of the Youth Justice Plan.

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

- Management and delivery of community sentences;
- Assessing and delivery of out of court disposal interventions
- Assessing and delivery of diversion support to children at risk of entering the Youth Justice System;
- Management and delivery of secure estate sentences and resettlement;
- Servicing the Youth Court and the Crown Courts (in terms of provision of the court team, Bail and Health Assessments, provision of Pre-Sentence Reports and Stand-down Reports;
- Parenting services and management of Parenting Orders; and
- Victim services.

The Crime and Disorder Act also imposed a duty to complete and submit a Youth Justice Plan each year. The Plan provides an update against the 2021-23 strategy. For the first time this year, the Youth Justice Board (YJB) mandated a template for the plan as part of their grant agreements with Youth Justice Services and thus the plan has been presented in this format.

The plan demonstrated the continued delivery of statutory responsibilities as described in the Crime and Disorder Act 1998 part 111 (section 38) and the methods for delivering statutory functions in line with the grant requirement. The plan provided an updated picture on how the vision was being realized, priorities addressed, and provided a Service analysis and overview. It further outlined: how the Youth Justice Service engage / work collaboratively with children, families, and victims of crime; governance arrangements; partnership resourcing into the Service; performance against key priorities; current challenges and risks; the emerging evidence base of best practice; and, how the Service would continue to build on the developmental activities across the city in 2022/23.

RESOLVED that, the Cabinet recommend that the Council endorse the Coventry's Youth Justice Strategy and Plan 2021-23 (Update 2022).

34. **Economic Development Strategy**

The Cabinet considered a report of the Director of Business, Investment and Culture, which set out Coventry's New Economic Development Strategy for 2022-2027.

The Cabinet noted that the report had also been considered by the Scrutiny Co-ordination Committee at its meeting held on 28th September 2022. A briefing note was appended to the report setting out the Board's agreement to the adoption of the Strategy and requested that annual performance data on the Strategy be presented to the appropriate Scrutiny Board. The Cabinet accepted this request.

Coventry's new Economic Development Strategy 2022-2027 would build on the achievements of the Coventry Economic Growth and Prosperity Strategy 2018-2022. It was one of the key strategies for delivering the objectives of the new One Coventry Plan 2022-2030, and also particularly strongly integrated with the new Coventry Skills Strategy.

As well as replacing the current Economic Growth and Prosperity Strategy, which would expire at the end of 2022, a new Economic Development Strategy was needed that would provide a holistic framework for facilitating the sustainable growth of Coventry's economy. This was vital as Coventry and the wider West Midlands region continued to recover from the recession generated by the Covid-19 pandemic, growing challenges around adjusting to new UK-EU trading regulations after Brexit and wider global supply chain disruption, inflation, and the cost of living and cost of doing business.

The new Strategy would be integral to delivering the objectives of the 2022-2030 One Coventry Plan. It would be central to the objective of Increasing Economic Prosperity, by creating the conditions for local businesses to thrive, new investment to come into the city and the creation of new good quality job and training opportunities. Through providing the framework for sustainable economic development and enabling all residents to benefit from new employment and training opportunities created, the Strategy would also be key to tackling the causes of climate change and tackling inequalities. These actions would also cement the Council's role as a partner, enabler and leader in shaping the local economy, and would help to improve the financial sustainability of the Council.

The vision of the Strategy was to "deliver a strong and resilient economy, where inclusive growth is promoted and delivered, businesses are enabled to innovate and grow, and new local jobs are created." To achieve this vision, the Council would, through eight interlinked pillars:

- facilitate a sustainable economic recovery from the COVID-19 pandemic and challenging economic climate driven by inflation and rising cost of living and cost of doing business, creating the platform for longer-term growth and prosperity
- deliver a first-class support infrastructure that responds to our businesses' needs and opportunities
- secure maximum public and private investment to deliver infrastructure projects that create the conditions for economic growth and job creation

- secure job creation, growth and prosperity through attracting and supporting business investment from both the UK and overseas
- ensure that social value and sustainability are incorporated into all economic development work
- support the development of a skills ecosystem which provides the skills required by Coventry's businesses, both current and future, and contributes to economic growth and the prosperity of the city
- ensure Coventry is a leader in the green industrial revolution by supporting our businesses, residents and partner stakeholders to tackle the challenges and opportunities presented by climate change
- Build on existing strong partnerships in delivering all elements of this strategy

