

**Coventry City Council**  
**Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 10 January 2023**

Present:

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

Non-Voting Deputy  
Cabinet Members:

Councillor G Hayre  
Councillor G Lloyd  
Councillor S Nazir

Non-Voting Opposition  
Members:

Councillor G Ridley  
Councillor P Male

Other Non-Voting  
Members:

Councillor N Akhtar  
Councillor J Clifford  
Councillor J Innes  
Councillor R Lakha

Employees (by Service):

Chief Executive

M Reeves (Chief Executive)

Education and Skills

K Nelson (Chief Partnership Officer), R Sugars

Finance

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

Human Resources and  
Organisational Development

S Newing (Chief People Officer)

Law and Governance

J Newman (Chief Legal Officer), M Salmon

Streetscene and Regulatory  
Services

A Walster (Director of Streetscene and Regulatory  
Services), T Weatherall

Apologies: Councillor P Akhtar  
Councillor R Auluck  
Councillor L Bigham  
Councillor B Gittins  
Councillor R Singh

## **Public Business**

### **75. Declarations of Interest**

There were no disclosable pecuniary interests.

### **76. Minutes**

The minutes of the meeting held on 13<sup>th</sup> December 2022 were agreed and signed as a true record.

There were no matters arising.

### **77. 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 85 below headed 'Coventry One Strategic Plan and Education Capital programme' on the grounds that the report involves the likely disclosure of information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act, as it contains information relating any individual and 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.**

### **78. 2023/2024 Council Tax Base**

The Cabinet considered a report of the Chief Operation Officer (Section 151 Officer) that established the 2023/24 Council Tax base for tax setting purposes.

The Council Tax base was the measure of the taxable capacity of an area, for the purpose of calculating an authority's Council Tax. It represented the estimated number of Band D equivalent chargeable dwellings for the year. It also took into account the authority's estimated Council Tax collection rate.

The report did not set the actual level of Council Tax in Coventry; that would be set by Council on the 21 February 2023.

Appendices to the report provided: the Tax Base Calculation for 2023/24 Tax Setting (Coventry); the Tax Base Calculation for 2023/24 Tax Setting (Allesley); the Tax Base Calculation for 2023/24 Tax Setting (Finham); the Tax Base Calculation for 2023/24 Tax Setting (Keresley); and Grant payments to parish councils.

**RESOLVED that the Cabinet:**

- 1) Approves that the Council Tax collection rate for 2022/23 be set at 97.9%.
- 2) Agrees that, in accordance with the Local Authorities (Calculation of Tax Base) Regulations 2012, the amounts calculated by the City Council for 2023/24 shall be:

a net tax base of 86,075.2 for the whole of the City Council area made up as follows:

Allesley Parish	387.5
Finham Parish	1,549.4
Keresley Parish	369.8
All Other Coventry City Council Wards	<u>83,768.5</u>
<b>TOTAL</b>	<b>86,075.2</b>

3. That the following grant payments should be made to parish councils to reflect the impact in 2023/24 of Council Tax reductions on their tax bases:

Allesley Parish	£2,057
Finham Parish	£3,114
Keresley Parish	<u>£2,048</u>
<b>TOTAL</b>	<b>£7,219</b>

## 79. **Draft Urban Forestry Strategy**

The Cabinet considered a report of the Director of Streetscene and Regulatory Services that sought approval to adopt the City Council's Urban Forestry Strategy following three phases of consultation which were approved by the Cabinet Member for Policing and Equalities at his meeting held on 21st March 2022 (his minute 31/21 referred).

The Strategy was considered by the Business, Economy and Enterprise Scrutiny Board (3) at their meeting on the 6th November 2019 (their minute 21/19 referred) as part of the initial consultation stage at which the Board made several recommendations which were set out in section 3 of the report. All recommendations had been incorporated into the strategy document and action plan. The details were to be presented to the Scrutiny Board at a future meeting.

The draft Strategy recognised the value and importance of the urban forest particularly in mitigating pollution, heat, flooding and wind as well as its value towards biodiversity, wildlife, the community's health and wellbeing, overall quality of the urban environment and economic value.

