

**Coventry City Council**  
**Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 14 March 2023**

Present:

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

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

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

Other Non-Voting  
Members: Councillor R Lakha

Employees (by Service):

Interim Chief Executives B Hastie, Interim Chief Executive (Section 151 Officer)  
K Nelson, Interim Chief Executive (Chief Operating Officer)

Business, Investment and  
Culture C Booth, D Nuttall

Education and Skills A Coles, R Sugars

Finance E Dewer, B Strain

Law and Governance J Newman (Chief Legal Officer), S Bennett

Property Services and  
Development A Hunt

Streetscene and  
Regulatory Services A Walster (Director of Streetscene and Regulatory Services),  
R Back, C Eggington, M Fothergill

Transformation and  
Change M McGinty, D Horton Rayner

Transportation and  
Highways

C Knight (Director of Transportation and Highways),  
N Cowper

Apologies:

Councillors N Akhtar, L Bigham, B Gittins, R Singh

## **Public Business**

### 100. **Declarations of Interest**

There were no disclosable pecuniary interests.

### 101. **Minutes**

The Minutes of the meetings held on 14 and 21 February, 2023 were agreed and signed as true records.

There were no matters arising.

### 102. **Exclusion of Press and Public**

**RESOLVED** that the press and public be excluded under Section 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:

<b>Minute Number</b>	<b>Report Title</b>	<b>Paragraph(s) of Section 12A of the Act</b>
<b>114</b>	<b>Strategic City Centre Asset Opportunity</b>	<b>3</b>
<b>115</b>	<b>City Centre Cultural Gateway Project</b>	<b>3</b>

### 103. **Compulsory Purchase Orders - Planning Enforcement Action: Empty Properties**

The Cabinet considered a report of the Director of Streetscene and Regulatory Services which provided an update on planning enforcement action undertaken to date under s.215 & s.219 of the Town and Country Planning Act 1990 (as amended) (the Act) in relation to the following long term empty properties:-

4 Astley Avenue, CV6 6EY.  
37 Howcotte Green, CV4 8BP.  
96 Humber Road, CV3 1BA.  
216 Humber Road, CV3 1BH.  
155-155B St Georges Road, CV1 2DH.

The properties listed above were initially brought to the attention of the Council as they were overgrown and in very poor condition. Site inspections revealed that all the properties were empty and had not been occupied for a considerable period. Officers undertook extensive enquiries to identify and engage with the owners, however in each case the registered owners are either deceased or untraceable.

Section 215 of the Act permits a local planning authority to act against the owner of any land or building where it appears to the local planning authority that the amenity of the area is adversely affected by the condition of the land or building. Given the condition of the properties and the serious adverse impact that was resulting to the amenity of the area, s.215 Notices were served directly on the properties, and to all other known addresses and interested parties. No response to these Notices was received.

Section 219 of the Act provides powers for the local planning authority to take 'direction action' or 'works in default' to ensure compliance with an extant s.215 Notice. The cost of carrying out works in default is registered as a charge against the property on the Local Land Charges Register. Due to the continuing deterioration of the properties and the failure of any owners or interested parties to come forward, works in default were undertaken by the local planning authority to secure the properties, improve amenity and achieve compliance with the Notices.

To date no owners or other parties who can demonstrate they have a legal interest in the properties have come forward, and currently the local planning authority are managing the properties and undertaking annual maintenance works to ensure that amenity is not adversely affected. Several of the properties have been subject to anti-social behaviour and criminal gang activity which has placed further financial and resource burdens on the local planning authority, details of which were contained in the report.

Given the time that has elapsed since officers first sought to identify and engage with owners, and the continuing costs involved it is clear that continuing to maintain these properties as 'empty' is unsustainable, and they will continue to have considerable adverse impact on the amenity of the locality and the occupiers of adjacent properties unless they are refurbished and reoccupied.

The Council has recently adopted an Empty Dwellings Strategy which seeks to improve neighbourhoods and create better environments for local communities; reduce vandalism and anti-social behaviour; and help meet housing need by providing additional housing options for the local community, by reducing the number of long-term vacant dwellings in Coventry to a practical minimum.