The Strategy would aim to tackle Coventry's rising unemployment rate as well as wages and productivity levels which were below the national average, and the West Midlands economy experiencing the highest contraction of all regions during the Covid-19 pandemic. The Council would seek to capitalise on the unique opportunities facing the city – not least the city's longstanding track record in transport innovation, opening of the UK Battery Industrialisation Centre in 2021, and plans for a Gigafactory at Coventry Airport and subsequent investment in the electric vehicle and battery technology supply chains; the legacies of UK City of Culture 2021 and the 2022 Commonwealth Games; and continued transformation of Coventry City Centre through the Friargate and City Centre South schemes and schemes delivering physical enhancements to neighbourhoods across the city.

In developing the Strategy, the Council had consulted directly with stakeholders across Coventry City Council, key external economic development and business support partners, and members of the public through the One Coventry Plan consultation process and consultation events.

Through continued work with partners, by 2027 the strategy aims to ensure that Coventry is a:

- Green City, both through industrial innovation and sustainable transport.
- Leading edge city in Advanced Manufacturing & Engineering industries.
- Cultural City, particularly through expanded creative and tourism sectors.
- City providing high employment levels and good quality jobs.
- City providing opportunities for all through strong universities, and education & skills ecosystems.
- City with reduced health, economic and social inequalities.

As a result of the gradual withdrawal of EU structural funds between 2022 and 2024, the grant funding available to support the delivery of the EDS had also reduced requiring the use of one-off service reserves, which were now expired. Timing and value of successor grant funding from the Shared Prosperity Fund to support the Economic Development Strategy was still unclear but was expected to be less than previously available EU funds.

RESOLVED that, the Cabinet:

1. **Accept the comments and recommendations of the Scrutiny Co-ordination Committee.**
2. **Approve the adoption of the Coventry Economic Development Strategy 2022-2027.**
3. **Delegate authority to the Director of Business, Investment and Culture, following consultation with the Chief Legal Officer, the Chief Operating Officer and the Cabinet Member for Jobs, Regeneration and Climate Change, to further amend, edit and adapt the Coventry Economic Development Strategy 2022-2027 in the future in response to subsequent review, opportunity and consultation as required.**

35. **Coventry Skills Strategy**

The Cabinet considered a report of the Chief Partnership Officer (Director of Education and Skills), which set out the Council's first citywide Skills Strategy.

The Cabinet noted that the report had also been considered by the Scrutiny Co-ordination Committee at its meeting held on 28th September 2022. A briefing note was appended to the report setting out the Board's agreement to the adoption of the Strategy and requested that annual performance data on the Strategy be presented to the appropriate Scrutiny Board. The Cabinet accepted this request.

The Coventry Skills Strategy takes a holistic approach to the skills system from early years through to lifelong learning to achieve the best outcomes for the city's residents and businesses. It plays a pivotal role in delivering on the ambitions of the 'One Coventry 2022-2030 Plan' in helping to increase the economic prosperity of the city, addressing climate change and tackling inequalities within our communities. The approach reflects collaborative principles of the One Council Plan with shared work across Council teams and services, residents, education/skills providers, employers, other public sector bodies and community organisations. It serves as a 'framework for action' with partners learning and developing creative solutions to skills challenges together to meet our three Strategic Ambitions and the eight Priority areas within them:

- Strategic Ambition 1: A comprehensive, citywide skills offer that raises aspirations and allows each and every resident throughout their lives to reach their full potential.
 - Skills Levels: to improve the overall skills levels of Coventry residents.
 - Aspiration: Further develop a skills system that inspires residents to achieve from primary school through to lifelong learning.
 - Progression Pathways: providing a clear line of sight for people to progress through Coventry's skills system.
- Strategic Ambition 2: A skills ecosystem which ensures that all, including those most in need, are able to participate in, progress and achieve success.
 - Community: A skills system which meets the needs of all residents and is widely accessed by all Coventry communities, including newly arrived communities.

