

**Time and Date**

2.00 pm on Tuesday, 23rd July, 2013

**Place**

Council Chamber - Council House

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1. **Apologies**

2. **Minutes of the Meeting held on 25th June 2013** (Pages 5 - 18)

3. **Exclusion of the Press and Public**

To consider whether to exclude the press and public for the items of private business for the reasons shown in the report.

4. **Correspondence and Announcements of the Lord Mayor**

5. **Petitions**

6. **Declarations of Interest**

**Matters Left for Determination by the City Council/Recommendations for the City Council**

7. **Freehold Disposal of the former Central Depot Foleshill to Barratts PLC** (Pages 19 - 30)

From the Cabinet, 9<sup>th</sup> July 2013

8. **Coventry City Centre Public Realm Phase 2** (Pages 31 - 50)

From the Cabinet, 9<sup>th</sup> July 2013

**Items(s) for Consideration**

9. **Pay Policy Statement 2013-14** (Pages 51 - 64)

Report of the Director of Customer and Workforce Services

10. **A New Start - Consultation on changes to the way the Care Quality Commission regulates, inspects and monitors care - Consultation response** (Pages 65 - 78)

Report of the Director of Community Services

11. **Appointments of the City Council - Membership of the Corporate Parenting Board** (Pages 79 - 84)

Report of the Director of Customer and Workforce Services

## **Other Business**

### **12. Question Time**

- (a) Written Question – There are no written questions
- (b) Oral Questions to Chairs of Scrutiny Boards/Chair of Scrutiny Co-ordination Committee
- (c) Oral Questions to Chairs of other meetings
- (d) Oral Questions to Representatives on Outside Bodies
- (e) Oral Questions to Cabinet Members and Deputy Cabinet Members on any matter

### **13. Statements (if any)**

### **14. Debate**

To be moved by Councillor B Singh and seconded by Councillor Thay:

‘This Council recognises that the Royal Mail is part of the fabric of our nation and believes that plans for its privatisation will lead to high prices, a loss of jobs and a reduction in services for the people who need those services the most. Therefore we resolve that Coventry City Council should formally sign the “Save our Royal Mail” petition to put pressure on the Government to reverse its decision and protect the country’s postal services; and that the Leader of the Council should write to the Secretary of State for Business and Enterprise conveying the terms of this Resolution.’

## **Private Business**

### **15. Freehold Disposal of the former Central Depot Foleshill to Barratts PLC (Pages 85 - 96)**

From the Cabinet, 9<sup>th</sup> July 2013

(Listing officer: J.Grant, tel: 024 7683 3674)

### **16. Coventry City Centre Public Realm phase 2 (Pages 97 - 118)**

From the Cabinet, 9<sup>th</sup> July 2013

(Listing officer: C. Knight, tel: 024 7683 4001)

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Bev Messinger, Director of Customer and Workforce Services, Council House Coventry

Monday, 15 July 2013

Note: The person to contact about the agenda and documents for this meeting is Carolyn Sinclair/Suzanne Bennett 024 7683 3166/3072

Membership: Councillors F Abbott, N Akhtar, M Ali, A Andrews, M Auluck, S Bains, L Bigham, J Blundell, K Caan, D Chater, J Clifford, G Crookes (Chair), G Duggins, C Fletcher, K Foster,

D Galliers, D Gannon, A Gingell, M Hammon, L Harvard, P Hetheron, D Howells, J Innes, L Kelly, D Kershaw, T Khan, A Khan, R Lakha, R Lancaster, J Lepoidevin, A Lucas, K Maton, J McNicholas, C Miks, K Mulhall, J Mutton, M Mutton, H Noonan (Deputy Chair), J O'Boyle, E Ruane, R Sandy, T Sawdon, H S Sehmi, B Singh, D Skinner, T Skipper, H Sweet, K Taylor, R Thay, S Thomas, P Townshend, S Walsh, D Welsh and A Williams

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**Carolyn Sinclair/Suzanne Bennett**  
**024 7683 3166/3072**

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## MINUTES OF THE MEETING COUNCIL OF THE CITY OF COVENTRY

Held on 25<sup>th</sup> June 2013, in the Council House, Coventry

### PRESENT

Lord Mayor (Councillor Crookes)

Deputy Lord Mayor (Councillor Noonan)

Councillor Mrs Abbott	Councillor Lancaster
Councillor Akhtar	Councillor Mrs Lucas
Councillor Ali	Councillor McNicholas
Councillor Andrews	Councillor Maton
Councillor Auluck	Councillor Mrs Miks
Councillor Mrs Bigham	Councillor Mulhall
Councillor Blundell	Councillor J. Mutton
Councillor Chater	Councillor Mrs M. Mutton
Councillor Clifford	Councillor O'Boyle
Councillor Duggins	Councillor Ruane
Councillor Mrs Fletcher	Councillor Sandy
Councillor Foster	Councillor Sawdon
Councillor Galliers	Councillor Sehmi
Councillor Gannon	Councillor Singh
Councillor Gingell	Councillor Skinner
Councillor Hammon	Councillor Skipper
Councillor Harvard	Councillor Mrs Sweet
Councillor Hetheron	Councillor Taylor
Councillor Howells	Councillor Thay
Councillor Innes	Councillor Thomas
Councillor Kelly	Councillor Townshend
Councillor Kershaw	Councillor Walsh
Councillor A. Khan	Councillor Welsh
Councillor T. Khan	Councillor Williams
Councillor Lakha	

Apologies: Councillor Bains  
Councillor Caan  
Councillor Lepoidevin

Honorary  
Alderman Present: J. Gazey

### **Public Business**

#### **16. Suspension of Procedure Rules**

It was moved by Councillor Gannon, seconded by Councillor Hetheron and agreed that, in accordance with paragraph 4.1.85 of the Constitution, paragraph 4.1.83 be

suspended to enable electronic devices to be switched on during the meeting up to and including the item referred to at Minute 26 below (Changes to the Constitution).

#### 17. Minutes

The minutes of the Annual Meeting held on 16<sup>th</sup> May 2013 were signed as a true record.

#### 18. Exclusion of Press and Public

**RESOLVED that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the item of business indicated below on the grounds that it involves the likely disclosure of information defined in the specified Paragraph(s) of Schedule 12A of the Act as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information) and that in all of the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.**

Minute No.	Subject	Relevant Paragraphs(s) of Part 1 of Schedule 12A
38	Friargate Bridge	3

#### 19. Coventry Good Citizen Award – Matthew Heath

On behalf of the Council, the Lord Mayor presented Mr Matt Heath with the Coventry Good Citizen Award. His citation read:

“Matt started to attend the Graingers Club from age 14 with his Grandma whilst she was a volunteer; the club organises activities for young people with learning disabilities. After a short time Matt started to take an active interest in the activities of the club and became heavily involved offering his time as a volunteer. He is an advocate for young people and inspires and motivates the members of the club giving them confidence and bringing out the best in them.

Like so many organisations, Graingers had difficulty in putting together a committee. At the age of 20 Matt volunteered to become chairman and almost singlehandedly organised a fundraising show to help the club survive. He persuaded local music artistes and entertainers to attend, publicised the show and hosted the evening.

For someone of such a young age to commit to caring for people who need extra support shows great determination and strength of character. Matt works tirelessly for the members of the Graingers club and is a very supportive and inspirational young man. He has gained the respect and support of other members of the committee and has been described as being ‘full of youth and enthusiasm, inspirational and a breath of fresh air.’

Matt has proven that he is a caring, passionate and hardworking individual and having given his time to the community is truly deserving of the Good Citizen Award.”

## 20. **Birthday Honours**

The Lord Mayor referred to the awards made to the following people associated with the City in the recent Queen's Birthday Honours List:

- **MBE:** To Nick Staveley Stanley the founder and life president of Covkartsport for his services to motorsport.
- **OBE:** To Kathleen Brough, a recently retired counter assistant at Binley Post Office for 48 years, for her services to the Postal Service and the community of Binley.

Members noted that letters of congratulations had been sent, on behalf of the City Council, to both recipients.

## 21. **Congratulations on Awards**

On behalf of the City Council, the Lord Mayor congratulated Katrina Reynolds and Julie Gay from Finance and Legal Services who had both achieved legal awards in the past nine months.

Katrina had won the Legal Executive of the Year (2012) – a new national award sponsored by Jordan Publishing. The accolade was for her work in respect of families from abroad and providing legal advice in respect of immigration issues.

Julie Gay won the Legal Professional of the Year for Coventry and Warwickshire. Julie Gay, picked up the award at an event at the Ricoh Arena held by Coventry and Warwickshire First. Julie was shortlisted alongside four other legal specialists from businesses and organisations across the region.

## 22. **Petitions**

**RESOLVED** that the following petitions be referred to the appropriate City Council body or external organisation:

- (a) **Request that plans to remove the Neighbourhood Action Team from Hillfields be rejected - 115 signatures – presented by Councillor Welsh.**
- (b) **Request for a 20 mph speed limit on Whitley roads – 67 signatures – presented by Councillors Noonan and Foster**
- (c) **Requesting more signage indicating locations of public conveniences – 34 signatures – presented by Councillor Fletcher (on behalf of Councillor Bains who was unable to attend the meeting)**
- (d) **Confronting the arms trade in Coventry – 424 signatures – presented by Councillor Andrews. Council agreed that this be referred to the Cabinet Member (Strategic Finance and Resources)**
- (e) **Requesting action in respect of a derelict property at 208 Masser Road – 49 signatures – presented by Councillor Mrs Lucas**

## 23. **Declarations of Interest**

The following Members declared interests in the item indicated below. The Members withdrew from the meeting during consideration of those items:

### Disclosable Pecuniary Interests:

High Speed 2 and Coventry, (Minute 27) – Councillor Hammon

Review of Members' Allowances and Expenses Scheme (Minute 28): Councillors Howells and Innes.

### Other Interests:

Outcome of Consultation on Coventry City Council's Revised Street Trading Consent Policy, (Minute 24) – Councillor Harvard.

## 24. **Outcome of Consultation on Coventry City Council's Revised Street Trading Consent Policy**

Further to Minute 74/12 of the meeting of Cabinet Member (Community Safety and Equalities), the Council considered a report of the Director of Community Services which reported on the outcome of a consultation carried out on Coventry City Council's revised Street Trading Consent Policy. Specifically, the consultation sought views on proposed changes to existing terms and conditions, including the fee structure.

### **RESOLVED that the City Council**

- a) **Approve the revised Street Trading Consent Policy as set out at Option 1 of the report.**
- b) **Delegate authority to the Assistant Director (Public Safety and Housing) in consultation with the Cabinet Member (Community Safety and Equalities) to make minor amendments to the Street Trading Consent Terms and Conditions, to approve fee waivers in appropriate cases and to review the fee structure annually and if necessary adjust the fee levels in line with inflation and/or so as to avoid any significant income deficit/surplus and any other material considerations.**

## 25. **European Regional Development Fund Accountable Body Report**

Further to Minute 155/12 of the Cabinet, the City Council considered a report of the Director of City Services and Development that sought approval of the funding opportunity from European Regional Development Fund in delivering the City's priorities and for the City Council to act as guarantor for the Far Gosford Street Phase 2, Public Realm Phase 2, Coventry and Warwickshire Small Business Loans and the Coventry Transport Museum projects.

### **RESOLVED that the City Council:**

- (a) **Agrees the funding opportunity from European Regional Development**



**Fund as a significant opportunity in delivering the City's priorities and authorise the City Council to act as guarantor and to delegate authority to the Director of City Services and Development to enter into grant aid agreements for the International Transport Museum Project and FarGo Village projects.**

- (b) Agrees to delegate authority to the Director of City Services & Development to grant a 30-year lease to Coventry Transport Museum at a peppercorn rent over the properties known as 10a and 10b Hales Street and 31 Silver Street.**

## **26. Changes to the Constitution**

Further to Minute 2/13 of the meeting of Cabinet Member (Community Safety and Equalities), the City Council considered a report of the Director of Finance and Legal Services which sought approval of further changes to the Constitution regarding Question Time and Statements at City Council meetings, following on from the appointment of Deputy Cabinet Members at the Annual Council meeting on 16<sup>th</sup> May 2013; and to amend the delegations in the Constitution in relation to the Registrar of Births, Marriages and Deaths.