It is considered that the local planning authority should utilise its Compulsory Purchase Order (CPO) powers under s.226(1)(a) of the Town and Country Planning Act 1990 (as amended by s.99 of the Planning and Compulsory Purchase Act 2004). The report indicated that, given the history to these properties and the substantial public benefits that will result from refurbishment and bringing the properties back into use as dwelling houses, the Council's powers of compulsory acquisition can be justified in accordance with the terms set out in the CPO Government Guidance.

The report outlined further actions to be taken to make CPOs, and, subject to the confirmation of the Orders by the Secretary of State for Levelling Up, Housing and Communities; to secure the improvement, proper management, and occupation of the properties as residential dwellings. This will be achieved either through the subsequent retention of the properties by the Council for use as temporary accommodation (if considered financially viable to do so and subject to the consideration of an appropriate business case); the transfer of the properties to a Registered Social Landlord (if considered financially viable to do so); or through sale at auction with conditions requiring the new owner to refurbish the property and return it back to occupation within a specified period.

**RESOLVED that the Cabinet:-**

- 1) Endorses the actions taken to date as outlined in the report.**
- 2) Authorises the proposed actions to be taken under delegated powers as set out at paragraph 2.5 of the report by the Director of Streetscene and Regulatory Services and the Chief Legal Officer.**

#### **104. Household Support Fund Grant Acceptance**

The Cabinet considered a report of the Interim Chief Executive (Section 151 Officer) which indicated that, since October 2021, the Council has been supporting Coventry households with the costs of food, fuel and related essentials through the Household Support Fund (HSF) grant from the Department for Work and Pensions, to provide support to those most in need with their food, energy and water bills over winter 2021/22 during the next stage of economic recovery following the Covid pandemic. Since then, there have been two further extensions of the HSF to provide help with inflationary challenges and the cost-of-living crisis which emerged during 2022.

A new phase of HSF is due to commence from 1st April 2023 lasting until 31st March 2024. The report sought acceptance of the £6.4M grant funding and set out the planned approach to deliver this support based on the following principles:-

- Application-based or direct support to vulnerable households with the costs of Food, Energy and related essentials. This may be either directly provided by the City Council or via other voluntary sector partners.
- Direct award of supermarket voucher support to families with children eligible for Free School Meals (FSM), and equivalent to FSM for Early Years age children.
- Scheme to be delivered within the £6.4M grant allocation.

The report also sought delegated authority to agree the final arrangements for delivery of the scheme.

**RESOLVED that the Cabinet recommends that Council:-**

- 1) Notes the content of the report and approve acceptance of the amount of the £6.4M grant funding from the Department for Works**

and Pension for financial year 2023/24 to be utilised towards the principles of the Household Support Fund scheme as outlined in the report.

- 2) Delegates authority to the Interim Chief Executive (Section 151 Officer), following consultation with the Cabinet Member for Strategic Finance and Resources and the Cabinet Member for Housing and Communities, to agree the final arrangements for the delivery of this scheme, within the grant allocation provided, and in line with the scheme guidance published on 20th February 2023.

105. **Homes in Multiple Occupation Development Plan Document Proposed Submission (Regulation 19) Consultation**

Further to Minute 24/22, the Cabinet considered a report of the Director of Streetscene and Regulatory Services which indicated that Homes in Multiple Occupation (HMOs) can provide important accommodation for a range of people including those entering the housing market. However, they can also bring significant disruption to settled neighbourhoods. In order to ensure that HMOs can only come forward in ways that integrate with existing neighbourhoods a Development Plan Document (DPD) was consulted upon between 20 September and 15 November 2022 which identified the key issues and proposed planning policy responses, details of which were provided in the report. The DPD was amended to take into account the results of the consultation and appended to the report.

DPDs need to be taken through a formal six-week publication period ('Regulation 19'), to enable people to make focused representations on whether the Plan has been positively prepared, justified, effective and consistent with national policy, before the document is submitted to the Secretary of State for examination. These are the issues which the appointed Planning Inspector will focus on when they examine the Plan and consider whether it is suitable for the Council to adopt it.

The report sought authority to undertake the Regulation 19 publication period consultation on the 'proposed submission' HMO DPD and associated Strategic Environmental Assessment / Sustainability Appraisal and Equalities / Health Impact Assessment, a copy of which was also appended to the report.