- Inclusion: A skills system which is fully inclusive and representative of our diverse City.
- Highest Needs: A skills system which supports those most in need, with a ‘proportionate universalism’ approach, helping people out of poverty and creating a more equal City.
- Strategic Ambition 3: A flexible and responsive system that works together with our growing, investing and local businesses to deliver the right skills mix for our dynamic labour market.
 - Skills for business: A skills system which provides the skills required by Coventry’s businesses, both current and future and contributes to economic growth and the prosperity of the City and Region.
 - Social Value and Sustainability: A skills system which is well positioned to maximise increased commitment to social justice, respect, community, and responsibility including Coventry’s commitment to tackling climate change.

The Skills Strategy is fully integrated with the Council’s new Economic Development Strategy 2022-2025. Through the two strategies, the council would achieve the following three common goals:

- Getting the skills and opportunities right for investment: *Develop a ‘team around’ approach for investments and large developments with expertise brought together from across the Council to ensure early, comprehensive planning better meets business need and ensures maximum benefit for Coventry.*
- Co-designing skills solutions with businesses: *Designing together with industry and skills partners to ensure the skills system is responsive, innovative and produces the right mix for now and the future. This includes supporting employers to maximise social value commitments.*
- In-work upskilling with local employers: *Collaborations which encourage access to skills and workplace development at all levels.*

RESOLVED that, the Cabinet:

- 1. Accept the comments and recommendations of the Scrutiny Co-ordination Committee.**
- 2. Approve the Coventry Skills Strategy 2022-2027.**
- 3. Agree to receive an annual monitoring report on the progress towards the Strategy’s aspirations and the progress each ‘Action Group’ has made against the 8 priorities.**

36. Review of Policy on Enforcement in the Private Rented Sector

The Cabinet considered a report of the Director of Streetscene and Regulatory Services, which set out proposed amendments to the Policy for Enforcing Standards in Private Sector Housing 2022.

The provision of good quality housing for Coventry residents is a priority for the Council. Government have legislated to provide local authorities with additional powers to tackle poor quality homes in the Private Rented Sector. The Council approved its enforcement policy for enforcing standards in private sector housing in 2018.

This policy has now been reviewed following the introduction of additional powers and legislation and the report therefore seeks approval of the appended "Policy for Enforcing Standards in Private Sector Housing 2022", which now incorporates those additional powers and provides an effective framework for all future housing enforcement activities in the city. In summary the new policy includes amendments to updated legislation such as the Smoke and Carbon Monoxide Regulations and provides a decision-making mechanism and criteria for adopting the powers to place someone on the Rogue Landlord Database.

RESOLVED that, the Cabinet:

- 1. Approve the amended Policy for Enforcing Standards in Private Sector Housing 2022 attached at Appendix 1 to the report.**
- 2. Authorise the Director of Streetscene and Regulatory Services to implement the policy as detailed in the report and delegate authority to the Strategic Lead for Regulation to issue, use, amend, and enforce civil penalties and all other enforcement powers as set out in the revised Policy for Enforcing Standards in Private Sector Housing 2022.**

37. Family Hub and Best Start for Life Programme

The Cabinet considered a report of the Director of Children's Services, which set out proposals for the Family Hub and Start for Life programmes and the Trailblazer programmes and sought approval to accept grant funding.

The Council operates 8 Family Hubs to deliver place-based integrated offer to families across the city. They bring together services to improve access, build connections between families, practitioners, services and providers and put relationships at the heart of family support. Family hubs offer universal and targeted support to families with children of all ages up to 19 years and should provide support to families with young people with SEND up to 25 years. A comprehensive and effective Start for Life offer (0-2 years) should be at the core of the offer.

Coventry City Council has been selected to apply to join the national Family Hub and Start for Life Programme (first 1001 days), with financial investment to strengthen its offer to babies, children and families building on the achievements to date. This programme would attract between £4.06m - £4.25m grant funding across the 3 years 2022/23 to 2024/25 to deliver the programme objectives.

In addition to this the Council could bid for additional trailblazer funding of £183k during 2022/23 allowing Coventry to be one of the first 15 Local Authorities to lead the way in delivering the programme. Trailblazers would be expected to make the quickest, most ambitious and innovative progress in delivering the Family Hubs and Start for Life programme. This would include going faster and harder in

delivering new or improved services for at least one of the following areas funded: perinatal mental health and parent-infant relationships; infant feeding; and parenting support. Whilst trailblazers may be selected if applying for just one or two programmes, priority will be given to trailblazers that are ambitious and innovative across all three areas. It was therefore proposed that Coventry apply for all three aspects of the funding.