In moving the recommendations, in accordance with paragraph 4.1.45 of the Constitution, Councillor Townshend moved the following two additional recommendations for reasons of expediency which had not been considered by the Constitutional Advisory Panel:

- That the Council amends paragraph 4.1.8 so that the break to be taken by Council in the event of it continuing for more than 3 hours was for a maximum of 30 minutes, rather than for between 5 and 15 minutes as it is now.

Paragraph 4.1.8 to now read:

There will be no restriction on the duration of meetings except that if any Council meeting continues for a period of more than 3 hours, there will be a break in proceedings as soon as 3 hours has elapsed since the start of the meeting unless the Council votes unanimously to continue without a break or the Lord Mayor or other person chairing the meeting determines that the remainder of the business of the meeting can be concluded within a reasonable time so as to render any break unnecessary. The break will be for a maximum of 30 minutes. This provision is intended to safeguard the health and wellbeing of Councillors and employees present at any meeting.

It was considered that 15 minutes was too short a period of time for comfort break for Councillors, officers and any members of the public attending the meeting and this just formalised current existing arrangements.

- That the Council amends paragraph 4.1.83 so that electronic devices may be switched on during the public part of meetings of the City Council.

Paragraph 4.1.83 to now read:

Electronic devices may be switched on during the public part of meetings of the

## City Council

This proposal was a reflection of changing times. This practice was now common place and was a way of allowing members of the public to engage in local democracy.

### **RESOLVED that the City Council:**

- (a) Approves the changes to the Constitution as set out in Section 2 of the report with immediate effect.**
- (b) Approves the amendment of paragraph 4.1.8 of the Constitution with immediate effect so that the break to be taken by Council in the event of it continuing for more than 3 hours is for a maximum of 30 minutes (which represents an extension of the current time of “between 5 and 15 minutes”)**
- (c) Approves the amendment of paragraph 4.1.83 with immediate effect so that electronic devices may be switched on during the public part of meetings of the City Council.**

## **27. High Speed 2 and Coventry**

Further to Minute 10/13 of Cabinet, the City Council considered a report of the Director of City Services and Development which referred to the Queen’s speech which announced the Government’s intention to introduce new legislation to enable the delivery of High Speed 2 (HS2) phase 1. This would be in the form of a Paving Bill (which has already had a first reading) and a Hybrid Bill, which was to be deposited by the end 2013.

The Hybrid Bill process was the most significant opportunity remaining for Coventry to engage with the process and secure measures which can support Coventry’s future rail connectivity. To achieve this it would be necessary to prepare a clear evidenced case for use in the process. The report sought approval to prepare this and sets out a proposed resolution for Council to consider which reframed the context for the Council’s engagement with HS2 Ltd and Government regarding HS2 proposals. This recognised that there was a need to prepare for the likely eventuality that HS2 would happen, whilst seeking to get the best possible outcome from HS2 for the City.

Councillor Blundell proposed the following amendment to the recommended resolution set out in the report, which was seconded by Councillor Andrews:

*“At the end of the recommendation after “the best possible outcome from HS2 for the City” insert “Notwithstanding the above the council has real concerns about the connectivity to the City and the effect it would have on the long term development of the City Centre.*

*The Council therefore resolves, given the Government's stated position, to ensure the best possible outcome from HS2 for the City.”*

*Amended recommendation of a new resolution to read:*

*Coventry City Council notes the Queen's Speech and the Coalition Government's determination to proceed, with opposition support, to progress HS2 with a Hybrid Bill.*

*Notwithstanding the above the council has real concerns about the connectivity to the city and the effect it would have on the long term development of the City Centre.*

*The Council therefore resolves, given the Government's stated position, to ensure the best possible outcome from HS2 for the City.*

In accordance with paragraph 4.1.62 of the Constitution, the amendment was accepted by Councillor McNicholas, as mover of the Recommendation, and was incorporated into the original Recommendation.

**RESOLVED that the City Council adopt a new resolution on HS2 that:**

**“Coventry City Council notes the Queen’s Speech and the Coalition Government’s determination to proceed, with opposition support, to progress HS2 with a Hybrid Bill.**

**Notwithstanding the above, the Council has real concerns about the connectivity to the City and the effect it would have on the long term development of the City Centre.**

**The Council therefore resolves, given the Government’s stated position, to ensure the best possible outcome from HS2 for the City.”**

## **28. Implementation of the Living Wage**

Further to Minute 11/13 of the Cabinet, the City Council considered a report of the Director of Customer and Workforce Services and the Director of Finance and Legal Services which outlined plans for the implementation of the Living Wage.

Following the new Council Leadership’s manifesto pledge, the report proposed the implementation of a Living Wage, currently £7.45 per hour, for all Council employees with effect from 1<sup>st</sup> August 2013.

The report recommended the introduction of the living wage and made recommendations for its implementation in order to deliver the Council’s commitment to address low pay for Council employees and tackle in-work poverty.

**RESOLVED that the City Council**

**(a) Approves the implementation of the Living Wage in Coventry City Council with effect from 1<sup>st</sup> August 2013.**

**(b) Approves that the level of Living Wage paid to Council employees be reviewed annually as part of the budget process informed by information available from national pay negotiations.**

- (c) Instructs the Director of Children, Learning and Young People and the Director of Finance and Legal Services to consult the Schools Forum in relation to the funding of the Living Wage for Community Schools' staff.**

**28. Review of the Members' Allowances and Expenses Scheme**

Further to Minute 12/13 of the Cabinet, the City Council considered a report of the Director of Customer and Workforce Services which set out the recommendations made by the Independent Remuneration Panel (IRP) on the Review of the Members' Allowances and Expenses Scheme with specific focus on the remuneration of the new Deputy Cabinet Member roles appointed at the Council's Annual Meeting on 16 May 2013.

**RESOLVED that the City Council:**

- (1) Acknowledges the work of the IRP for undertaking the review**
- (2) Considers each recommendation within the IRP's report**
- (3) Approves the following recommendations of Cabinet:**
  - i. That the Deputy Cabinet Member position be subject to a Special Responsibility Allowance of £3,500 per annum with effect from 16 May 2013 and that the Members' Allowances and Expenses Scheme be amended accordingly.**
  - ii. That the Deputy Cabinet Member SRA be reviewed after 12 months, in the light of experience.**
  - iii. That the Special Responsibility Allowance for the Leader of the Opposition be reviewed at a future meeting of the Independent Remuneration Panel.**

**30. Starting the Friargate Business District to Regenerate the City, Transform the Council and Deliver Savings**

Further to Minute 13/13 of the Cabinet, the City Council considered a report of the Director of City Services & Development which proposed the regeneration of the Friargate area next to Coventry Railway Station which had the potential to generate 13,400 permanent jobs over the next 10-15 years.

The Council proposed to be the first occupier at Friargate and give confidence to others to locate there. Investing in a new building at Friargate would allow the Council to transform the way it delivered services to the public and make savings as part of a package of changes which comprised in full:

- a) The construction of a new, Council-owned office building as the first building within the Friargate development
- b) Investment in the creation of a new Customer Services Centre in Broadgate
- c) Investment in the Council House as the Civic and Democratic Centre

- d) Investment in a number of other suburban office buildings to support locality based service delivery
- e) The introduction of agile and flexible working arrangements for Council staff to drive productivity and efficiency gains
- f) The rationalisation of the Council's operational office buildings from 27 to 9
- g) The construction of the Friargate Bridge (Minute 31 below refers)

To maximise inward investment and job creation potential of Friargate it was essential that the railway station area was fully connected to the City Centre. To address the barrier created by the Ring Road it was proposed to remove the roundabout at Junction 6 and to build a bridge deck across the Ring Road (the 'Friargate Bridge') (minutes 31 and 35 below refer). The Friargate Bridge would be funded through the Regional Growth Fund allocation of £12.7m.

**RESOLVED that the City Council:**

- (1) Commits to the wider Friargate development using the Project detailed in the report as a catalyst for jobs, growth and additional rates income.**
- (2) Approves the overall affordability strategy for the Project as set out in this report.**
- (3) Approves the rationalisation and changes to the Council's existing operational estate and its ongoing use, including the creation of a new Customer Services Centre within Broadgate House and the Civic and Democratic Centre in the Council House and the subsequent disposal of assets released.**
- (4) Authorises officers to procure the required contracts and make necessary arrangements to achieve the Council office at Friargate, the Customer Services Centre at Broadgate, the Civic and Democratic alterations to the Council House and to the four suburban hubs, associated ICT infrastructure, project management and decommissioning arrangements at the total estimated capital cost of £59m.**
- (5) Approves the addition of this scheme to the Council's capital programme for 2013/14 onwards and uses its prudential borrowing powers under the Local Government Act 2003 to finance the capital costs of the Project up to £59m.**
- (6) Authorises the Council's section 151 officer to complete a submission to the Coventry and Warwickshire Local Enterprise Partnership and subject to LEP Board approval, onwards to HM Treasury, requesting that the Project benefits from an estimated £31m of prudential borrowing at preferential rates available from HM Treasury.**
- (7) Approves that the capital receipts generated from the disposal of the resulting redundant operational estate be ring-fenced to finance the Project and request officers to prepare a disposal strategy for those assets.**

- (8) Approves £1.7m of the City Deal monies/reserves already budgeted for in the Council's medium term financial strategy are utilised to finance project management costs within the overall approval of project costs in 4 above.
- (9) Approves project management and design costs of £1.4m that will be incurred at risk up until January/February 2014 when contracts are planned for signature.
- (10) Uses the recently established Cabinet Advisory Panel (Regeneration and Infrastructure) to provide political guidance and support to the operational aspects of the wider programme, including agreeing the scope and general remit of the programme delivery team as per the proposed governance arrangements in Appendix 1.
- (11) Authorises the Assistant Director – City Centre & Development to negotiate with an incoming second occupier to establish a national HQ, within the Friargate development based on the principles set out in this report and to receive a further Cabinet report at a later date with the details of the arrangement for consideration.
- (12) Delegates authority to the Director of City Services and Development and the Director of Finance and Legal Services, in consultation with the Leader, Cabinet Member (Business Enterprise & Employment) and Cabinet Member (Strategic Finance and Resources), to award contracts to achieve the Project within the affordability parameters detailed in this report.
- (13) Delegates authority for any other detailed legal and financial matters to the Director of City Services and Development and the Director of Finance and Legal Services, in consultation with the Leader, Cabinet Member (Business Enterprise & Employment), Cabinet Member (Strategic Finance and Resources) and Cabinet Advisory Panel.

### 31. Friargate Bridge

Further to Minute 15/13 of the Cabinet, the City Council considered a report of the Director of City Services and Development which reported that, in order to maximise the inward investment and job creation potential of the project mentioned at Minute 30 above, it was essential that the rail station area was fully connected to the city centre. To address the barrier created by the Ring Road it was proposed to remove the roundabout at Junction 6 and to build a bridge deck across the Ring Road (the 'Friargate Bridge') to create a new attractive public boulevard route to link into the city centre and to extend Greyfriars Green to the edge of the Friargate development.

The proposed boulevard route would run from the front of the station, over the new bridge deck and into the city's central shopping area. In addition, as well as promoting enhanced pedestrian linkages and better visual connections the removal of the roundabout would allow for additional land for development to be brought forward.

The completion of these works would require the developer to discharge the reserved matters on its outline planning consent and implement the pedestrian boulevard

route from the front of the railway station to the ring road – another transformational element of the masterplan.

The Council had secured a Regional Growth Fund (RGF) bid on behalf of the Coventry and Warwickshire Local Enterprise Partnership (CWLEP). Within the bid £12.7million was available to the City Council for the rebuilding of Ring Road junction 6, making significant road improvements and opening up the Friargate site for greater development and opportunity. The rebuilding of junction 6 would also ensure the Friargate site was integrated into the current city centre and future City Centre South aspirations. The RGF funding agreement with government for the £12.7million stipulated the funding had to be spent by 30 June 2015 and the delivery of over 2,000 jobs by April 2022 through the office space being developed on the site.