The report also sought authority, once the publication period has closed, to submit the DPD and associated documentation to the Secretary of State for independent examination by an appointed Planning Inspector.

The Cabinet noted that when the HMO DPD report was authorised for the initial Regulation 18 consultation by Cabinet on 30<sup>th</sup> August 2022 and Council on 6<sup>th</sup> September 2022, a consultation on an Article 4 Direction (to remove Permitted Development Rights from HMOs in certain wards) was also authorised at the same time. The Article 4 Direction is not included in the report considered as it is following a different legal process and therefore reports on this matter will be submitted to Cabinet and Council at the appropriate time.

**RESOLVED that the Cabinet recommends that Council:-**

- 1) Approves the Proposed Submission Homes in Multiple Occupation Development Plan Document and associated Strategic Environmental Assessment / Sustainability Appraisal and Equalities / Health Impact Assessment for a six-week publication period to begin at the earliest opportunity.
- 2) Delegates authority to the Director of Streetscene and Regulatory Services, following consultation with the Cabinet Member for Housing and Communities, to submit the Development Plan Document and supporting documentation to the Secretary of State for Levelling Up, Housing and Communities once the publication period has closed, to enable independent examination by a Planning Inspector to take place.
- 3) Delegates authority to the Director of Streetscene and Regulatory Services, following consultation with the Cabinet Member for Housing and Communities, to authorise any non-substantive changes to the documents prior to consultation and prior to submission.

106. **Energy Bills Support Scheme - Alternative Funding Support**

In accordance with the Constitution, the Cabinet considered a report of the Interim Chief Executive (Section 151 Officer) which detailed an urgent decision taken to accept a grant award of £1,387, 200 from the Energy Bills Support Scheme (Alternative Funding Scheme) (EBSS AFS).

The report indicated that EBSS AFS forms part of the Government's support for domestic energy consumers facing increased bills due to rising energy costs. EBSS AFS is intended to support those customers who do not contract directly with an energy provider but are nevertheless impacted by increasing energy prices. EBSS AFS will provide support for those customers that have not previously benefited from the Energy Bill Support Scheme (EBSS) which provided a £400 discount on energy bills for all consumers directly contracting with a domestic energy provider.

Applications will be made to the Department for Energy Security and Net Zero (DESNZ) and then eligible application forms will be issued to local authorities to verify residence and issue payments. The scheme will be fully funded by DESNZ, including an element of new burdens funding for the administrative costs incurred by Councils.

DESNZ estimate that approximately 3,500 households in Coventry will be entitled to the payment and have issued a grant award letter confirming £1,397,200 in funding to be administered to those households. The grant award letter was received on 7 of February 2023 (with a corrected version subsequently received on 8 February) and DESNZ required acceptance of the grant by 10 February 2023. In accordance with the Constitution, the decision to accept the grant was exercised by the Interim Chief Executive (Section 151 Officer), following consultation with the Cabinet Member for Strategic Finance and Resources and the Chair of the Scrutiny Co-ordination Committee.

**RESOLVED** that the Cabinet notes the urgent decision taken by the Interim Chief Executive (Section 151 Officer) in accordance with the provisions as set out in Paragraph 2.3.2 (c) of Part 3F of the Council Constitution, to accept the grant award in the sum of £1,397,200, from the Energy Bills Support Scheme (Alternative Funding Support) following consultation with the Cabinet Member for Strategic Finance and Resources and the Chair of Scrutiny Co-ordination Committee.

107. **Holiday Activities and Food Programme 2023: Acceptance of Grant**

The Cabinet considered a report of the Interim Chief Executive (Chief Partnership Officer) which indicated that, following the success of the national Holiday Activity and Food Programme (HAF) during the financial year 2021/22, the Government has announced the extension of the programme to March 2025. The report sought approval to accept a grant allocation for 2023/24.

The programme will continue to target statutory school age pupils (reception to year 11 inclusive), who are eligible for benefits-related free school meals. Coventry has also included children with a social worker, children assessed (through an early help assessment) to be in financial hardship and children who are part of the Ukrainian Family Scheme in our eligible criteria. This means that approximately 14,500 Coventry children will be entitled to access free enrichment activities and healthy food during the Easter, Summer and Christmas school holidays of the 2023/24 financial year.