The report included an overview of the Family Hub and Start for Life Programme and the funding that the Council would be eligible for. It also included a description of key service priorities, including a focus on community outreach and engagement with communities to ensure the coproduction of the maturity and expansion of family support services.

RESOLVED that, the Cabinet:

- 1. Note the proposals of the Family Hub and Start for Life programme and the Trailblazer programme.**
- 2. Recommends that Council:**
 - (a) Accepts the grant funding for the purposes outlined in this report in respect of the Family Hub and Start for Life programme and the Trailblazer programme, in the event that that the City Council is successful in its grant bid the City Council.**
 - (b) Delegate authority to Director of Children’s services, following consultation with the Chief Operating Officer and Chief Legal Officer, to agree and sign any grant agreement.**
 - (c) Agree that the Director of Children Services’ is named as the Single Accountable leader for the Start for Life Offer.**
 - (d) Agree that future reports on this grant and the Family Hub and Start for Life programme are received by the Cabinet Member with responsibility for Children Services**

38. Request for Approval of Acceptance of Funding Received from the Department of Education to Implement 'Staying Close' Provision for our Care Leavers

The Cabinet considered a report of the Director of Children’s Services, which sought approval for acceptance of funding from the Department for Education (DfE) to implement ‘Staying Close’ provision for care leavers.

An expression of interest (EOI) application was submitted to the DfE in April 2022 on behalf of Coventry Children’s Services to be included in a national rollout of ‘Staying Close’ arrangements. Staying Close arrangements are being implemented to support young people leaving care from residential Childrens homes with an aim to provide these young people with the same support and opportunities as those who are eligible to remain in their foster care placements under the statutory ‘Staying Put’ arrangements. The application submitted a bid to enable Coventry Children’s Services to provide additional ongoing support to all

children leaving residential care as care leavers, within Coventry up to the age of 21. The grant requested, over a 3-year period was for a total of £1,009,647.

On July 1st, 2022, the Council were informed by the DfE that its bid had been successful and Section 31 grant funding (Education Act 2002) had been agreed.

The DfE advised the Council that the grant for 2022/23 was £323,127, with indicative sums for 2023/24 (£336,403) and 2024/25 (£350,117). Section 31 agreements would need to be agreed between both parties each year.

RESOLVED that, the Cabinet:

- 1. Approve the acceptance of the DfE grant awarded in the sum of £1,009,647 to be utilised towards the proposal which will enable looked-after children living in residential care within the city to access our 'Staying Close' offer and ongoing support until the age of 21**
- 2. Delegate authority to the Director of Children's Services following consultation with the Chief Operating Officer and Chief Legal Officer, to negotiate final terms and approve entry into the grant funding agreement to secure the DfE funding with the City Council acting as the Accountable Body for the funding as well as any other agreements required to bring into effect the recommendations set out in this report.**

39. Capital Scheme for Children's Home Offering Same Day/Short-Term Placements

The Cabinet considered a report of the Director of Children's Services, which set out proposals for the establishment of a Children's Home, offering same day / short-term provision.

A corresponding private report detailing confidential financial matters was also submitted for consideration (Minute 44 below refers).

The Council currently operates 4 Children's homes for up to 16 looked after children and commissions an additional 12 placements with private providers within the city. Based upon the Ofsted registration of these homes, and others within the city, a placement offer cannot be made to children who require accommodating at short notice or for a short period of time.

The Council wishes to establish an additional Children's home, offering same day / short-term provision. This would be funded via acceptance of a Department for Education (DfE) Capital Grant, which would also require match funding of 50% capital borrowing by the Council. Should the DfE Capital Grant bid not be successful then 100% capital borrowing would be required to fund the project.

A sufficiency needs analysis was a requirement of section 22G of the Children Act 1989 and statutory guidance was issued in 2010. A recent analysis in Coventry identified the need for additional provision offering same day / short-term care for children in Coventry.

For some children and their families, additional time / space is needed whilst a wrap-around offer of support can be put in place or, due to level of need/trauma, some may require longer-term residential care as a looked after child.