Reductions in government spending had led to a decreased spend in greenspaces and as a result, lack of funding had been identified as a main constraint in both improving and maintaining the tree stock. Focus should be made in maximising funding through Planning Section 106 agreements, exploiting opportunities arising from Regeneration and Business Improvement Districts in establishing sustainable urban forests, along with establishing effective partnerships with developers and landowners.

The importance of strategically managing the urban forest was highlighted and the draft Strategy makes reference to a number of Coventry City Council Policies which touch the City's urban forest including the Coventry City Council Area Action Plan, Development Strategy and the recently adopted Greenspace Strategy.

The Strategy acknowledges the significant work done by Coventry's Urban Forestry team to explore new ways of working and provide better value for money in tree maintenance. A number of aspects were recognised as significant including the management of all street trees, the adoption of Tree Risk management processes and procedures to ensure the establishment of new trees.

Although measures were in place at Coventry to protect urban trees, the draft strategy suggested that the need to communicate the benefits of trees as well as enforcement was important and identified a number of issues for consideration including, policies which took into consideration the life cycle of the tree and its value to the environment, strong policies on enforcement and sustainable compensation measures and the protection of ancient woodlands and veteran trees.

There was a need to develop a resilient and sustainable urban forest which should be directed by strong policies to establish wide ranging tree sizes and species distributions. A number of aspects were seen as important in achieving this such as tree mapping, to identify gaps and establish population improvements, achieving a balance of numbers and genetic diversity, aiming to plant more and fell less, developing a species mix to protect against the impacts of disease and pathogens.

The City Council required an Urban Forestry Strategy in order to develop a resilient and sustainable urban forest achieving a balance of numbers and genetic diversity, aiming to plant more and fell less, developing a species mix to protect against the impacts of disease and pathogens. It would also help the City to continue to fight the causes and outcomes of global warming. A copy of the Draft Strategy was attached as an Appendix to the report.

**RESOLVED that the Cabinet approves the adoption of the Urban Forestry Strategy as appended to the report.**

#### 80. **Outcomes of the Fair Funding Consultation Outcomes 2023-24**

The Cabinet considered a report of the Director of Education and Skills that set out the results of the consultation on proposed changes to the Fair Funding Scheme of Delegation ("the Scheme") and sought approval for recommended changes to the Scheme and the Fair Funding Formula.

Under Section 48 of the School Standards and Framework Act 1998, Local Authorities (LAs) were required to have schemes of delegation which set out the financial controls and arrangements that would operate between schools and the LA. Any proposed revisions to these schemes and/or the Fair Funding Formula must be the subject of consultation and required approval by the Schools Forum.

The DFE introduced its National Funding Formula (NFF) for LAs in 2018-19, whereby allocations for LAs were determined under the NFF approach, but LAs retained control over how they chose to distribute that funding amongst their schools. In Coventry the decision since 2018-19 had been to mirror the NFF allocation for schools as far as possible. This had provided all schools with annual increases at least in line with the maximum per pupil funding increase set out in the NFF.

The Department for Education (DFE) published the "Schools Operational Guide: 2023 to 2024" which set out the school revenue funding arrangements for 2023-24. There had not been any significant changes required to the operation of the local school funding formula for 2023-24.

The Coventry Fair Funding Consultation document was circulated on the 4 November 2022 to Head Teachers including Academy Head Teachers/Principals, Chairs of Governing Bodies, relevant Councillors, Trade Unions, Diocesan authorities, the Coventry Governors Association, members of the Schools Forum and Early Years Free Entitlement providers in the private, voluntary and Independent (PVI) sectors. The consultation period ended after 3 weeks on the 27 November 2022.

Stakeholder groups were briefed throughout the consultation period. These included Primary Finance representative head teachers and the Schools Forum. The consultation document also sought to act as an information document to school stakeholders regarding anticipated local budget pressures.

The results of the consultation were set out in Appendix 1 to the report - Fair Funding Consultation 2023-24: Summary of Responses, Appendix 2 gave details of the De-delegation Levels Approved for 2022-23, and Appendix 3 provided the Fair Funding Consultation document for 2023-24.