To achieve this tight timescale it was proposed to enter into an Early Contractor Involvement arrangement with a contractor who will be co-located with the City Council's appointed design team to develop the scheme and a target contract price. This target price would be fixed by December 2013.

It would be necessary to incur development costs up to December 2013 when the target price would be known. These costs would be incurred without certainty that the project was affordable and that it would therefore proceed. The estimated spend up to this point (principally design fees and project management costs) was £0.7million. If the Council chooses not to proceed with the bridge, it would not be able to claim from RGF for the costs incurred to this date.

**RESOLVED that the City Council:**

- (a) Approves the addition of this scheme to the Council's Capital Programme for 2013/14 onwards**
- (b) Approves that authority be delegated to the Director of City Services and Development in consultation with the Cabinet Member (Business Enterprise & Employment) to award the ECI works contract for the bridge deck**

**32. Scrutiny Annual Report to Council**

The City Council noted the Scrutiny Boards' Annual report to the City Council for 2012/13, which highlighted examples of the wide-ranging scrutiny work undertaken during the year across all the Scrutiny Boards and the Scrutiny Co-ordination Committee

**33. Annual Report from the Leader to the Council on Key Decisions made under Special Urgency**

The City Council noted a report of the Director of Customer and Workforce Services regarding decisions made in the previous year where the special urgency provisions were used. This applied where it was not practicable to give notice at least 5 clear days in advance of a key decision being made. The report stated that there were no such cases in the past year.

**34. Appointments of the City Council**

The City Council considered a report of the Director of Customer and Workforce Services which sought approval for amendments/additional appointments since the Annual Meeting on 16<sup>th</sup> May 2013.

**RESOLVED that the City Council:**

**(a) Appoints Councillor Bains as the substitute representative for the City Council on the West Midlands Police and Crime Panel.**

**(b) Approves the appointment of Councillor Taylor as a member of the Scrutiny Co-ordination Committee in place of Councillor Andrews with immediate effect.**

**(c) Appoints Mr Nigel Lee as a Trustee of the Coventry General Charities.**

**35. Question Time**

The following Members answered oral questions put to them by other Members as set out below, together with supplementary questions on the same matters:

<b>No</b>	<b>Question Asked By</b>	<b>Question Put To</b>	<b>Subject Matter</b>
1	Councillor Blundell	Councillor Kershaw	The City Council's position on free schools
2	Councillor Taylor	Councillor Mrs Lucas	Questioning the Leader's time away from office.
3	Councillor Thomas	Councillor Townshend	Swift action in respect of a recent incident in Tile Hill

**36. Statement by the Leader**

The Leader, Councillor Mrs Lucas, made a statement in respect of her Programme for the year ahead.

She said she was proud to speak as leader of council. In this hugely important role, she promised to work with passion and energy to lead council well. She paid tribute to Councillor John Mutton who had led the Labour Group for over ten years. She spoke about her priorities and aspirations for city and commitment to work to make Coventry great again without losing sight of the detail. The work had started already, with the Council having given the green light for the Friargate development to kick-start regeneration of the city centre. She also outlined her commitment to paying attention to detail for example re-instating the planters around the City and bringing colour back to the streets as it was important not to lose sight of delivering services and events that people enjoyed. She said that she would also do things at pace where possible – for example the introduction of a living wage for employees, she was delighted to make a difference quickly for some staff and challenged other employers in the City to do the same. She spoke about plans to



streamline the organisation, recognising that it would be hard, but was committed to make changes quickly to avoid uncertainty for staff and would listen, learn and talk honestly during the process. She thanked colleagues for their passion and commitment, Finally, she spoke about her passion for politics and also her commitment to work with all her Councillor colleagues who shared a passion to make Coventry great again stating that she was “sure we can agree about speaking up for city and people and let’s work together to get message out that Coventry was open for business, and make sure the City was one of the Country’s greatest again”.

The Leader of the Opposition Group, Councillor Blundell, responded to the Statement.

### **37. Debate – Re-affirming Commitment to being a City of Peace and Reconciliation**

It was moved by Councillor Gannon, seconded by Councillor Hetheron and agreed that, in accordance with paragraph 4.1.35.5 of the Constitution, the two debates detailed on the Council agenda to be moved by Councillor Mrs Lucas and seconded by Councillor Sawdon be combined and that, in accordance with paragraph 4.1.85 of the Constitution, paragraph 4.1.58 be suspended to enable Councillor Sawdon to speak for five minutes. The combined debate to now read:

“That this Council, recognising that Coventry is renowned both nationally and internationally as the City of Peace and Reconciliation, pledges to continue to develop policies to ensure the inclusion of all its citizens.

This Council reaffirms its commitment to being a City locally, nationally and internationally of Peace and Reconciliation. It reaffirms its commitment to treating all of its citizens equally and fairly, without prejudice or discrimination and maintaining the highest bonds of community cohesion.

The City Council commits to continue to work with all individuals and organisations to promote the values set out in this resolution.

**RESOLVED that the combined Debate, as set out above, be unanimously adopted.**

### **Private Business**

#### **38. Friargate Bridge**

Further to Minute 31 above and Minute 20/13 of the Cabinet, the Council considered a report of the Director of City Services and Development which detailed the estimated costs of the proposed works.

**RESOLVED that the City Council:**

- (a) Approves the addition of this scheme to the Council's Capital Programme for 2013/14 onwards**

- (b) Approves the delegation of authority to the Director of City Services and Development in consultation with the Cabinet Member (Business Enterprise & Employment) to award the ECI works contract for the bridge deck**
- (c) Notes the recommendations regarding capital funding.**

(Meeting closed at 6.20 pm)

**Council – 23rd July 2013**

**Recommendation from Cabinet  
9th July 2013**

**Coventry City Council**

**Minutes of the meeting of Cabinet held at 3.00 pm. on 9<sup>th</sup> July 2013**

Present:

Cabinet Members:

Councillor Townshend (Deputy Chair)  
Councillor Duggins  
Councillor Gannon  
Councillor Kelly  
Councillor A. Khan  
Councillor Lancaster

Deputy Cabinet Members:

Councillor Caan  
Councillor Howells

Non-voting Opposition Members:

Councillor Blundell  
Councillor Taylor (Substitute for Councillor Andrews)

Other Members:

Councillor Abbott  
Councillor Hetheron  
Councillor Thomas  
Councillor Walsh

Employees (by Directorate):

Chief Executive's:

M Reeves (Chief Executive), C Dear, F Collingham, J Moore

Children, Learning & Young People:

C. Green (Director), S Redgrave

City Services & Development:

M Yardley (Director), R Moon

Community Services:

P Barnett, C Hickin, C Parker, S Roach

Customer & Workforce Services:

H Abraham, M Salmon, C Sinclair

Finance & Legal Services:

C West (Director), C Forde, H Lynch

Apologies:

Councillors Andrews, Gingell, Kershaw, Mrs Lucas and Ruane

## Public business

### RECOMMENDATION

#### 30. **Freehold Disposal of the Former Central Depot Foleshill to Barratts PLC** **[\(Report\)](#)**

The Cabinet considered a report of the Director of City Services and Development, which set out proposals for the freehold disposal of the former Central Depot site at Foleshill to Barratts PLC.

The Council owned site was approximately 7.45 acres and was identified on the plan appended to the report. A residential development upon the site was proposed by Barratts PLC. The site was previously used as a depot by the Council's then City Engineers Department and was subsequently demolished and cleared in 2002.

An outline planning application was submitted and approved by the Planning Committee for up to 143 dwellings on 13<sup>th</sup> December 2012. Following approval, the site was marketed for residential development by tender, with 66 requests for a tender pack. Bids were received from Helical Retail Ltd, Barratts and David Wilsons Homes PLC and Keepmoat.

The submission from Helical Retail Ltd was non-compliant, as their proposal was for a supermarket, which could not be supported by Planning Policy. The submission from Keepmoat omitted the required education contribution and the base land value was revised downwards.

The Barratts offer for the site has been approved by the Council's Valuation Panel as representing 'best value' and therefore satisfying the Council's requirement to achieve the best price reasonably obtainable in accordance with the provisions of Section 123 of the Local Government Act 1972.

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

- (1) Authorise the disposal of the site to Barratts.**
- (2) Delegate authority to the Assistant Director (City Centre and Development Services) in consultation with the Cabinet Member (Business, Enterprise and Employment), any subsequent variations in terms.**
- (3) Delegate authority to officers in the Finance and Legal Service Directorate to complete the necessary legal documentation and collect the agreed consideration.**

(Meeting finished at 4.00 p.m.)

---

A separate report is submitted in the private part of the agenda in respect of this item, as it contains details of financial information required to be kept private in accordance with Schedule 12A of the Local Government Act 1972. The grounds for privacy are that it refers to the identity, financial and business affairs of an organisation and the amount of expenditure proposed to be incurred by the Council under a particular contract for the supply of goods or services.

Cabinet  
Council

9<sup>th</sup> July 2013  
23<sup>rd</sup> July 2013

**Name of Cabinet Member:**

Cabinet Member (Business, Enterprise and Employment) – Councillor Kelly

**Director Approving Submission of the report:**

Director of City Services & Development

**Ward(s) affected:**

Radford

**Title:**

Freehold Disposal of the former Central Depot Foleshill to Barratts PLC

---

**Is this a key decision?**

Yes

The proposal in the report will result in financial implications exceeding £500k.

---

**Executive Summary:**

The Council owned site is approximately 7.45 acres (3.0 hectares) and is shown edged red on the plan annexed to this report ("the Site"). A residential development upon the Site is proposed by Barratts PLC. The Site was previously used as a depot by the Council's then City Engineers Department and was subsequently demolished and cleared in 2002.

An Outline Planning Application was submitted and approved by planning committee for up to 143 dwellings under planning ref OUT/2012/1834 on the 13<sup>th</sup> December 2012.

Following approval, the Site was marketed for residential development by tender with 66 requests for a tender pack and the following bids were received:-

Helical Retail Ltd \*  
Barratts & David Wilson Homes PLC  
Keepmoat

The submission by Helical Retail Ltd was non-compliant as the proposal was for a supermarket, which could not be supported by the Planning Department in policy terms. The submission by Keepmoat, on further analysis of the bid omitted the required education contribution and the base land value was revised downwards.

The Barratts offer for the Site has been approved by the Councils Valuation Panel as representing "Best Value" and therefore satisfying the Council's legal requirement to achieve the best price reasonably obtainable in accordance with the provisions of Section 123 of the Local Government Act 1972.

**Recommendations:**

Cabinet are requested to recommend that Council :

1. Authorise the disposal of the Site to Barratts.
2. Delegate to the Assistant Director of City Centre and City Development Services in consultation with the Cabinet Member (Business, Enterprise and Employment), any subsequent variation in terms.
3. Delegate to officers within Finance and Legal Services Directorate to complete the necessary legal documentation and collect the agreed consideration

Council are recommended to approve 1 to 3 above.

**List of Appendices included:**

*Site Plan*

**Background papers:**

None

**Other useful papers:**

Planning Application Reference Number OUT/2012/1834 –report to Planning Committee on 13<sup>th</sup> December 2012

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No:

**Will this report go to Council?**

Yes – 23<sup>rd</sup> July 2013

**Report title:**

**1. Context (or background)**

- 1.1 The Site is located to the north of Coventry City Centre, a short distance from junction 1 on the ring road, bordered to the east by Foleshill Road, the west Coventry Canal and the north by a former petrol filling station and car showroom. The site area is 7.45 acres (3.0 hectares).
- 1.2 The Site was previously used by the Councils Engineers Department however due to the previous uses; it has resulted in the Site being heavily contaminated. In 2002 after approximately 35 years of operation the Site ceased to be used for operational purposes was closed, demolished and cleared.
- 1.3 The Site forms an important gateway to the City Centre, in addition it sits opposite the award winning Electric Wharf development, and is subject to a planning consent granted in 2012 which sets a framework for the site to be developed into a sustainable community where people will live, work and relax in a high quality environment formed by distinctive streets and public spaces surrounded by well-designed contemporary architecture.
- 1.4 The Outline Planning Application was submitted for up to 143 residential dwellings, a mixture of houses and flats. The application was approved at planning committee on the 13<sup>th</sup> December 2012. Planning reference OUT/2012/1834
- 1.5 Following planning approval the Site was subsequently marketed and 66 tender packs were requested from interested parties. The following bids were submitted:-

Helical Retail Ltd \*  
Barratts & David Wilson Homes PLC  
Keepmoat

**1.6 Helical Retail Ltd**

Whilst the Helical Retail Ltd submission offers the highest tender bid, the proposal for the development of a supermarket on the former Central Depot site could not be supported by the planning department. The site is situated outside the Primary Shopping Area (PSA) and the southern tip of the depot is at least 600m from the PSA meaning that it cannot be considered edge of centre within the National Planning Policy Framework (NPPF) definition. It is also contrary to the Councils shopping strategy as defined in the Coventry Development Plan 2001 (CDP 2001).