Working across children's services, finding the right placement at the right time, despite being part of a regional framework can be a significant challenge due to current market pressures, particularly for unplanned placements. Therefore, the Council is often reliant on spot contract providers who may inflate costs of the placement due to the urgency to meet the child's immediate needs.

Nationally this had been acknowledged by the Department for Education (DfE) which had recently announced an initiative to match any capital funding required to enable local authorities to open and run its own provision. An application has been made and the service is currently waiting for a decision.

The current proposal is to purchase and refurbish a privately owned residential property to offer this provision. This would enable children to live locally whilst assessment and appropriate support is put in place which enables improved outcomes for children needing a same day / short-term provision.

RESOLVED that, the Cabinet:

- 1. Approve the acceptance of a DfE grant if awarded which will be utilised towards the commissioning and provision of an additional children's home.**
- 2. Approve capital expenditure of up to:**
 - a. The sum as specified in the private report to be met from prudential borrowing in the event the grant is successful, or,**
 - b. In the absence of the DfE grant award, the sum as specified in the private report to be met from prudential borrowing.**
- 3. Delegate authority to the Director of Children's Services following consultation with the Chief Operating Officer and the Chief Legal Officer to;**
 - a. negotiate final terms and approve entry into any grant funding agreement**
 - b. secure the DfE funding with the City Council acting as the Accountable Body for the funding as well as any other agreements required to bring into effect the recommendations set out in this report.**
- 4. Delegate authority to the Director of Children's Services following consultation with Chief Operating officer and Chief Legal Officer to undertake the necessary due diligence to identify and purchase a property that can be used for the purpose of a short-stay children's home.**

40. **Social Care Reforms: Fair Cost of Care**

The Cabinet considered a report of the Director of Adult Services and Housing, which sought approval for the use of monies available to the Council for 2022/23 in respect of the Fair Cost of Care (FCoC) reform.

A corresponding private report detailing confidential financial matters was also submitted for consideration (Minute 45 below refers).

Fair Cost of Care is one of a series of reforms to Adult Social Care which were contained within the White Paper 'People at the Heart of Care' published in December 2021 with other key reforms including the introduction of oversight of Adult Social Care by the Care Quality Commission from April 2023 and the introduction of a Care Cap and revised charging thresholds from October 2023.

The FCoC is the first of the new reforms to be implemented. The primary purpose of the fund was to support local authorities to prepare their markets for reform, including the further commencement of Section 18(3) of the Care Act and to support local authorities to move towards paying providers a fair cost of care. Section 18(3) would allow new self-funders accessing care homes the right to access the same rates that councils pay from October 2023 and existing self-funders by April 2025. The Department for Health and Social Care (DHSC) have confirmed that, in practice, they expect that actual fees to be paid will be 'informed' by the FCoC process. However fee rates would continue to be based on sound judgement, evidence and through a negotiation process, as is the case currently. This means there would still be variation in the rates providers are paid to reflect quality, level of service, personalisation and wider market circumstances. The ultimate goal is to achieve a sustainable market.

To comply with the requirements of FCoC the Council was required to complete a FCoC exercise related to home support for those aged 18 and over and residential / nursing care for people aged 65 and over. The requirement also includes the production of a provisional Market Sustainability Plan (MSP) by October 2022 with a final MSP required by February 2023. The results of the FCoC exercise (in the form of a Cost of Care report) and provisional MSP were required to be submitted to the DHSC by 14 October 2022. Following submission, the returns would be subject to a national review process by DHSC, and once that review process is complete, they will instruct local authorities to publish their cost of care reports. In addition, the Council is required to commit to 'moving towards' a FCoC.

National funding is available for FCoC. This is £152m for 2022/23 rising to £600m for 2023/24 and 2024/25. From the 2022/23 national amount the City Council had received an allocation of £1.047m with future years funding to be allocated pending the outcome of the FCoC exercise nationally. FCoC funding was not expected to contribute to annual increases resulting from inflation or other cost of living expenses, nor the additional costs associated with demographic changes, these existing annual changes are expected to be met from other local authority resources. For the Council to receive any future years funding it is required to comply with the FCoC requirements of DHSC.