**RESOLVED that the Cabinet:**

- 1) Approves the recommended changes to the Fair Funding Formula and Fair Funding Scheme of Delegation, which are summarised in section 3 of the report.**
- 2) Delegates authority to the Director of Education and Skills, following consultation with the Cabinet Member for Education and Skills, to make any necessary amendments to the final detail of these recommended changes, in order to comply with the School Finance (England) Regulations 2022 once full detail of the schools funding settlement has been published by the Department for Education for 2023/24. Any changes will be made following discussion with the Schools Forum as appropriate.**

## 81. **Coventry One Strategic Plan and Education Capital Programme**

The Cabinet considered a report of the Chief Partnership Officer on the Coventry One Strategic Plan and Education Capital Programme. A copy of the Education and Learning One Strategic Plan 2021 – 2026 was attached as an appendix to the report.

A corresponding private report detailing confidential financial matters was also submitted for consideration (Minute 85 below refers).

Under Section 14 of the Education Act 1996, Coventry City Council had a statutory duty to ensure sufficient school places and fair, appropriate access to education. It was the Council's role to plan, commission and organise school places in a way that raised standards, managed supply and demand and created a diverse infrastructure.

The Coventry One Strategic Plan, first presented to Cabinet on 2<sup>nd</sup> October 2018 (minute 46/18 referred), set out pupil forecasts for special, primary and secondary pupils across education planning areas in response to rising or falling pupil cohorts across the city. It outlined the strategy proposed by the Local Authority and the Coventry Education Partnership to meet the additional places required in secondary provision from 2019 – 2024. Work had also been undertaken to look at the Special School provision and the primary estate in line with falling birth rates and new housing, and actions required as a result of the rising demand for specialist school placements.

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

This partnership commitment signified a statement of intent to collaborate and work in partnership to achieve the best possible outcomes for children and young people in Coventry, ensure the sustainability of Coventry schools, and to enable the City Council to meet its statutory obligations. As part of this process, numerous options had been discussed at both full Coventry Education Partnership meetings, and the Secondary Headteacher Executive. The preferred option had been approved by the Coventry Education Partnership as being the best valid option keeping in line with the statutory requirement as outlined by the DfE to:

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

Capital allocations to meet projected shortfalls in provision were provided by the Education Skills Funding Agency (ESFA) to all Local Authorities based on the data provided in the annual School Capacity return (SCAP). Demand for places minus the supply of places was multiplied by a cost per pupil place to inform the final allocation. This return informed 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 would be announced in March 2023.

The Council in reports to Cabinet dated 12<sup>th</sup> October 2021 (minutes 37/21 and 41/21) and to Council 18<sup>th</sup> October 2021 (their minutes 46 and 51/21 referred) respectively approved 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. Further funding had been identified toward the delivery of this project and this report sought the approval of an increase to the capital budget.

**RESOLVED that the Cabinet:**

- 1) Authorises the programme of work outlined within the proposed Coventry One Strategic Plan for Primary, Secondary Education and Special Educational Needs (SEN).**
- 2) Delegates authority to the Chief Partnership Officer and the Chief Legal Officer to agree the most appropriate procurement route for the works to be delivered and awarded.**
- 3) Delegates authority to the Chief Partnership Officer and the Chief Legal Officer to undertake all necessary due diligence and to enter into the legal agreement to facilitate the lease for Swanswell to Sidney Stringer Multi Academy Trust (MAT) to allow Sidney Stringer Academy to increase their Published Admission Number (PAN)**
- 4) (Subject to acting within approved budgets), authorises an increase to capital budget for the delivery of the capital refurbishment works on the Woodlands site, to facilitate the relocation and expansion of Woodfield Special School by an additional amount of up to the sum identified in the private element of this report.**
- 5) Approves that the Council capital programme is adjusted to facilitate the Recommendation set out in Recommendation 4 above.**

**82. Outstanding Issues**

There were no outstanding issues.

**83. Appointment of Proper Officers and Appointments Panel**

The Cabinet considered a report of the Chief People Officer, that would also be considered at the meeting of Council on 17<sup>th</sup> January 2023, as urgent business, the reason for urgency being the need to enable a decision to be taken within the timescales required to ensure that appropriate provision was made for interim arrangements following the resignation of the Chief Executive.