**1.7 Keepmoat**

The tender submission proposed 116 units comprising of 115 houses and one flat. On analysis of the submission, it was apparent that the education contribution had been omitted. Keepmoat reappraised the submission bid however the base land value was reduced. In order to try and achieve the previously tendered value, further incentives such as shared equity retention and possible future construction savings were offered however there was no certainty that these could be realised and the revised price was still lower than the Barratts submission.

## 1.8 Barratts

Barratts submitted a bid in line with the approved planning permission for 143 dwellings comprising of 107 private & 36 affordable units, which is split into a mixture of flats (86 units) & houses (57 units). As per the planning approval, 25% of the dwellings have been set aside for affordable housing. As part of the socially rented allocation of units, Barratts will be providing strategically important family dwellings of which there will be 5 X 3bed units and 2 X 6 bed units. The 2 X 6 bed units, which will be able to accommodate up to 12 persons each are required as there is a pressing need for larger houses as identified in the Councils Housing & Homelessness Strategy.

1.9 The Barratts offer is subject to obtaining planning reserved matters approval. If the Barratts offer is approved by Cabinet, the reserved matters planning application will be submitted.

1.10 The offer has been approved by the Council's Valuation Panel as representing "Best Value" being the best price reasonably obtainable under the requirements set out in S123 of the Local Government Act 1972.

1.11 The on-going economic uncertainty must be taken into consideration and the continued effects on the property sector with regard to residential development. There are tentative signs of improvement in the economy however there are still underlying problems to the recovery of the housing market, which is proving difficult for first time buyers to secure a mortgage.

## 2. Options considered and recommended proposal

**2.1 Accept the offer** – The offer has been recommended as representing "Best Value" reasonably obtainable in accordance with the provisions under S123 of the Local Government Act 1972 and approved by the Council's valuation panel. The offer is a net figure and any abnormal or S106 costs have already been accounted for.

The development will see the remediation of a contaminated brown field site and if Barratts purchase the Council's interest, the obligation to remediate will be passed to the purchaser as a development obligation.

The design proposals to be submitted are based on a similar Barratts scheme in Leicester, which won a CBE design award. The design of the dwellings will complement the Electric Wharf development opposite and will finally see the long awaited regeneration of this Site.

The receipt will contribute towards corporate resources and it is expected that the capital receipt will be completed by the end of the financial year.

**2.2 Decline the offer**- The offer could be declined and the site could be remarketed however failure to accept an offer that has been recommended as best consideration would see the loss of a potential capital receipt to the Council. In addition, failure to agree to the disposal will see the loss of the opportunity to remediate a heavily contaminated site, loss of affordable housing and the benefits of regeneration.

**2.3 Remarket Site** - The Site could be reintroduced to the market at a later date but any delay would see the loss of the capital receipt, which is expected for this financial year 2013/2014. There would be further uncertainty on the future timing of when to bring the Site back to the market as interest in the site resulted in 66 requests for tender packs



but only 3 tenders submitted mainly due to the complications associated with the contamination.

**2.4 Accept the Helical Retail Ltd offer-** this offer was made on a subject to planning basis, accordingly any receipt is dependent upon planning consent being granted for the foodstore. As planning colleagues could not support such a proposal it is considered most unlikely that this proposal would ever have resulted in a capital receipt. For this reason the offer has been rejected.

2.5 The recommendation is to accept the Barratts offer as per paragraph 2.1.

### **3. Results of consultation undertaken**

3.1 As part of the outline planning application, consultation would have been undertaken and neighbouring occupiers were informed of the proposals for the Site.

3.2 It will be expected that Barratts will undertake further consultation with stakeholders as part of the reserved matters application to discuss and inform about the development proposals.

### **4. Timetable for implementing this decision**

4.1 Providing Cabinet approval is granted, Barratts will submit the reserved matters planning application. It is expected that the reserved matters application will be approved within this financial year and the completion and the delivery of the capital receipt is subject to this approval.

### **5. Comments from Director of Finance and Legal Services**

#### 5.1 Financial implications

The receipt will contribute towards corporate resources and it is expected that the disposal will be completed within this financial year.

#### 5.2 Legal implications

The consideration represents best value reasonably obtainable by the Council upon the disposal of its land, as verified by the Valuation Office and the Councils valuation panel. This meets the Councils requirements to obtain best value reasonably obtained under the requirements in Section 123 Local Government Act 1972.

Officers within Finance and Legal Services Directorate will prepare and complete the necessary legal document in respect of the freehold disposal to Barratts and will collect the agreed purchase price.

### **6. Other implications**

#### Property Implications

The proposed transaction will contribute towards the corporate financial target as mentioned in paragraph 5.1 above.

**6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?**

The capital receipt will contribute towards corporate resources and housing targets

**6.2 How is risk being managed?**

The risks have been identified in paragraph 2.2, with the loss of the capital receipt, housing (private & affordable) and the remediation of the Site.

**6.3 What is the impact on the organisation?**

The impact to the organisation will be minimal however it will generate additional work for officers within Finance & Legal Services Directorates in processing the freehold transfer to Barratts.

**6.4 Equalities / EIA**

An equality impact assessment is a process designed to ensure that a policy project or service does not discriminate against any disadvantaged or vulnerable people. Section 149 of the Equality Act 2010 imposes an obligation on Local Authorities to carry out an equality impact assessment when the local authority is exercising a public function.

An equality impact assessment has not been undertaken by officers as the proposal set out in this report relates to the granting of or the creation of a legal interest in the land and does not constitute a change in service delivery policy or the exercise of a public function.

**6.5 Implications for (or impact on) the environment**

The impact will be positive by re-using a heavily contaminated brown field site for residential development with all the dwellings being constructed to a minimum Code for Sustainable Homes Level 3.

**6.6 Implications for partner organisations?**

There are no implications for any partner organisations.

**Report author(s):****Name and job title:**

James Grant, Senior Surveyor, Development Services

**Directorate:**

City Services &amp; Development Directorate

**Tel and email contact:**

024 7683 3674 james.grant@coventry.gov.uk

Enquiries should be directed to the above person.

<b>Contributor/approver name</b>	<b>Title</b>	<b>Directorate or organisation</b>	<b>Date doc sent out</b>	<b>Date response received or approved</b>
<b>Contributors:</b>				
Richard Moon	Senior Development Executive	CS & DD	03.06.2013	04.06.2013
Other members				
<b>Names of approvers for submission: (officers and members)</b>				
Finance: Phil Helm	Finance Manager	Finance & legal	30.05.2013	30.05.2013
Legal: Julie Sprayson	Principle Legal Executive-Commercial Team	Finance & legal	30.05.2013	04.06.2013
Director: Martin Yardley	Director of City Services & Development		07.06.2013	07.06.2013
Members: Councillor Kelly	Cabinet Member (Business, Enterprise and Employment)		07.06.2013	10.06.2013

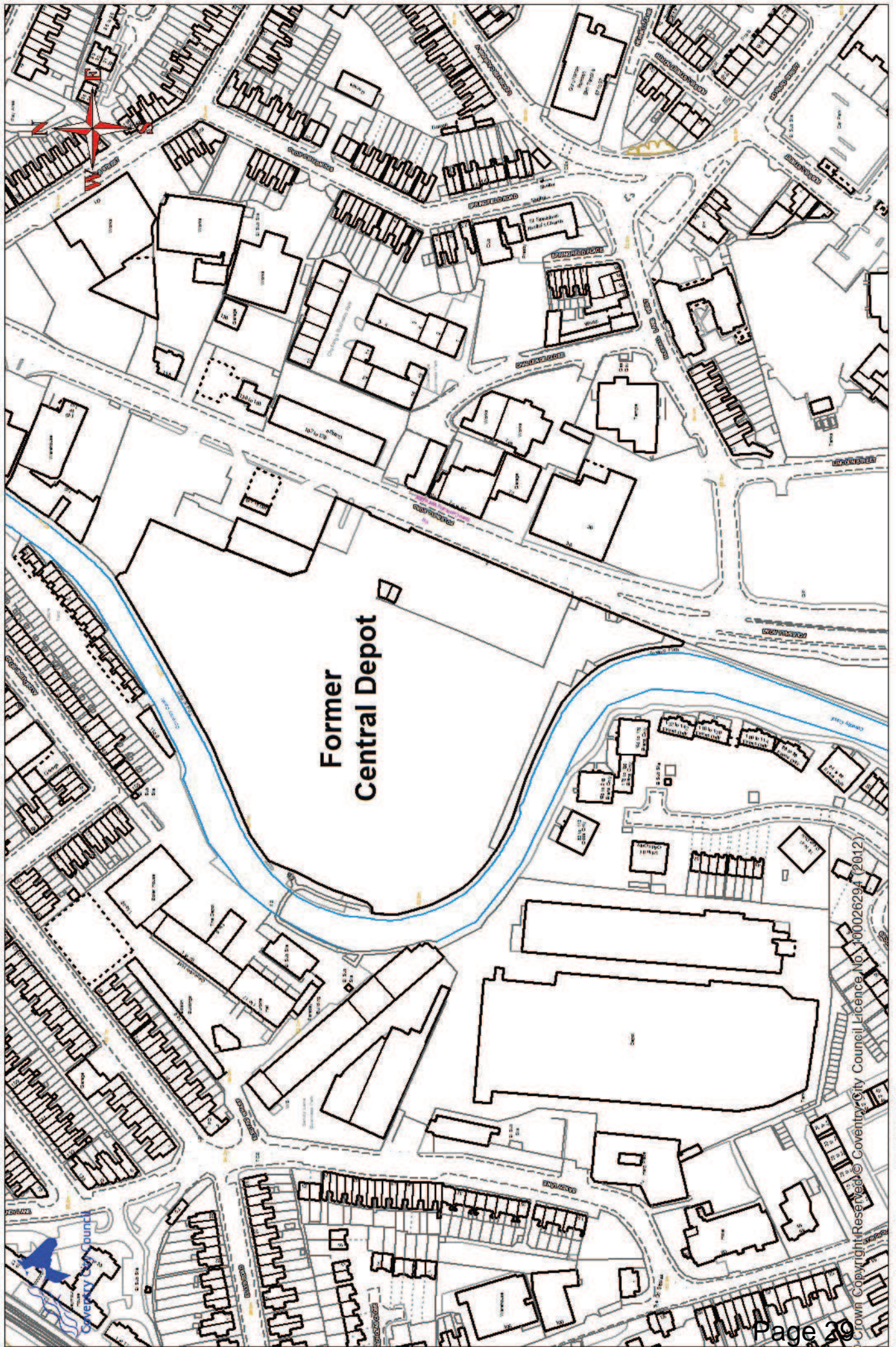
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## Appendices

# Former Central Depot, Coventry.

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**Council – 23rd July 2013**

**Recommendation from Cabinet  
9th July 2013**

**Coventry City Council**

**Minutes of the meeting of Cabinet held at 3.00 pm. on 9<sup>th</sup> July 2013**

Present:  
Cabinet Members: Councillor Townshend (Deputy Chair)  
Councillor Duggins  
Councillor Gannon  
Councillor Kelly  
Councillor A. Khan  
Councillor Lancaster

Deputy Cabinet Members: Councillor Caan  
Councillor Howells

Non-voting Opposition Members: Councillor Blundell  
Councillor Taylor (Substitute for Councillor Andrews)

Other Members: Councillor Abbott  
Councillor Hetheron  
Councillor Thomas  
Councillor Walsh

Employees (by Directorate):  
Chief Executive's: M Reeves (Chief Executive), C Dear, F Collingham,  
J Moore

Children, Learning & Young  
People: C. Green (Director), S Redgrave

City Services & Development: M Yardley (Director), R Moon

Community Services: P Barnett, C Hickin, C Parker, S Roach

Customer & Workforce Services: H Abraham, M Salmon, C Sinclair

Finance & Legal Services: C West (Director), C Forde, H Lynch

Apologies: Councillors Andrews, Gingell, Kershaw, Mrs Lucas  
and Ruane

## Public business

### RECOMMENDATION

#### 31. **Coventry City Centre Public Realms Phase 2 – Update Report**

Cabinet approved a second phase of public realm works at its meeting on 9<sup>th</sup> October 2012. Three schemes from that programme were successfully implemented, these being the second access to Pool Meadow, the new junction at Little Park Street and New Union Street, and the Bishop Street Pocket Park. In addition, two further schemes were underway at High Street and Spon Street.

