

Coventry City Council
Minutes of the Meeting of Cabinet Member for Jobs, Regeneration and Climate
Change held at 1.00 pm on Wednesday, 20 December 2023

Present:

Members: Councillor J O'Boyle (Cabinet Member)

Other Members: Councillor R Simpson (Shadow Cabinet Member)
Councillor S Keough (for minute 14)
Councillor D Welsh (Cabinet Member for Housing and
Communities)
Councillor J Gardiner

Employees (by Service Area):

Law and Governance M Salmon, C Taylor

Property Service and P Beesley, R Moon
Development

Public Business

11. Declarations of Interest

There were no disclosable pecuniary interests.

12. Minutes

The Minutes of the meeting held on 5 July 2023 were agreed and signed as a true record.

There were no matters arising.

13. Exclusion of Press and Public

RESOLVED that approval be given to exclude the press and public under Section 100(A) 4 of the Local Government Act 1972 for the consideration of the private matter referred to in Minute 18 below relating to "Disposal of Land at Deedmore Road Required for Access to Facilitate the Delivery of Affordable Housing" on the grounds that that item involves the likely disclosure of exempt information, as defined in Paragraph 3 of Schedule 12 A of that Act as it contains information relating to the financial and business affairs of an organisation and the amount of expenditure incurred.

14. Petition - Stop the Sale of Browns Lane to Developers

The Cabinet Member considered a report of the Director of Property Services and Development regarding an e-petition that had been received requesting that the Council stop the sale of land at Browns Lane to developers. The petition headed 'Stop the Sale of Browns Lane to Developers', bearing 1349 signatures, had been

submitted by Councillor R Simpson, a Sherbourne Ward Councillor. The petition was supported by Councillor S Keough, a Bablake Ward Councillor who, together with Councillor R Simpson, attended the meeting and spoke on behalf of the petitioners.

In accordance with the City Council's procedure for dealing with petitions, those relating to these matters are heard by the Cabinet Member for Jobs, Regeneration and Climate Change.

The land at Browns Lane was originally reserved in part for the expansion of the Jaguar car works. The allocated site was approximately 45 acres with approximately 32 acres within the Council's ownership. The density in the Local Plan outlined up to 475 dwellings could potentially be developed.

Parts of the allocated site were within separate ownerships and discussions had been undertaken with adjoining landowners and an agreement for collaboration reached.

In August 2023, the Planning Committee resolved to grant outline planning consent for the development of the site and a S106 Agreement subsequently negotiated. Once this Agreement was signed off, planning consent would be formalised.

Throughout the planning process, the views of the residents were considered, and the planning consent would provide for a substantially less densely developed site than was anticipated under the Local Plan (345 dwellings against 475). The site would also provide for a care home facility to address an identified need within the city.

The site was not subject to any landscape or Green Belt designation; however, it had been designed landscape led approach, sympathetic to its surroundings which included a landscaping buffer to the east of the site adjoining Coundon Wedge Drive. The scheme included provision of public open space and green infrastructure amounting to 40% of the total site area. This would be publicly accessible for the local community and would provide a green network through the residential area. There would also be biodiversity enhancements and areas of recreational space.

Councillor Simpson, as the Petition Organiser, spoke in support of the petition stating his opposition to sell the land known locally as Coundon Wedge. The Petition Sponsor, Councillor Keough, expressed strong opposition to the recommendations in the report, stating that they went against the principles of preserving Coventry's legacy and that to proceed could lead to over development. He also raised concerns regarding the environmental impact, conflicts of interest and the exclusion of public input and he urged the Cabinet Member to listen to the voice of the residents and reconsider.

Officers responded, advising that Coundon Wedge was not a geographically defined area and that the comments made by Councillor Simpson and Councillor Keough had been previously considered by the Planning Committee.

Councillor Welsh, Cabinet Member for Housing and Communities, attended the meeting and spoke in support of the recommendations, referring to the current housing crisis and the wider housing need within the city, in particular, for affordable and social housing.

The Cabinet Member indicated that:

- 25% of the proposed 345 dwellings would be affordable housing.
- Coventry was a growing city and the sale of the land at Browns Lane was in response to the needs of the increasing population and subsequent need for housing.
- The piece of land was identified for development a number of years ago for the expansion of the Jaguar Browns Lane Plant.
- Consultation with local residents had been extensive.
- The site was identified for development in accordance with the decision taken by Cabinet in October 2018 to dispose of it.

RESOLVED that the Cabinet Member for Jobs, Regeneration and Climate Change:

1) Notes the petitioner's concerns.

2) Endorses the previous decision taken by Council in October 2018 to dispose of the site by tender.

15. Disposal of Land at Deedmore Road Required for Access to Facilitate the Delivery of Affordable Housing

The Cabinet Member considered a report of the Director of Property Services and Development regarding the disposal of land at Deedmore Road required for access to facilitate the delivery of affordable housing.