Coventry has been awarded an allocation of £1,553,530 for 2023/24. It is anticipated that the allocation for 2024/25 will be maintained at a similar level. The programme allows for 15% discretionary spend on children who are not within the category of benefits-related free school meals.

The grant determination letter states that all provision funded by the local authority through the HAF programme must meet the framework of standards and meet the following core aims and objectives:

- Healthy meals: holiday clubs must provide at least one healthy meal a day which must meet the School Food Standards.
- Enrichment activities: holiday clubs must provide fun and enriching activities that provide children with opportunities to develop or consolidate skills or knowledge. Clubs must also provide physical activities which meet the Physical Activity Guidelines on a daily basis.
- Increasing understanding and awareness of healthy eating: holiday clubs must work to improve children's knowledge and awareness of healthy eating.
- Signposting and referrals: clubs must be able to provide information, signposting or referrals to other services and support that would benefit the children who attend their provision and their families. This can include advice on how to source, prepare and cook nutritious and low-cost food alongside increasing awareness of healthy eating.
- Policies and procedures: clubs must be able to demonstrate and explain their safeguarding arrangements and have relevant and appropriate policies and procedures in place in relation to safeguarding, health and safety,

insurance, accessibility and inclusiveness. Where appropriate, clubs must also be compliant with the Ofsted requirements for working with children.

Local Authorities are encouraged to work with a wide range of providers in the delivery of the programme, recognising the important role that community and voluntary organisations have played in its success so far. Attendance on the programme is voluntary. Each eligible school-age child is entitled to access the provision for one week during the Easter and Christmas holiday period and four weeks during the summer. One HAF week is defined as being a total of four, four hourly sessions per week. The report indicated that the Coventry can evidence the success and positive impact of its programme delivery during the 2022/23 financial year, as set out in Appendix 1: Summary of Coventry Holiday Activities and Food programme 2022 delivery. The Coventry HAF Summer of Fun 2021 video shows how the grant conditions were met through both the wide range of activities delivered across the City summary, and the impact shown from a parent and child perspective.

**RESOLVED that the Cabinet:**

- 1) Approves the acceptance of the Department for Education Holiday Activities and Food Programme grant allocation of up to £1,553,530 for the 2023/24 financial year.**
- 2) Delegates authority for decisions about the planning and delivery of the Holiday Activities and Food Programme, as well as acceptance of any future opportunities for additional in-year funding up to a total amount in the sum of £2.5 million pounds in 2023/24, to the Interim Chief Executive (Chief Partnerships Officer), following consultation with the Cabinet Member for Education and Skills, noting that the City Council will centrally co-ordinate and award monies to relevant organisations to deliver the programme to a high standard.**

**108. 2023/24 Transportation and Highways Maintenance Capital Programme**

The Cabinet considered a report of the Director of Transportation and Highways which detailed a £12.9m capital programme for the maintenance and enhancement of the City's highways and transport infrastructure. The programme is funded through City Region Sustainable Transport Settlement, City Council resources, External Funding and Citizen Housing Right to Buy receipts.

In addition, the report highlighted the ambitious range and scale of major projects to be delivered in the city, from sustainable transport improvements supporting the Gigafactory, All Electric Bus City and other developments, to Coventry Very Light Rail, a pioneering project that showcases Coventry as a city at the forefront of innovation.

These projects support the aims of the recently adopted Transport Strategy and the One Coventry Plan to promote continued growth and investment, tackle the causes of climate change and inequalities by widening travel choice and promoting active travel.



With the Council's continued success in attracting external funding, we are able to develop and deliver schemes and infrastructure that enable transformation and progression, laying the foundations for a vibrant and cutting-edge city to be proud of.

The report set out individual allocations and the various sources of funding in Table 2 in the report and the specific details of each project were detailed in Appendices 1 to 3 to the report.

As with previous programmes, there is an emphasis on making the best use of existing infrastructure rather than creating new. The maintenance programme will focus on ensuring that the worst affected roads and pavements across the City are properly repaired and preventative maintenance is carried out. This is a key theme in the West Midlands Strategic Transport Plan and is driven by the City Council's Highways Infrastructure Asset Management Policy and Strategy (January 2016).