The Committee considered a report which indicated that a number of factors had necessitated a rethink of the remainder of the programme, these being:-

- An opportunity to bid for further European Regional Development Funding (ERDF);
- A greater focus on the City's heritage offer as a key to regeneration;
- The approval of the Friargate Bridge meant that Warwick Road would be closed at Junction 6 for much of 2014, therefore it would be necessary to ensure that other City Centre roads remained open;
- The opportunity to create a civic space in front of the Council House that was worthy of an ambitious City and set the standard for the redevelopment of the area that would be released by the move to Friargate;
- Funding for Gosford Gate had become available which provided a fantastic opportunity to provide a complete high quality route from Broadgate to Far Gosford Street and to connect into exciting proposals for Charterhouse;
- Centro had offered an additional £140k which would allow much needed improvements to Trinity Street to be brought forward; and
- The potential for sponsorship had led to a radical rethink of proposals for Lidice Place to provide a quality green space that would draw visitors into the Spon Street area.

In conjunction with the Friargate works and the Barberry Development at Bishop Street, the revised programme would see the 'medieval' cross completed to a high standard. The routes linked many of the City's key heritage and development sites and it was vital that high quality links between the sites were created to best promote the City as a great place to invest and do business.

The revised programme would not require any additional Council resources and would be managed within the resources previously reported to the Cabinet, together with additional ERDF, Centro, Homes and Communities Agency and Liveability resources secured.

The Cabinet thanked officers for the work undertaken on the design of the schemes and for the funding secured. They asked that their thanks be recorded and that the officers concerned be informed accordingly.



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

- (1) Approve the revised programme of works for public realm Phase 2 as set out in Table 1.**
- (2) Delegate authority to the Cabinet Members (Public Services) and (Business, Enterprise and Employment) to agree the detailed works for schemes in Coventry 2012 Phase 2, as set out in Appendices A, B and C and their implementation, subject to the availability of funding.**

(Meeting finished at 4.00 p.m.)

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**A separate report is submitted in the private part of the agenda in respect of this item, as it contains details of financial information required to be kept private in accordance with Schedule 12A of the Local Government Act 1972. The grounds for privacy are that it refers to the identity, financial and business affairs of an organisation and the amount of expenditure proposed to be incurred by the Council under a particular contract for the supply of goods or services.**

Cabinet  
Council

9 July 2013  
23 July 2013

**Name of Cabinet Member:**

Cabinet Member (Business, Enterprise and Employment) – Councillor Kelly  
Cabinet Member (Public Services) – Councillor Lancaster

**Director Approving Submission of the report:**

Director of City Services and Development

**Ward(s) affected:**

**St Michael's Ward**

**Title:**

*Coventry City Centre Public Realm Phase 2 – Update Report*

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**Is this a key decision?**

*Yes - The report sets out a large programme of expenditure (up to £5.402M)*

---

**Executive Summary:**

Cabinet approved the second phase of city centre public realm works on October 9<sup>th</sup> 2012. Three schemes from that programme have been successfully completed: the second access to Pool Meadow, the new junction at Little Park St and New Union St and Bishop Street Pocket Park. Two further schemes are underway: High Street and Spon Street.

A number of factors have necessitated a rethink of the remainder of the programme:

- An opportunity to bid for further European Regional Development Funding (ERDF)
- A greater focus on the city's heritage offer as a key to regeneration;
- The approval of the Friargate Bridge means that Warwick Road will be closed at Junction 6 for much of 2014, therefore it will be necessary to ensure that other city centre roads remain open;
- The opportunity to create a civic space in front of the Council House that is worthy of an ambitious city and sets the standard for the redevelopment of the area that will be released by the move to Friargate;

- Funding for Gosford Gate has become available which provides a fantastic opportunity to provide a complete high quality route from Broadgate to Far Gosford St and to connect into the exciting proposals for Charterhouse;
- Centro have offered an additional £140,000 which will allow much needed improvements to Trinity St to be brought forward;
- Potential for sponsorship has led to a radical rethink of the proposals for Lidice Place to provide a quality green space that will draw visitors into the Spon Street area.

In conjunction with the Friargate works and the Barberry Development (Bishop St) this revised programme will see the 'medieval' cross completed to a high standard. These routes link many of our key heritage and development sites and it is vital that we create high quality links between these sites to best promote our city as a great place to invest and do business.

The revised programme will not require any additional council resources and will be managed within the resources identified in the October 9<sup>th</sup> report, together with additional ERDF, Centro, HCA and Liveability resources secured since then.

### **Recommendations:**

Cabinet are asked to recommend to Council to:

1. Approve the revised programme of works for public realm Phase 2 as set out in Table 1.
2. Delegate authority to the Cabinet Members (Public Services and Business, Enterprise and Employment) to agree the detailed works for schemes in Coventry 2012 Phase 2 as set out in appendices A, B and C and their implementation subject to the availability of funding.

Council are requested to approve the above recommendations.

### **List of Appendices included:**

Appendix A – Plan showing location of revised Phase 2 schemes

Appendix B - Descriptions of new and enhanced schemes

Appendix C – Plans of new and enhanced schemes

### **Other useful background papers:**

Cabinet Report: Coventry 2012 Public Realm – January 21<sup>st</sup> 2011

Cabinet Report: Coventry 2012 Public Realm – November 8<sup>th</sup> 2011

Cabinet Report: Coventry City Centre Public Realm Legacy Phase 2 – October 9<sup>th</sup> 2012

Cabinet Report: Far Gosford Street Development Package: proposed extension of Site 1 and associated infrastructure works – March 10<sup>th</sup> 2009

Cabinet Report: European Regional Development Fund (ERDF) for Coventry City Council Projects - April 16<sup>th</sup> 2013

### **Has it been or will it be considered by Scrutiny?**

No

### **Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

### **Will this report go to Council?**

Yes – 23 July 2013

**Report title:**

**Coventry city Centre Public Realm Phase 2 – Update Report**

**1. Context (or background)**

1.1 The background to the Coventry 2012 Public Realm Project was covered in a report to Cabinet on January 21<sup>st</sup> 2011. Phase 1 was completed in Summer 2012 and the success of these works led to Phase 2 being approved by Cabinet on October 9<sup>th</sup> 2012.

1.2 The success of the original programme led to a second phase being approved by Cabinet on October 9<sup>th</sup> 2012. The programme of works was set out in that report.

1.3 To date, the second entrance to Pool Meadow and the removal of the traffic lights at the junction of Little Park Street and New Union Street have been completely. Works are currently underway on High Street and Spon Street.

1.4 A number of opportunities have arisen since the second phase of public realm works was approved. These are:-

- The invitation to bid for further European Regional Development Fund (ERDF);
- A greater focus on the city's heritage offer as a key to regeneration;
- The opportunity to create a civic space in front of the Council House that is worthy of an ambitious city and sets the standard for the redevelopment of the area that will be released by the move of council offices to Friargate;
- Funding for Gosford Gate has become available which provides a fantastic opportunity to provide a complete high quality route from Broadgate to Far Gosford St and to connect into the exciting proposals for Charterhouse;
- Centro have promised an additional £140,000 which will allow much needed improvements to Trinity St to be brought forward;
- Potential for sponsorship has led to a radical rethink of the proposals for Lidice Place to provide a quality green space that will draw visitors into the Spon Street area;
- Further phases of Heatline.

1.5 In addition, the approval of the Friargate Bridge project by Cabinet in June 2013 means that Warwick Road will be closed at Junction 6 for much of 2014. This has led to a rethink of the programme to ensure that other city centre roads remain open.

1.6 The primary purpose of this investment is to promote the regeneration of the city centre. There has been an increasing realisation of the wealth of Coventry's heritage (ancient and modern) and that the heritage offer needs to be more accessible and marketed as a package. This is especially relevant given the realisation that the role of city centres has to change and that the focus has to be on a much wider offer than just retail. We are very fortunate in Coventry in that we have a huge amount to offer in terms of our heritage and culture and given the opportunities listed above it is proposed to modify the programme set out in the Phase 2 report to reflect this latest thinking.

1.7 As a consequence a revised Phase 2 programme is set out in this report along with an outline of an extended programme of works subject to a successful ERDF funding extension.

**2. Options considered and recommended proposal**

- 2.1 It is proposed to focus investment within Phase 2 on completing works on the 'medieval cross' referred to in phase 1. (Railway Station to Canal Basin and Spon Street to Far Gosford Street).
- 2.2 These routes link many of our key heritage and development sites and it is vital that we create high quality links between these sites to best promote our city as a great place to visit, invest and do business.
- 2.3 The revised programme of schemes is set out in table 1 below:

**Table 1 Proposed Revised Phase 2 Programme**

Scheme	Comments
Pool Meadow	Completed February 2013
High Street	Complementary improvements to High Street to link Broadgate and Council House Square, enhanced scheme, scheme currently underway
Council House Square/Earl St*	Complementary high quality improvements to space in front of the Council House to link up with Broadgate and High Street
Jordan Well	Complementary improvements to public realm to improve link between Gosford St and Council House into the city centre.
Trinity Street*	Improvements to public realm to improve access for bus users and pedestrians
Gosford Gate*	Improvements to connectivity between Gosford St, Far Gosford St and Sky Blue Way, including public realm enhancements linking with the new Gosford St/Cox St junction.
Methodist Central Hall / Warwick Lane	Improvements to the setting of Methodist Central Hall to allow for outdoor seating area onto Bull Yard
Spon St	Public realm improvement scheme underway
Lidice Place/Queen Victoria Road*	Enhancements to improve links with Lower Precinct and Medieval Quarter
Bishop Street Pocket Park	New pocket park completed June 13.
Little Park Street / New Union Junction	Junction completed May 13.
Belgrade Junction*	Feasibility design costs
Fairfax Street*	Feasibility design costs

ADDITIONAL WORKS TO COMPLEMENT PHASE 1	
Broadgate	Rebuild bottom of ramp, repave links between Broadgate and Hertford St
Greyfriars Road	Remove circular brick planter south of Greyfriars Rd and landscape area in front of United Reformed Church
Trinity Street	Four tree planters adjacent to Primark
Cox Street	Six tree planters
Gosford Street	Replace black top with conservation flags to southern footway (Phoenix to flyover)
Hales Street	Removal of railings adjacent to Old Grammar School, extension of paving and additional drainage work and bollards at Whittle Arch

- 2.4 The asterisk (\*) in the table above indicates where there has been significant change following the October 9<sup>th</sup> report. These changes are outlined in the paragraphs below and the new and enhanced proposals are described in more detail in Appendix B. The total cost of the revised programme is £5.402M; the funding sources are set out in section 5.1.
- 2.5 Council House Square: the decision to relocate council offices to Friargate will create a prominent major development site. There are a number of good quality buildings in the area and we have an opportunity to set the standard for the new development through the creation of a high quality public space in front of the Council House. The original approved scheme has, therefore, been replaced with a much more radical scheme.
- 2.6 Trinity Street: Proposals for Heatline and the need to resurface the road and relay some of the pavement have led to an acceleration of this scheme to reconfigure the bus stops in this street. This will provide an opportunity to plant more trees and to make a much more attractive link from Broadgate to the Transport Museum. Centro have pledged £140,000 towards this scheme.
- 2.7 Gosford Gateway: The availability of additional Homes and Community Agency and Liveability Funding means that with £315,000 of Phase 2 money we can build Gosford Gateway. This will substantially complete the link from Broadgate to Far Gosford Street in association with the planned works on High Street, Council House Square and Jordon Well /Earl Street. This will tie in with proposals to provide links to Charterhouse and London Road Cemetery along the River Sherbourne which is the subject of a separate HLF bid.
- 2.8 Lidice Place/Queen Victoria Road: Discussions with Spon St Traders, Mansfords (owners of the Skydome) and the managers of Lower Precinct have led to a re-think on the area in front of St Johns Church (Lidice Place). The original scheme was for a basic de-cluttering scheme along Queen Victoria Road and Corporation St from Greyfriars Road to Hill St. The revised proposal is to concentrate investment on Lidice Place and to create a garden square – in line with the wishes of citizens as expressed in earlier consultations. Some of the businesses involved have expressed an interest in sponsoring this area to ensure it is maintained to a high standard. This scheme will massively improve the link between the Precincts and Spon St and will help promote the area around Spon St and Hill St as a leisure/heritage/retail area.