A corresponding private report detailing confidential financial matters, was also submitted for consideration (Minute 18 below referred).

The Moat House Community Trust (MHCT) owned the freehold of a 1.39-acre site off Deedmore Road which was transferred to them in 2017.

In March 2022, MHCT secured planning permission for a 100% affordable development scheme consisting of 21 dwellings, with the intention of delivering the housing themselves as part of a Community Housing Trust. It was binding under the Section 106 agreement that the Land must be developed as rented affordable housing.

Due to increased development risk, particularly regarding the cost of finance and current build cost inflationary pressures, MHCT made the decision to sell off the Land with the benefit of the planning permission.

Terms for a disposal to Keon Homes had been agreed by MHCT. Keon Homes, in turn, had an agreement with registered provider Citizen Housing to construct the affordable homes on a turnkey basis in return for a contract price.

During legal due diligence undertaken by Keon Homes they identified the land required to access the development site was not owned by MHCT. The land required for access was owned by the Council.

MHCT had approached the Council to seek agreement for the Council to transfer the Council's Access Land to Keon Homes so the housing development could be undertaken.

Pursuant to Section 123 of the Local Government Act 1972 the Council was required to obtain best consideration for the disposal of its assets and had taken independent external advice on the value attributable to the land. MHCT was asking the Council to forgo its capital receipt as this would reduce the MHCT's receipt for the sale of the Land to Keon Homes.

MHCT were seeking to use the proceeds of the sale of the Land to support their community activities which would include the further purchases of local residential properties to add to the number of existing houses they could let out as social rented affordable homes.

The social and economic benefits of promoting the scheme included:

- Delivery of much needed affordable homes.
- Promotes further regeneration of the area.
- The proposed development would enhance the existing community facilities in the area and encourage further investment in the area.

RESOLVED that the Cabinet Member for Jobs, Regeneration and Climate Change:

- 1) Approves the transfer of the Council's Access Land) which is required to facilitate access for the development of the 100% affordable housing scheme at a nil consideration to Keon Homes upon completion of their purchase of the Land from MHCT, conditional upon the simultaneous onward sale to Citizen Housing. Such purchase being conditional on the delivery of the Land for the 100% consented affordable homes scheme and MHCT's future purchase of affordable homes.**
- 2) Delegates authority to the Director of Property Services and Development, following consultation with the Chief Operating Officer (S151 Officer) and the Chief Legal Officer, to negotiate and finalise the terms, to undertake the necessary due diligence and complete all necessary legal documentation to facilitate the completion of the transaction and to ensure that the financial benefits forgone by the Council are applied to the purchase of property by MHCT and that the said properties are let on social rents.**
- 3) Delegates authority to the Director of Property Services and Development, following consultation with the Cabinet Member for Jobs, Regeneration and Climate Change and the Cabinet Member for Strategic Finance and Resources, for any subsequent variation in terms.**

16. **Outstanding Issues**

There were no outstanding issues.

17. **Any other items of public business which the Cabinet Member decides to take as matters of urgency because of the special circumstances involved**

There were no other items of urgent public business.

18. **Disposal of Land at Deedmore Road Required for Access to Facilitate the Delivery of Affordable Housing**

Further to Minute 15 above, the Cabinet Member considered a private report of the Director of Property Services and Development which set out the commercially confidential matters relating to the disposal of land at Deedmore Road required for access to facilitate the delivery of affordable housing.

RESOLVED that the Cabinet Member for Jobs, Regeneration and Climate Change:

- 1) **Approves the transfer of the Council's Access Land) which is required to facilitate access for the development of the 100% affordable housing scheme at a nil consideration to Keon Homes upon completion of their purchase of the Land from MHCT, conditional upon the simultaneous onward sale to Citizen Housing. Such purchase being conditional on the delivery of the Land for the 100% consented affordable homes scheme and MHCT's future purchase of affordable homes.**
- 2) **Delegates authority to the Director of Property Services and Development, following consultation with the Chief Operating Officer (S151 Officer) and the Chief Legal Officer, to negotiate and finalise the terms, to undertake the necessary due diligence and complete all necessary legal documentation to facilitate the completion of the transaction and to ensure that the financial benefits forgone by the Council are applied to the purchase of property by MHCT and that the said properties are let on social rents.**
- 3) **Delegates authority to the Director of Property Services and Development, following consultation with the Cabinet Member for Jobs, Regeneration and Climate Change and the Cabinet Member for Strategic Finance and Resources, for any subsequent variation in terms.**

19. **Any other items of private business which the Cabinet Member decides to take as matters of urgency because of the special circumstances involved**

There were no other items of urgent private business.

(Meeting closed at 1.45 pm)