**RESOLVED that the Cabinet:**

- 1) Approves the 2023/24 programme of Transport & Highway schemes marked 'A' in Table 2 of the report.**
- 2) Delegates authority to the Director of Transportation and Highways, following consultation with the Cabinet Member for City Services, to approve a programme of scheme development, Section 106 and externally funded schemes, marked 'B' in Table 2 of the report.**

109. **One Coventry Plan 2022-2030**

The Cabinet considered a report of the Interim Chief Executive (Chief Partnerships Officer) which indicated that the current Council Plan, the One Coventry Plan, was initially agreed in 2014 for a ten-year period (ending in 2024) and was last refreshed in 2016. In 2021, work began to refresh the Council Plan to reflect the emerging priorities for the Council and the city.

From February to September 2022, extensive engagement was undertaken with the Council workforce, partners and the wider public regarding the delivery of the priorities outlined in the draft Plan. This engagement created the opportunity to understand more about how the priorities could be meaningfully delivered in a way that builds on our achievements and recognises the challenges faced by the city. Critically, the Council wanted to understand what successful delivery would look like for our residents, communities and key stakeholders.

The refreshed One Coventry Plan 2022-2030, a copy of which was appended to the report, provides the strategic direction for the Council and the One Coventry vision of "working together to improve our city and the lives of those who live, work and study here". It sets out the following Council's priorities and focuses on enabling people to live their best lives in a vibrant and prosperous city:-

- Increasing the economic prosperity of the City and Region
- Improving outcomes and tackling inequalities within our communities

- Tackling the causes and consequences of Climate Change
- Continues financial sustainability of the Council
- Council's role as a partner, enabler and leader

The report sought approval for the adoption of the refreshed priorities, provided an overview of the engagement approach taken, an update on the findings and a summary of how local people's views have impacted the development of the One Coventry Plan. A further appendix to the report provided a summary of the engagement feedback received.

The Cabinet received a Briefing Note at the meeting which detailed the following comments made by Scrutiny Co-ordination Committee following their consideration of the report at their meeting on 14 March:-

- 1) The increased engagement which was undertaken on the One Coventry Plan and improved response rates as a result of this work was welcomed
- 2) The Committee acknowledged the limitation of the response by ward data collected as part of the engagement and welcomed a response from officers that this would be built upon in future engagement opportunities
- 3) A planned review of Council media and communication methods to facilitate community engagement and the delivery of the One Coventry Plan was welcomed
- 4) The Committee suggested officers explore that QR codes be included in future to link to WhatsApp group to increase engagement
- 5) The collective responsibility which will deliver the One Coventry Plan which spans the Council and our partners was welcomed
- 6) The Committee welcomed the ability for the Council to challenge and hold partners to account through the One Coventry Partnership
- 7) The Committee agreed that Scrutiny would receive regular updates on progress of the delivery of the One Coventry Plan
- 8) The Committee agreed with the recommendations as detailed in the report

**RESOLVED that the Cabinet:-**

- 1) Notes and accepts the Recommendations from Scrutiny Co-ordination Committee as outlined above**
- 2) Notes the outcome of the engagement and the resulting equality impacts (as detailed in the Equality Impact Assessment as appended to the report)**

- 3) Approves the refreshed One Coventry Plan 2022-2023 (Appendix B to the report) for submission to Council at the meeting on 21 March, 2023**
- 4) Authorises the Interim Chief Executive (Chief Partnerships Officer), following consultation with the Leader of the Council, to make such minor amendments to the refreshed One Coventry Plan 2022-2030 as considered necessary in advance of it being presented to Council for approval**
- 5) Recommends that the Council approves the refreshed One Coventry Plan 2022-2030 (Appendix B to the report) for adoption as the Council Plan.**

**110. Strategic City Centre Asset Opportunity**

The Cabinet considered a report of the Director of Property Services and Development which indicated that the Lower Precinct shopping centre is a key city centre commercial asset, with more than 40 commercial units, including Coventry Market, representing a strategic part of the city centre. The report detailed an opportunity the City Council has to take control of all or part of this asset through an agreement reached with the long leaseholder Royal London.