- 2.9 Belgrade Junction: the works planned for this junction were extensive and would have involved considerable disruption to bus movements in 2014. Given the closure of Warwick Road and the need to divert buses to the station, it was felt appropriate to postpone this scheme to avoid further disruption to bus services.
- 2.10 Fairfax Street: uncertainties around Heatline proposals and the desire to focus resources on the 'medieval cross' have led to the postponement of this scheme. It is intended that more comprehensive proposals for Fairfax Street and Whittle Arch are put forward as part of the Phase 3 bid.
- 2.11 The council has been invited to bid for additional ERDF money. There is the potential to bid for ERDF to create an additional programme of up to £0.5M which could be used to improve the environment and upgrade the area beneath the flyover on Gosford Street. This would complete the works on the Broadgate to Far Gosford Street link. In addition we could also fund the creation of a high quality pedestrian crossing over London Road linking Charterhouse and London Road Cemetery to complete the heritage trail which is the subject of a separate bid to HLF.
- 2.12 The funding sources for the revised Phase 2 programme are set out in Table 2 in section 5.1. It should be noted that the revised phase 2 programme does not have any impact on other approved programmes of expenditure.

### **3. Results of consultation undertaken**

- 3.1 A public consultation exercise was undertaken in early 2011 which resulted in significant changes to the design of the schemes. Over 2,500 people took part in this exercise. Since then, there has been an on-going discussion with city centre stakeholders, access groups and Centro.
- 3.2 Consultation with Access Groups has led to a number of changes including modifications to kerb heights and the use of more zebra crossings. All schemes incorporate trees and grass wherever practical in response to repeated calls for more greenery in the city centre.
- 3.3 There have also been discussions with developers and potential investors to understand what is important to them in terms of transforming the city centre and ensuring it is a place where businesses want to be located.

### **4. Timetable for implementing this decision**

As described in paragraph 1.2, work is already underway on part of this programme. It is proposed to complete this programme by the end of March 2014 with those elements resulting in significant disruption to traffic being completed before Warwick Road is closed for Friargate Bridge. The last scheme to be completed will be Gosford Gateway as this can be constructed with minimal disruption to traffic.

### **5. Comments from Director of Finance and Legal Services**

#### **5.1 Financial implications**

- 5.1.1 The revised programme totals £5.402M. Table 2 below sets out how this will be funded and the changes from the approved programme approved by Cabinet last October:



**Table 2 - Resource Package for Public Realm Phase 2**

The table below identifies the revised resource package for Public Realm Phase 2. The table also includes the original agreed resources, which allows us to identify the changes to the resource package since the agreed Cabinet Report on 9<sup>th</sup> October.

<b>Resources</b>	<b>Revised Resource Package (Jul 13 Report) £'000</b>
ERDF	1,750
Severn Trent (balance from Phase 1)	733
Centro	449
Other Council Programmes	870
LTP – Integrated Transport Grant	1000
Gosford Gate Liveability Fund	200
HCA Grant (Awaiting Confirmation)	400
<b>TOTAL</b>	<b>5,402</b>

The Phase 2 changes above reflect additional grant monies secured from DCLG (ERDF), Centro, HCA and Liveability. No corporate contributions are required.

## **5.2 Legal implications**

5.2.1 The schemes listed in Appendix B will be delivered under the Council's general highway improvement/traffic management powers under the Highways Act 1980 except in relation to any new or amended formal pedestrian crossings/traffic regulation orders/traffic-calming which will be implemented following a separate statutory notice/objection process under the Road Traffic Regulation Act 1984.

5.2.2 The Council will use the general power of competence under the Localism Act 2011 to act as guarantor and accountable body under the HCA Grant

## **6. Other implications**

*Any other specific implications*

6.1 The completed Phase 1 works are already demonstrating their ability to help attract investment into the city centre and will be instrumental in helping to attract interest for the South Side redevelopment and thereby create jobs. By promoting the city centre in this way, jobs and investment will be attracted to the city in line with the Council's Job Strategy.

## **6.2 How is risk being managed?**

A clear set of governance proposals, as outlined in the October 9<sup>th</sup> report, will continue to be used which will ensure that as with Phase 1, risks are effectively managed. The programme board will, as before, be chaired by the Assistant Director, Planning Transport and Highways. As with Phase 1 the Programme Manager will maintain a Risk Log which will be regularly updated. The work on Phase 1 and development work on Phase 2 has helped to improve our understanding of the risks.

## **6.3 What is the impact on the organisation?**

The reduction in expenditure on the Integrated Transport Block means that there continues to be sufficient resource to work on Phase 2. The DLO will be working to capacity which will improve its trading account.

## **6.4 Equalities / EIA**

The proposals will make movement around the city centre easier for everyone. This is because of the removal of unnecessary street furniture and measures to reduce the dominance of vehicular traffic. However, access by car for those that need it will be maintained. Discussions with the Access Groups and representative organizations are underway to ensure that the design of Broadgate and other areas properly reflects access needs. There have been regularly meetings with the Access Development Group and the Coventry and Warwickshire Access Committee to review the impact of Phase 1 schemes and to consider the design of Phase 2. In particular, we have been working closely with the Guide Dogs Association.

## **6.5 Implications for partner organisations?**

The proposals in this report will further enhance the walking and cycling environment within the city centre, thus encouraging the use of more sustainable forms of transport. Similarly, the improvements to the bus stops in Trinity St will help promote bus use. Overall the proposals aim to help stimulate investment in the city centre thus encouraging employment and retail to be located in the most sustainable and accessible location in the city.

## **6.6 Implications for partner organisations.**

A vibrant city centre is essential for the good of all organisations within the City.

### **Report author(s):**

#### **Name and job title:**

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**Directorate:** City Services and Development

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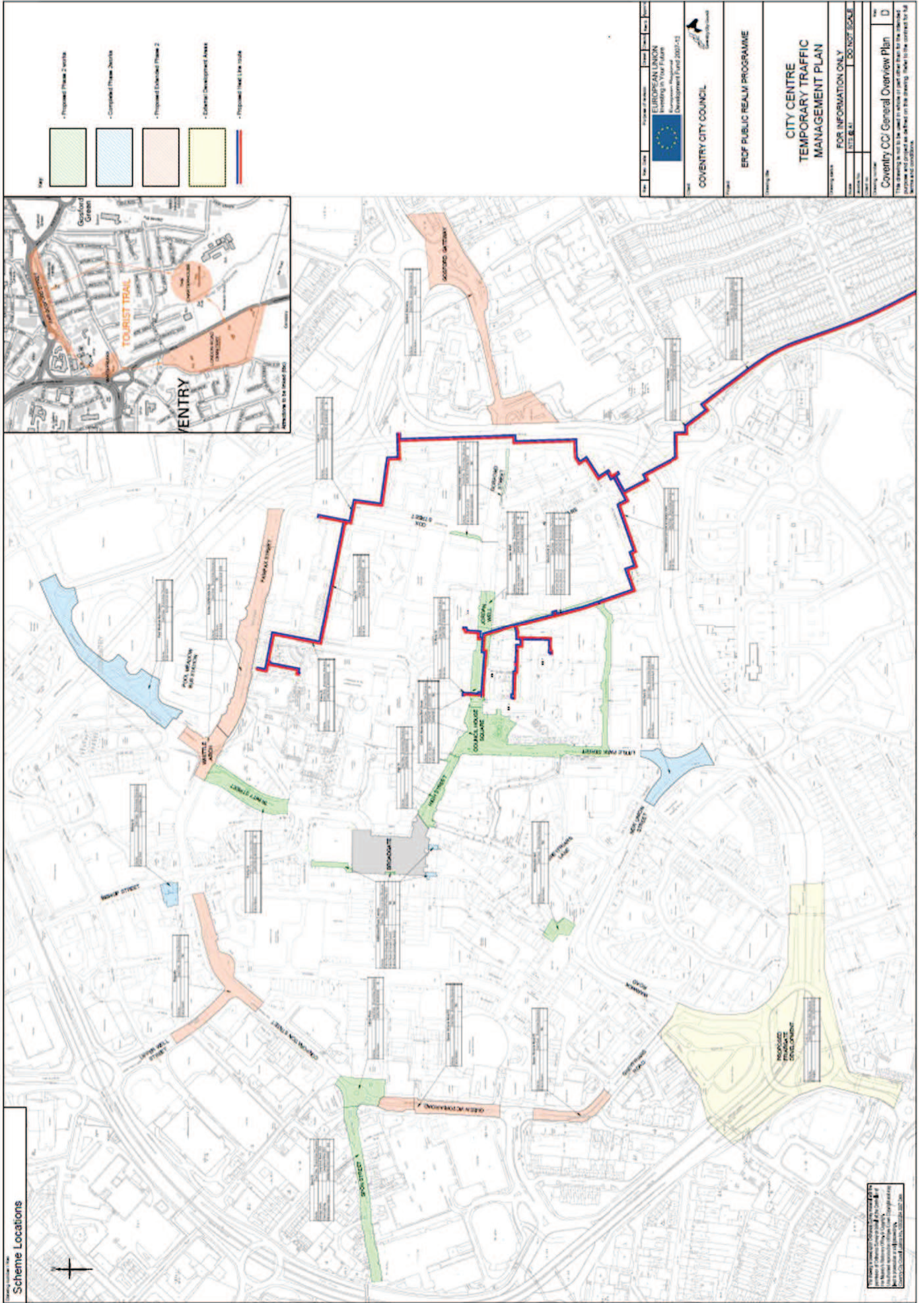
<b>Contributor/approver name</b>	<b>Title</b>	<b>Directorate or organisation</b>	<b>Date doc sent out</b>	<b>Date response received or approved</b>
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Andy Williams	Resources & New Projects Manager	CSD	13 June 2013	13 June 2013
<b>Names of approvers for submission:</b> (officers and members)				
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Members: Cllr L Kelly	Cabinet Member	Business Enterprise & Employment	12 June 2013	13
Cllr R Lancaster	Cabinet Member	Public Services	12 June 2013	13

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## **Appendices**

**Appendix A - Plan showing scheme locations**

**Appendix C - Scheme Plans**



## **Appendix B**

### **Description of New and Enhanced Phase 2 schemes:**

#### **1. Council House Square:**

A number of options have been looked at to reduce the impact of the roads in front of the Council House. The main difficulty is the 'swept path' of buses and other large vehicles. To ensure large vehicles pass safely on the sharp turn from Little Park Street to High Street, it is impossible to significantly reduce the road width.

The revised proposal is therefore to create a 'one-way' system as shown in Appendix C, figure C1. This means traffic from Jordan Well travelling via Much Park Street and St John Street to access Little Park Street. Traffic in the opposite direction stays as it is. The big advantage of this proposal is that a lot of road space can be used for landscaping to create a high quality public space. The consultation for the first phase of the public realm showed that people are very keen on there being more grass and trees which this scheme delivers.