As the outcome of the process would not be confirmed until the subsequent review by DHSC, the draft outcome for submission was contained within the private

report, and would be made public in line with DHSC guidance. There was the option to reduce or close any gap by contributing additional Council resources to the FCoC but given the challenging position of local government finances and the fact that the introduction of FCoC is an additional burden as a result of government policy, using additional council resources to fund FCoC is not recommended. The Council was nevertheless required to determine how the resource available for 2022/23 would be used to support moving toward a FCoC. Further work would be required, including further engagement with adult social care providers, to enable finalisation of the MSP by February 2023 in order to understand the impact of this funding difference in the context of the local care market.

RESOLVED that, the Cabinet:

- 1. Approve that the FCoC funding provided be used to fund an additional increase for eligible contracted providers of home support for adults aged 18 and over, and residential/nursing care for people aged 65 and over for 2022/23 where the price paid is less than the FCoC. This represents an additional fee increase of circa 3%**
- 2. Delegate authority to the Director of Adults Services and Housing, following consultation with Cabinet Member for Adult Services, to finalise the Market Sustainability Plan for February and submit the final report, subject to any further guidance received, by the submission date**
- 3. Support submission of the Cost of Care reports detailing how the exercise was completed, the results of the exercise and how the resource available for 2022/23 will be used**
- 4. Support the FCoC reform intent to move towards paying social care providers a Fair Cost of Care using govt resources provided to fund this reform**

41. Loan for Material Recycling Facility

The Cabinet considered a joint report of the Managing Director of Coventry Municipal Holdings Limited and the Chief Operating Officer, which set out preferred options to finance the development of the material recycling facility (MRF) by seeking funding to Tom White via a commercial loan.

A corresponding private report detailing confidential financial matters was also submitted for consideration (Minute 46 below refers).

The Business Plan for Tom White (TW) for 2022/23 was approved by the Shareholder Committee in March 2022 which supported Tom White business growth and ongoing development.

The business plan set out proposals to redevelop the Tom White recycling infrastructure at Longford Road site. Once completed, this redevelopment would improve the environmental performance of Tom White, dramatically increase the recycling rates for commercial waste and help to increase the financial dividend payable from Tom White back to the Shareholder (the Council).

Tom White growth generally, and the facility redevelopment specifically; focused on tackling climate change and supporting the One Coventry Plan and Climate Change Strategy by:

- Enhancing the recycling ability by reducing burden on raw materials and promoting circular economy;
- Achieving greater diversion of commercial waste from landfill; and
- Increasing energy production either directly or through a fuel manufacture.

The recycling facility redevelopment was core to these growth objectives, and the diagram at Appendix C showed how the new MRF sits in the context of overall waste management and recycling in Coventry and the sub-region.

The current recycling plant and equipment used by TW has historically suffered with little planned maintenance under previous ownership and as it reaches the end of its economic life was now experiencing significant breakdowns, with plant availability reducing considerably. During April to December 2021, the facility experienced 72 days of plant downtime. The impact of this was an increased cost of maintenance (plant and vehicle repairs and spares) and increased plant hire in the financial year 2021/22. There was also an increased cost of disposal due to more material going to landfill due to the plant not being available to sort material for an alternative, cheaper and environmentally sustainable disposal route as a fuel source for onward processing.

The existing plant performance was causing significant cost pressures in Tom White, such that month to month the business is currently operating at about 'break even'. Accordingly the new plant solution would remove the cost pressures that undermine profitability and allow the business to get back on track for profit and dividend availability.

In the short term the Tom White management team have hired new resilient mobile equipment to compensate for the poor performance of the plant. This means that the old unreliable plant does not need to be run, thereby cutting significantly the maintenance costs and subsequent impacts. However this is not a long term solution for the volume of waste processed through the facility, nor would it provide the opportunity to enhance recycling rates and improve financial returns to the shareholder.

The management team at Tom White have been working with its preferred supplier to design the new facility to move away from waste disposal but focus on treating commercial waste as a commodity from which the maximum environmental and economic benefit should be extracted. Therefore the solution was focussed on creating zero waste to landfill.

The business plan increases economic stability with the business case for the recycling facility increasing financial stability of Tom White each year.

The approval of the business plan by the Coventry Shareholder Committee was subject to funding. The report put forward the preferred options to finance the development of the material recycling facility by seeking funding to Tom White via

a commercial loan for the sum, as detailed in the corresponding private report to enable delivery of the recycling infrastructure.