The Lower Precinct (including Coventry Market) is the subject of a head lease between the Council, as freeholder, and Royal London, as long leaseholder, of 240 years which commenced in October 2010. Under the terms of the head lease (as varied), Royal London pay the Council a minimum annual rent.

Coventry Market is part of the Lower Precinct head lease i.e. the head lease gives Royal London control over Coventry Market. There is a separate Management Agreement in place between the Council and Royal London whereby the Council runs the Market on Royal London's behalf. The Management Agreement can be terminated by either party with six months' notice.

As landlord and major tenant and stakeholder, the Council and Royal London are in continual dialogue regarding strategic and operational matters affecting each party's interests in the city. From the Council's perspective, as the custodian of the city, having a high performing city centre that is maximising its asset base and playing its part in attracting visitors, new businesses and investors is key to the city's future success. This dialogue has been magnified recently through the process of bringing forward the Council's flagship City Centre South (CCS) development scheme which is adjacent to the Lower Precinct and Coventry Market. CCS will deliver up to 1500 new homes and create a new part of the city centre which will in turn lead to spill over benefits to surrounding areas.

The CCS scheme's land assembly process requires the Council to bring into its control areas of land currently in Royal London's ownership (including service yards next to Coventry Market; the stalls on the external façade of Coventry Market; and a head lease of the vacant "Victoria Buildings" site next to Coventry Market) in order for the scheme to be delivered. This has resulted in proposals being made to Royal London to acquire these land interests (including the acquisition of "Rights" over their land in order to bring the CCS scheme forward,

an example of these “Rights” would be the Right to swing a crane jib over their land) and the inclusion of these interests in the CCS Compulsory Purchase Order (CPO) which was made in April 2022.

Further to the CPO being made, Royal London lodged an Objection to the CPO and, therefore, the proposed scheme. Notwithstanding Royal London’s position, dialogue between the parties continued and Royal London removed their objection to the CPO on the first day of the CPO Public Inquiry (on the 17th January 2023).

The Council framed its position during these negotiations around the meeting of three key objectives:

- 1) Ensuring the Council can be in control of its city centre in order to drive forward positive change and improvement;
- 2) Delivering financial growth to the Council, including being able to share in the regeneration uplift that CCS will provide; and
- 3) De-risking the delivery of the CCS scheme given its importance to the city, its businesses and its communities.

To this end, the Council secured an Agreement with Royal London whereby their Objection to the CPO was removed and the Council also now has the opportunity to take control of strategic city centre assets in line with the objectives set out above. Subject to the results of a comprehensive due diligence process, the report sought approval to the Council entering into an Implementation Agreement with Royal London which will result in either:

- The full surrender of the Lower Precinct head lease (including Coventry Market) from Royal London to the Council with Royal London paying the Council a surrender premium (being the sum identified in the Private element of this report); or
- A surrender and regrant of part of the Lower Precinct head lease whereby the Council gets full ownership of Coventry Market and associated service yards with Royal London retaining a lease of the Lower Precinct shopping centre (on terms set out in the Private element of this report)

Under the terms of the Council’s Agreement with Royal London, a decision on the entering into of the Implementation Agreement is required by April 17 2023. If the Implementation Agreement is entered into, then the parties are obligated to enter into one of the two options set out above prior to the 17th July 2023 (with that decision being taken by Cabinet before that date). Any future report to Cabinet will set out the key risks that need to be considered, as well as the results of the due diligence process. The report outlined the important benefits for the Council of proceeding with the recommendations contained in the report.

A corresponding private report detailing confidential financial matters was also submitted for consideration (Minute 114 below refers).