The report sought approval to the implementation of an interim Chief Executive and a Proper Officer and to make provision for electoral arrangements, following the resignation of the Chief Executive. The report also proposed the establishment of an Appointments Panel in respect of recruitment to the post of Chief Executive to be filled following the resignation of Dr Reeves.

Following the resignation of the Chief Executive, it was necessary for interim Chief Executive arrangements to be put in place until the recruitment process for a permanent replacement had been successfully completed. In this regard, it was proposed that Barry Hastie (Chief Operating Officer) and Kirston Nelson (Chief Partnership Officer) both assume the role of joint Acting Chief Executive from 1st February 2023.

In addition, in accordance with the Representation of the People Act 1983, the City Council was required to appoint an Electoral Registration Officer to be responsible maintain a complete and accurate register of electors. A Returning Officer who was responsible for the conduct of local elections. Proper Officer and Counting Officer for any referendums held under the Local Government Act 2000 or any other legislation. An officer to exercise functions in relation to any referendum to change governance arrangements under the Local Government Act 2000 and to hold elections for an elected mayor. Currently, the posts were held by the Chief Executive. It was proposed that the Chief Legal Officer (Julie Newman) was appointed to these roles with effect from 1st February 2023.

The recruitment and selection process for the Chief Executive "Head of the Paid Service" was detailed in the Council's Constitution, this included the convening of an Appointments Panel. To support Members in the recruitment process, an executive search company had been selected in line with appropriate procurement requirements. It was proposed that the Appointments Panel would be advised by the Chief People Officer and an external professional adviser from the supporting executive search company Gatenby Sanderson.

In accordance with the Constitution, Council would approve the appointment of the Chief Executive following the recommendation of the Appointments Panel.

**RESOLVED that the Cabinet:**

**Recommends that the City Council, at their meeting on 17th January 2023:**

- 1) With effect from 1st February 2023, appoints Barry Hastie (Chief Operating Officer, S151 Officer) and Kirston Nelson (Chief Partnership Officer) as joint Acting Chief Executives for the Council until such time as a new Chief Executive has been recruited and is in post.**
- 2) Designates Barry Hastie (Chief Operating Officer) as Head of Paid Service under s.4 Local Government and Housing Act 1989.**
- 3) With effect from 1st February 2023, appoints Julie Newman (Chief Legal Officer) as the City Council's Returning Officer and Electoral Registration Officer.**



- 4) **Delegates authority to the Chief Legal Officer to make appropriate changes to the Council's Constitution to reflect the above recommendations.**
- 5) **Approves the establishment of the Appointments Panel for the appointment of the Chief Executive as detailed in Section 1.6 of the report.**

84. **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.

### **Private Business**

85. **Coventry One Strategic Plan and Education Capital Programme**

Further to Minute 81 above, the Cabinet considered a private report of the Chief Partnership Officer, which set out the commercially confidential matters relating to further funding and increase in 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.

**RESOLVED that the Cabinet:**

- 1) **Authorises the programme of work outlined within the proposed Coventry One Strategic Plan for Primary, Secondary Education and Special Educational Needs (SEN).**
- 2) **Delegates authority to the Chief Partnership Officer and the Chief Legal Officer to agree the most appropriate procurement route for the works to be delivered and awarded.**
- 3) **Delegates authority to the Chief Partnership Officer and the Chief Legal Officer to undertake all necessary due diligence and to enter into the legal agreement to facilitate the lease for Swanswell to Sidney Stringer Multi Academy Trust (MAT) to allow Sidney Stringer Academy to increase their Published Admission Number (PAN)**
- 4) **(Subject to acting within approved budgets), authorises an increase to capital budget for the delivery of the capital refurbishment works on the Woodlands site, to facilitate the relocation and expansion of Woodfield Special School by an additional amount of up to the sum identified thereby increasing the total capital budget available in the sum identified.**

**5) Approves that the Council capital programme is adjusted to facilitate the Recommendation set out in Recommendation 4 above.**

**86. Any other item 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 2.30 pm)