This scheme allows the existing area in front of the CC1 to be integrated into the wider area. This will:

- Create an appropriate setting for the Council House, one of our city's most prominent buildings;
- Provide more space in front of Browns
- Add to the attractiveness of the route to the Herbert, University, Charterhouse and Far Gosford Street
- Set the standard for the high quality development expected of this site.

#### **2. Trinity Street**

Trinity Street is a major bus hub and an important link to the Transport Museum. The current bus stopping arrangement is poor and there are no pedestrian crossing facilities below Ironmonger Square: there have been pedestrian accidents on this street. The general street environment is poor, particularly for pedestrians, and both the road surface and pavements have deteriorated significantly.

Although not originally planned for this year, it appears that Heatline is going to be extended to serve the student flats in Trinity Street and Burges House. This, coupled with the need to resurface the road, has resulted in a proposal to bring forward a scheme to improve pedestrian facilities and rationalize the bus stop layout. Centro have agreed to make a contribution of £140,000 to enable us to bring this project forward.

The scheme layout is shown in Appendix C (figure C2). The bus stops will be set out in a similar manner to those in Bull Yard and the pavements widened to create more space for waiting passengers and pedestrians. A new zebra crossing will be introduced at the bottom of Trinity Street on what is an obvious desire line (outside Sainsburys).

On the western side of the road, the current under-utilized taxi rank will be given over to a mix of loading bays and disabled parking. The pavement will be resurfaced and street trees introduced to create a high quality walking route from Broadgate to the Transport Museum.

The opportunity will also be taken to work with Centro to introduce a new state of the art passenger information system and wayfinding (as used in Colmore Row, Birmingham).

#### **3. Gosford Gateway**

This scheme has been awaiting implementation for some time. The availability of extra HCA funding and Liveability funding means that by applying £315,000 of phase 2 money we have the chance to realise a scheme of four times the value.

The scheme layout is shown in Appendix C (figure C3). It replaces a very complicated road layout where Gosford St and Far Gosford St join the Sky Blue Way roundabout. Each street

has its own entrance off the roundabout and this scheme combines them into one. This creates a much simpler (and easier to understand) junction which releases a significant amount of highway land which can be used to enable the long planned development of a hotel at Frenches Corner. The traffic lights will be removed and replaced with a small roundabout. The bus lane link to Far Gosford St will be retained in the new layout to prevent Far Gosford being used as an alternative to Sky Blue Way by general traffic.

The new highway layout will also release a lot of space that can be used to create high quality public realm on the southern side of the road. This will reinforce the ambition to create a high quality route linking Broadgate to Far Gosford Street. This is a very significant route as it also serves the University, the Herbert and the development site that will be created by the relocation of council offices to Friargate.

The scheme will allow for the creation of a high quality entrance to the proposed Sherbourne walkway/cycleway that will link to Charterhouse and London Road Cemetery (and is the subject of a separate HLF bid). Part of this entrance can include an interpretation of the former Gosford Gate.

#### **4. Lidice Place**

The original phase 2 scheme was for de-cluttering (removal of barriers and signs) and resurfacing around the roundabout in front of St Johns Church. Whilst this would make a significant improvement, it would leave an area still dominated by highway and one that still tended to discourage movement between the Lower Precinct and Spon Street.

Spon Street and surroundings are one of the city's better kept secrets and we now have the opportunity to introduce a scheme that will do a lot more to entice people from the Precincts to explore further. Discussions with Lower Precinct managers, Spon Street traders and the owners and agents of the Skydome have all demonstrated an enthusiasm for a landmark space in front of St Johns Church (another well kept secret). Indeed, there have been offers of sponsorship to support the planting and ongoing maintenance of this area (although no details have yet been confirmed).

The revised scheme is shown in Appendix C (figure C4). The aim is to minimise the space occupied by roads whilst still keeping traffic moving. This will be achieved by removing the roundabout and replacing it with a simple T junction and removing the traffic lights at the Lower Precinct entrance along with the remains of the bus gate. The remainder of the space will be grassed and planted to create a space for sitting in. Again this is responding to earlier consultation exercises where a clear preference was shown for more grass and trees. Through the middle of this space will be a wide sandstone paved path leading directly to Spon Street from the Lower Precinct entrance to help draw visitors across.

Figure C1 Council House Square



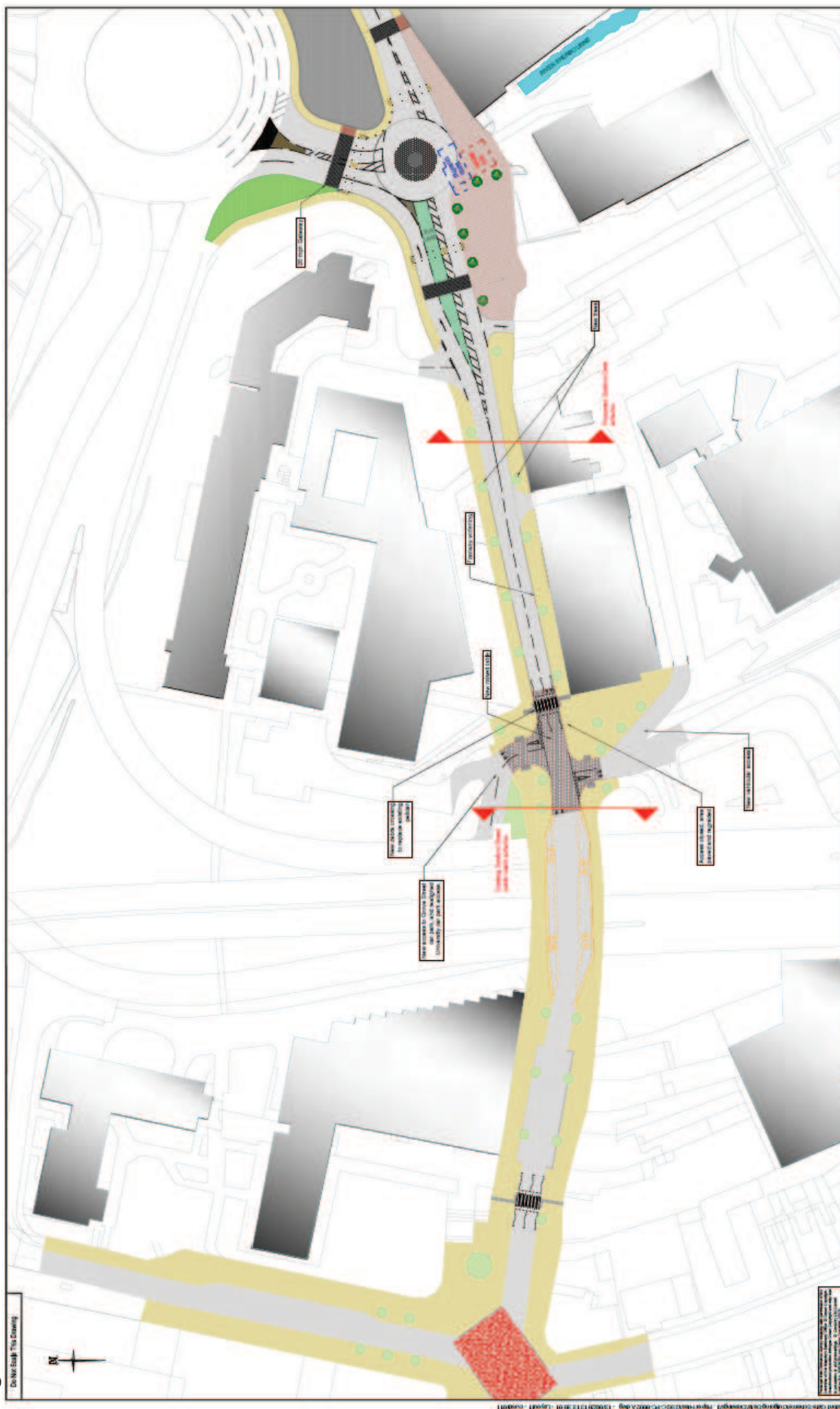
Figure C2 Trinity Street



<p>Project No: PUBLIC RE-LAY PH-E 2 TRINITY STREET</p>		<p>Scale: 1:1000 Date: 08/24/13</p>	
<p>Drawn By: INDU-TRIVE LAYOUT</p>		<p>Check By: TRINITY/1806</p>	
<p>DATE: 08/24/13</p>		<p>DATE: 08/24/13</p>	



Figure C3 Gosford Gate



Project No. **GOSFORD STREET**

Sheet No. **GENERAL LAYOUT OPTION B**

DATE	BY	CHECKED	APPROVED
1/20/10	J. BROWN	J. BROWN	J. BROWN
2/1/10	J. BROWN	J. BROWN	J. BROWN

Drawn by: **GSGC-0002**

# DRAFT

NOTES:

No.	Description
1	SEE DRAWING FOR ALL NOTES AND SPECIFICATIONS.
2	ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF GOSFORD STREETS DESIGN MANUAL.
3	ALL UTILITIES SHALL BE DEPTH MARKED PRIOR TO CONSTRUCTION.
4	ALL MATERIALS SHALL BE APPROVED BY THE CITY ENGINEER PRIOR TO CONSTRUCTION.
5	ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

Figure C4 Lidice Place



 City of Lidice 1000 10th Street, Lidice, Colorado 80420 Tel: 303.733.1234 Fax: 303.733.1235	Sheet No. <b>PUBLIC HEALY PHASE 2</b>	Scale 1" = 100'
	<b>LIDICE PLACE</b>	Date 07/25/23
Title <b>CONCEPT DESIGN DRAWING</b>		Author UFL/PC/9001



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Council

23 July 2013

**Name of Cabinet Member:**

Cabinet Member (Strategic Finance and Resources) – Councillor Gannon

**Director Approving Submission of the report:**

Chief Executive

**Ward(s) affected:**

None

**Title:**

Pay Policy Statement 2013/14

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**Is this a key decision?**

No

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**Executive Summary:**

At the Full Council meeting on 19 March 2013, members approved the Pay Policy Statement for 2013/14, in accordance with the requirements of the Localism Act 2011. The Pay Policy Statement refers to various issues relating to the pay of the workforce, particularly the most senior staff. The purpose of this report is to seek approval to amend the Statement. This is required in order to facilitate organisational changes to address the changing needs of the City Council.

**Recommendations:**

1. Council is recommended to approve the amended 2013/14 Pay Policy Statement attached at Appendix 2
2. Delegate authority to the Audit and Procurement Committee to determine any salary or severance package of £100,000 or over, or such other sum as determined by legislation in respect of any new appointment or severance
3. Amend the Terms of Reference for the Audit and Procurement Committee within the Constitution to reflect Recommendation 2

**List of Appendices included:**

Appendix 1: current Pay Policy Statement 2013/14

Appendix 2: proposed amended Pay Policy Statement 2013/14

**Other useful background papers:**

None

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

Yes, 23 July 2013

**Report title:**

**1. Context (or background)**

- 1.1 At the Full Council meeting on 19 March 2013, members approved the Pay Policy Statement (the Statement”) for 2013/14 which is required by the Localism Act and is attached at Appendix 1. The legislation and statutory guidance from the Secretary of State requires certain information to be included within the Statement which includes the salaries of its workforce. In particular, the salaries relating to the most senior staff and the relationship of their pay to the lowest paid employees. Any decisions to be made in relation to senior staff pay are to be made in accordance with the Statement.
- 1.2 Senior staff is described as ‘Chief Officers’ within the legislation and for the Council currently comprise the Chief Executive, Corporate Management Board and Assistant Directors. The guidance seeks to increase accountability and transparency around the issues of pay to ensure it is appropriate and commensurate with responsibility, particularly in relation to senior staff.
- 1.3 The Statement is required to be approved by Full Council on an annual basis before the end of 31 March of each year immediately preceding the financial year to which it relates. The Council may amend its Statement at any time.
- 1.4 Proposed changes to the organisational structure of the Council will required in order to facilitate a changing Council and a changing workforce and therefore needs to be aligned to the Statement. At this same time, the opportunity has also been taken to produce a more focussed document and streamline its contents so that the pertinent information is easily ascertainable. In addition, members are asked to consider the appropriate forum for any decisions on large new salary or severance packages (£100,000 and above).