**RESOLVED that the Cabinet:-**

- 1) Approves the entering into of an Implementation Agreement with Royal London (based on the Heads of Terms included in the corresponding private report) that will require the Council to either:
  - Accept a full surrender of the Lower Precinct head lease together with a reverse premium (being the sum identified in the corresponding private report) to be paid by Royal London; or
  - Accept the partial surrender (by way of surrender and regrant) of the Lower Precinct head lease such that Coventry Market and associated service areas are surrendered to the Council (on terms set out in the corresponding private report)
- 2) Delegates authority to the Director of Property Services and Development, following consultation with the Interim Chief Executive (Section 151 Officer), the Chief Legal Officer and the Cabinet Member for Jobs, Regeneration and Climate Change, to undertake and be satisfied with the necessary due diligence and negotiate the associated legal agreements in order to enter into the Implementation Agreement referenced above.
- 3) Approves a budget of up to £200k (to be funded from existing Property budgets) to be used for the costs of the due diligence associated with bringing into effect the Recommendations set out in this report.
- 4) Notes that a further report will be brought back to Cabinet in due course seeking the necessary authorisation as to which of the two options outlined above under the terms of the Implementation Agreement the Council will enter in to.

**111. City Centre Cultural Gateway Project**

Further to Minute 71/20, the Cabinet considered a report of the Director of Business, Investment and Culture which sought approval for the main construction works for the City Centre Cultural Gateway, which includes the creation of a Collections Centre for nationally significant cultural, arts and historical artefacts, in collaboration with the Partners, Arts Council England (ACE), British Council (BC) and Culture Coventry Trust (CCT); along with the development of a new Cultural Hub by Coventry University in the former IKEA building.

The City Centre Cultural Gateway project has identified the following three phases:-

Phase 1 – Working with the Partners, the Collections Centre phase involves the conversion of some specified Floors into bespoke facilities for the storage, care and management of nationally significant arts, cultural and heritage artefacts.

Phase 2 – The Cultural Hub phase is proposed by Coventry University, to provide a range of cultural educational, engagement, training, and professional development opportunities.

Phase 3 – The ‘shell and core’ works to the remaining Floors will facilitate future letting of these huge floor plates, by enclosing (shell) the floors; and providing essential (core) services to the floor for future service connection and distribution.

The report sought approval to an option which involves the development of all three Phases of the project (as outlined above) simultaneously. This would mean that the development of the Collections Centre; Cultural Hub; and the ‘Shell and Core’ conversion of the remaining Floors would be procured and funded as a single capital scheme. This would in turn secure the tenancy of the two national Partners (Arts Council England and British Council) and Culture Coventry Trust and the tenancy of Coventry University. It would also secure the future suitability of letting the remaining Floors, through the enclosure (shell) of these floors along with provision of essential (core) services for the benefit of future tenancies.

All three Phases of the project have currently been developed through RIBA Stage 3 (Developed) design and have progressed into the RIBA Stage 4 (Technical) design process, which is the stage that carries the detailed designs into a formal set of Employer’s Requirements for contract tender.

Following a process of public consultation and exhibitions, all three Phases have been submitted as a single Planning Application, including an overarching façade design that draws all the floors into a single and seamless façade appearance. Work has commenced on securing consultancy support to test the options for the future use and letting of the remaining floors.

The report outlined the strategic and development implications of approving all three Phases of the project, together with the proposed next steps.

A corresponding private report detailing confidential financial and business matters was also submitted for consideration (Minute 115 below refers).

**RESOLVED that the Cabinet recommends that Council:**

- 1) Approves capital expenditure of a sum specified in the corresponding private report to be financed from prudential borrowing to fund the construction and professional fees for the Collection Centre development within the City Centre Cultural Gateway Project**
- 2) Approves capital expenditure of a sum specified in the corresponding private report to be financed from prudential borrowing to fund the construction and professional fees for the Cultural Hub (Coventry University) development within the City Centre Cultural Gateway Project**

- 3) Approves capital expenditure of a sum specified in the corresponding private report to be financed from prudential borrowing to fund the construction and professional fees for the Future Proofing – enclosure, shell and core works to Floors 1 and 2.
- 4) Delegates authority to the Director of Business, Investment and Culture and Interim Chief Executive (Section 151 Officer), following consultation with the Cabinet Member for Housing and Communities, to undertake the necessary due diligence and finalise terms of Agreements for Lease between Coventry City Council and Arts Council England, British Council and Culture Coventry in respect of the Collection Centre development.
- 5) Delegates authority to the Director of Business, Investment and Culture and Interim Chief Executive (Section 151 Officer), following consultation with the Cabinet Member for Housing and Communities, to undertake the necessary due diligence and finalise terms of an Agreement for Lease between Coventry City Council and Coventry University in respect of the Cultural Hub development.
- 6) Authorises the commencement of all necessary procurement for works or services necessary to bring into effect the recommendations set out in 1) to 3) above.
- 7) Delegates authority to the Director of Business, Investment and Culture and Interim Chief Executive (Section 151 Officer), following consultation with the Chief Legal Officer, following the conclusion of the procurement tender to award contracts due to the tight timescale involved.