RESOLVED that, the Cabinet recommend that Council:

- 1) Approve a Loan up to the value detailed in the Private Report on commercial market terms for the purposes of delivering the recycling infrastructure.**
- 2) Approve the addition of up to the value detailed in the Private Report to the Councils approved capital programme for the purposes of entering into the Loan**
- 3) Approve the increase in the Commercial Investment Strategy limit for 2022/23 for investment in service loans as detailed in the Private Report.**
- 4) Delegate authority to the Chief Operating Officer (S151 Officer) and the Chief Legal Officer , following consultation with the Cabinet Member for Strategic Finance and Resources, to finalise and agree the detailed terms of the transaction with Tom White. The authority under this delegation shall also include the power to enter into the necessary legal agreements and subsequently the power to negotiate and agree any such variations as is deemed necessary to the terms of the loan facility and ancillary documents.**

42. Outstanding Issues

There were no outstanding issues.

43. 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.

44. Capital Scheme for Children's Home Offering Same Day/Short-Term Placements

Further to Minute 39 above, the Cabinet considered a private report of the Director of Children's Services, which set out the commercially confidential matters relating to proposals for the establishment of a Children's Home, offering same day / short-term provision.

RESOLVED that, the Cabinet:

- 1. Approve the acceptance of a DfE grant if awarded which will be utilised towards the commissioning and provision of an additional children's home.**
- 2. Approve capital expenditure of up to:**

- a. the sum indicated within the report to be met from prudential borrowing in the event that the grant is successful, or.
 - b. In the absence of the DfE grant award, the sum indicated within the report to be met from prudential borrowing.
3. Delegate authority to the Director of Children's Services following consultation with the Chief Operating Officer and the Chief Legal Officer to; -
 - a. negotiate final terms and approve entry into any grant funding agreement
 - b. secure the DfE funding with the City Council acting as the Accountable Body for the funding as well as any other agreements required to bring into effect the recommendations set out in this report.
4. Delegate authority to the Director of Children's Services following consultation with Chief Operating officer and Chief Legal Officer to undertake the necessary due diligence to identify and purchase a property that can be used for the purpose of a short-stay children's home.

45. **Social Care Reforms: Fair Cost of Care**

Further to Minute 40 above, the Cabinet considered a private report of the Director of Adult Services and Housing, which set out the commercially confidential matters relating to proposals for the use of monies available to the Council for 2022/23 in respect of the Fair Cost of Care (FCoC) reform.

RESOLVED that, the Cabinet:

1. Approve that the FCoC funding provided be used to fund an additional increase for eligible contracted providers of home support for adults aged 18 and over, and residential / nursing care for people aged 65 and over for 2022/23 where the price paid is less than the FCoC. This represents an additional fee increase of circa 3%
2. Delegate authority to the Director of Adults Services and Housing, following consultation with Cabinet Member for Adult Services, to finalise the Market Sustainability Plan for February and submit the final report, subject to any further guidance received, by the submission date
3. Support submission of the Cost of Care reports detailing how the exercise was completed, the results of the exercise and how the resource available for 2022/23 will be used
4. Support the FCoC reform intent to move towards paying social care providers a Fair Cost of Care using govt resources provided to fund this reform

46. **Loan for Material Recycling Facility**

Further to Minute 41 above, the Cabinet considered a private report of the Managing Director for Coventry Municipal Holdings Limited and the Chief Operating Officer, which set out the commercially confidential matters relating to a loan for a material recycling facility.

RESOLVED that, the Cabinet recommends that Council:

- 1) **Approve a loan up to the sum indicated within the report on commercial market terms for the purposes of delivering the recycling infrastructure.**
- 2) **Approve the addition of up to the sum indicated within the report to the Councils approved capital programme for the purposes of entering into the Loan.**
- 3) **Approve the increase in the Commercial Investment Strategy limit for investment in service loans as indicated within the report for 2022/23.**
- 4) **Delegate authority to the Chief Operating Officer (S151 Officer) and the Chief Legal Officer, following consultation with the Cabinet Member for Strategic Finance and Resources, to finalise and agree the detailed terms of the transaction with Tom White. The authority under this delegation shall also include the power to enter into the necessary legal agreements and subsequently the power to negotiate and agree any such variations as is deemed necessary to the terms of the loan facility and ancillary documents.**

47. **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 3.00 pm)