112. **Outstanding Issues**

There were no outstanding issues.

113. **Any Other Items of Urgent Public Business**

There were no other items of urgent public business.

**Private Business**

114. **Strategic City Centre Asset Opportunity**

Further to Minute 110 above, the Cabinet considered a private report of the Director of Property Services and Development setting out the commercially confidential matters relating to the City Council entering onto an Implementation Agreement regarding the Lower Precinct Shopping Centre.

**RESOLVED that the Cabinet:-**

- 1) Approves the entering into of an Implementation Agreement with Royal London (based on the Heads of Terms attached at Appendix 1 to the report) that will require the Council to either:
  - The full surrender of the Lower Precinct head lease (including Coventry Market) from Royal London to the Council with Royal London paying the Council a surrender premium (being the sum identified in the report); or
  - A surrender and regrant of part of the Lower Precinct head lease whereby the Council gets full ownership of Coventry Market and associated service yards with Royal London retaining a lease of the Lower Precinct shopping centre (on terms set out in the report)
- 2) Delegates authority to the Director of Property Services and Development, following consultation with the Interim Chief Executive (Section 151 Officer), the Chief Legal Officer and the Cabinet Member for Jobs, Regeneration and Climate Change, to undertake and be satisfied with the necessary due diligence and negotiate the associated legal agreements in order to enter into the Implementation Agreement referenced above.
- 3) Approves a budget of up to £200k (to be funded from existing Property budgets) to be used for the costs of the due diligence associated with bringing into effect the recommendations set out in this report.
- 4) Notes that a further report will be brought back to Cabinet in due course seeking the necessary authorisation as to which of the two options outlined above under the terms of the Implementation Agreement the Council will enter in to.

**115. City Centre Cultural Gateway Project**

Further to Minute 111 above, the Cabinet considered a private report of the Director of Business, Investment and Culture setting out the commercially confidential matters relating to the City Centre Cultural Gateway Project.

**RESOLVED that the Cabinet recommends that Council:**

- 1) Approves capital expenditure of the amount as identified in the report to be financed from prudential borrowing to fund the construction and professional fees for the Collection Centre development within the City Centre Cultural Gateway Project
- 2) Approves capital expenditure of the amount as identified in the report to be financed from prudential borrowing to fund the construction and professional fees for the Cultural Hub



**(Coventry University) development within the City Centre Cultural Gateway Project**

- 3) Approves capital expenditure of the amount as identified in the report to be financed from prudential borrowing to fund the construction and professional fees for the Future Proofing – enclosure, shell and core works to Floors 1 and 2.**
- 4) Delegates authority to the Director of Business, Investment and Culture and Interim Chief Executive (Section 151 Officer), following consultation with the Cabinet Member for Housing and Communities, to undertake the necessary due diligence and finalise terms of Agreements for Lease between Coventry City Council and Arts Council England, British Council and Culture Coventry in respect of the Collection Centre development.**
- 5) Delegates authority to the Director of Business, Investment and Culture and Interim Chief Executive (Section 151 Officer), following consultation with the Cabinet Member for Housing and Communities, to undertake the necessary due diligence and finalise terms of an Agreement for Lease between Coventry City Council and Coventry University in respect of the Cultural Hub development.**
- 6) Authorises the commencement of all necessary procurement for works or services necessary to bring into effect the recommendations set out in 1) to 3) above.**
- 7) Delegates authority to the Director of Business, Investment and Culture and Interim Chief Executive (Section 151 Officer), following consultation with the Chief Legal Officer, following the conclusion of the procurement tender to award contracts due to the tight timescale involved.**

**116. Any Other Items of Urgent Private Business**

There were no other items of urgent private business.

(Meeting closed at 3.10pm)