**2. Options considered and recommended proposal**

- 2.1 The first recommended proposal is to amend the Statement as set out in Appendix 2 in order to facilitate organisational changes, introduce a more focussed document and allow some flexibility in a modern working environment.
- 2.2 The other option would be retain the current Statement but this would not accord with organisational requirements going forward in order to support and deliver key Council policies and aspirations for the City.
- 2.3 The second recommended proposal is to enable the scrutiny of decisions on any new salary or severance package of £100,000 or over to take place in committee rather than by full Council, and that the Audit and Procurement Committee would be the appropriate forum. It is considered that this committee is skilled and experienced in subjecting specific decisions to scrutiny, and will be able to test the strength of the explanations put forward better than full Council and make those decisions.
- 2.4 The other option to retain those decisions for full Council or to identify if another committee would be appropriate.
- 2.5 The third recommended proposal to enable the Constitution to be updated should the aforementioned Recommendations be approved.

### **3. Results of consultation undertaken**

3.1 None required.

### **4. Timetable for implementing this decision**

4.1 Recommendations 1 and 2 would take immediate effect. Recommendation 3 would take place as soon as possible.

### **5. Comments from Director of Finance and Legal Services**

#### **5.1 Financial implications**

Financial information on all posts where the full time equivalent salary is at least £50,000 PA (which includes chief officers as identified in the Pay Policy Statement) is published in the Council's Annual Statement of Accounts.

#### **5.2 Legal implications**

Section 39 of the Localism Act 2011 enables the Council to amend its Statement once it has been approved. Section 39 also requires the Council to publish its amended statement as soon as is reasonably practicable after it being amended and which must include publication on the Council's website.

Secretary of State guidance is that full council should be given the opportunity to vote before a large salary package is offered in any new appointment or when a large severance package is approved. 'Large' being £100,000 or above. However, as a matter of public law, it is open to the Council to depart from this recommendation if there is good reason for it to do so and if its approach would be a reasonable one. Therefore, it would be open to the Council to form the view that issues of accountability and addressing public concern could be met by requiring all of these decisions (ie those at £100,000 or above) to be approved by a cross-party committee of the Council, rather than by the full Council. The body of the report refers to the rationale as to why the Audit and Procurement Committee is considered to be best placed for those decisions to be made.

### **6. Other implications**

#### **6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?**

The Council continues to experience a period of significant change that will require changes to the structure of its workforce. The proposed amendments to the Statement would facilitate the changes required in order to provide some flexibility to accommodate a changing Council and workforce. The organisation will then be better placed to support the key Council policies and aspirations for the City.

#### **6.2 How is risk being managed?**

No risk has been identified.

### 6.3 What is the impact on the organisation?

Refer to paragraph 6.1.

### 6.4 Equalities / EIA

The Equality Act and the National Joint Council (NJC) conditions of Service require the publication of Equal Pay review information. The last review was conducted in January 2012. The City Council now publish the information annually and the data for 2013 will be published shortly.

### 6.5 Implications for (or impact on) the environment

None.

### 6.6 Implications for partner organisations?

None.

**Report author(s): Sue Iannantuoni**

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<b>Names of approvers for submission: (officers and members)</b>				
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Legal: Christine Forde	AD Legal Services & Monitoring Officer	Finance & Legal Services		8 July 2013
Director: Martin Reeves	Chief Executive	Chief Executive		9 July 2013

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## **Appendices**

### **Appendix 1**

## **Coventry City Council – Current Pay Policy Statement 2013/14**

### **1. Introduction and Purpose**

Under section 112 of the Local Government Act 1972, the Council has the “power to appoint officers on such reasonable terms and conditions as authority thinks fit”. This Pay Policy Statement (the ‘statement’) sets out the Council’s approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011. The purpose of the statement is to provide transparency with regard to the Council’s approach to setting the pay of its employees (excluding those working in local authority schools) by identifying;

- the methods by which salaries of all employees are determined;
- the detail and level of remuneration of its most senior staff i.e. ‘chief officers’, as defined by the relevant legislation;
- the Cabinet Member responsible for ensuring the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to the full Council.

Once approved by the full Council, this policy statement will come into immediate effect and will be subject to review on a minimum of an annual basis in accordance with the relevant legislation prevailing at that time.

### **2. Legislative Framework**

In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, The Agency Workers Regulations 2010 and where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations. With regard to the Equal Pay requirements contained within the Equality Act, the Council ensures there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of equality proofed Job Evaluation mechanisms which directly relate salaries to the requirements, demands and responsibilities of the role.

### **3. Pay Structure**

Based on the application of the NJC Job Evaluation scheme, the Council uses the nationally negotiated pay spine as the basis for its local grading structure, set out in the Council’s Single Status Conditions document dated September 2004. This determines the salaries of the vast majority of the non school based workforce, together with the use of other nationally defined rates where relevant. There have been no increases in the national pay spine since April 2009.

The posts of senior managers (including Directors (Chief Officers), Assistant Directors and the Chief Executive) are evaluated through the Hay job evaluation scheme. There have been no increases in the pay rates for Hay graded employees since April 2008.

All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery and/or as determined by Council Policy. In determining its grading structure and setting remuneration levels for all posts, the Council takes account of the need to ensure value for money in respect of the use of public expenditure, balanced against the need to recruit and retain



employees who are able to meet the requirements of providing high quality services to the community, delivered effectively and efficiently and at times at which those services are required.

New appointments will normally be made at the minimum of the relevant grade, although this can be varied where necessary to secure the best candidate. From time to time it may be necessary to take account of the external pay market in order to attract and retain employees with particular experience, skills and capacity. Where necessary, the Council will ensure the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate data sources available from within and outside the local government sector.

#### **4. Senior Management Remuneration**

For the purposes of this statement, senior management means 'chief officers' as defined within S43 of the Localism Act. The posts falling within the statutory definition are set out below, with details of their basic salary as at 1<sup>st</sup> April 2013, are;

##### **a) Chief Executive**

The salary of the post designated as Chief Executive falls within a range of three incremental points between £175,000, rising to a maximum of £185,000. This salary is exclusive of the payment made for returning officer duties.

##### **b) Directors**

The salaries of posts designated as; Director of Children Learning and Young Peoples Services, Director of Community Services and Director of City Services and Development fall within a range of three incremental points between £113,488 rising to a maximum of £124,295.

The salaries of posts designated as; Director of Finance and Legal Services and Director of Customer and Workforce Services fall within a range of three incremental points between £99,722 rising to a maximum of £110,266.

The salary of the post of Director for Public Health is on a spot salary of £120,000.

##### **c) Assistant Directors**

The salary of the post designated as Assistant Director Performance and Scrutiny, falls within a range of three incremental points between £53,321 rising to a maximum of £58,837.

The salaries of the posts designated as; Assistant Director Corporate Policy and Research, and Assistant Director Democratic Services fall within a range of three incremental points between £63,675 rising to a maximum of £70,377.

The salaries of the five Public Health consultants, who are the equivalent to the Council's posts of 'Assistant Director' and who report directly to a Director, fall within a range of 6 incremental points between £77,079 rising to a maximum of £97,478.

The salary of the post designated as Assistant Director for Education and Learning falls within a range of three incremental points between £90,462 rising to a maximum of £99,983.

The salaries of the remaining fifteen Assistant Director posts fall within a range of three incremental points between £75,517 rising to a maximum of £83,549.

## 5. Recruitment of Chief Officers

The Councils policy and procedures with regard to recruitment of chief officers is set out within section 4.8 of the Council's Constitution. When recruiting to all posts the Council will take full and proper account of its own Recruitment and Redeployment Policies. The determination of the remuneration to be offered to any newly appointed chief officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment. Where the Council is unable to recruit to a post at the designated grade, it will consider the use of temporary market forces supplements in accordance with its relevant policies.

Where the Council remains unable to recruit chief officers under a contract of service, or there is a need for interim support to provide cover for a vacant substantive chief officer post, the Council will, where necessary, consider and utilise engaging individuals under 'contracts for service'. These will be sourced through a relevant procurement process ensuring the council is able to demonstrate the maximum value for money benefits from competition in securing the relevant service. The Council does not currently have any chief officers engaged under such arrangements.

Guidance issued by the Secretary of State for Communities and Local Government specifies that any new appointment where the total salary package exceeds £100,000 should be subject to a vote at Full Council. Any appointments that exceed the £100,000 threshold will be referred to Full Council.

## 6. Additions to Salaries of Chief Officers

The Council does not apply any bonuses or performance related pay to its chief officers.

In addition to basic salary, set out below are details of other elements of 'additional pay' which are chargeable to UK Income Tax and do not solely constitute reimbursement of expenses incurred in the fulfillment of duties. This information can only be provided retrospectively for the last financial year and is as follows;

Post	Gross Fees for Local Elections Duties including Referendum vote	Gross Fees for Police Commissioner Election Duties
Chief Executive	£7,500 (Returning Officer), £7,500 (Counting Officer, Referendum)	
Director of Community Services	£210.00	
Director of City Services and Development	£222.50	£208.00
Director of Customer and Workforce Services	£320.00	£344.00
Director of Finance and Legal	£210.00	£168.00
Director of Children, Learning and Young People	£210.00	
Assistant Director Development Services	£155.00	£152.00
Assistant Director (ASC) Strategic Ops	£165.00	£152.00
Assistant Director Transformation	£160.00	£152.00
Assistant Director Health, Libraries and	£207.50	£208.00
Assistant Director Democratic	£320.00	£384.00
Assistant Director Corporate Policy and	£160.00	£212.00
Assistant Director ICT	£210.00	
Assistant Director Highways Services	£155.00	
Assistant Director Customer Services	£210.00	
Assistant Director Revenues and Benefits	£222.50	
Assistant Director Streetscene	£155.00	

## **7. Payments on Termination**

The Council's approach to discretionary payments on termination of employment of all employees (including chief officers), prior to reaching normal retirement age, is set out within the Security of Employment Agreement in accordance with Regulations 5 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006. The Council does not apply the added years arrangements available under the Local Government Pension Scheme and therefore has no discretion over the pension benefit amounts payable to employees who are made redundant and who are entitled under the scheme regulations to be paid their pension benefits.

Any other payments falling outside of the provisions or the relevant periods of contractual notice shall be approved by the Assistant Director (Human Resources) in accordance with the Constitution of the Council unless the payment exceeds £100,000.

Guidance issued by the Secretary of State for Communities and Local Government on 20 February 2013 stated that Full Council should be given the opportunity to vote on any proposed severance payment to an employee where the total amount of the payment exceeds £100,000. As a consequence of this Guidance, Full Council shall make the decision about any severance payment to an employee (including a chief officer) that in total exceeds £100,000. The Council has no current (or proposed) discretionary termination payments that exceed £100,000.

## **8. Publication**

Upon approval by the full Council, this statement will be published on the Councils Website. In addition, for posts where the full time equivalent salary is at least £50,000, the Councils Annual Statement of Accounts will include a note setting out the total amount of:

- salary, fees or allowances paid to or receivable by the person in the current and previous year;
- any bonuses so paid or receivable by the person in the current and previous year;
- any sums payable by way of expenses allowance that are chargeable to UK income tax;
- any compensation for loss of employment and any other payments connected with termination;
- any benefits received that do not fall within the above

## **9. Lowest Paid Employees**

The lowest paid persons employed under a contract of employment with the Council are employed on full time [37 hours] equivalent salaries in accordance with the minimum spinal column point currently in use within the Council's grading structure. As at 1<sup>st</sup> April 2013, this is £12,312 per annum. The City Council employs a small number of modern apprentices who are not included within the definition of "lowest paid employees" as they are employed under specific trainee contract terms.

The relationship between the rate of pay for the lowest paid and chief officers is determined by the processes used for determining pay and grading structures as set out earlier in this policy statement.

The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton 'Review of Fair Pay in the Public Sector' (2010).

Lord Hutton was asked by Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than 20 times the lowest paid person in the organisation. Lord Hutton's report concluded that the relationship to median earnings was a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the median average salary of the whole of the Council's workforce.

The current Council pay levels define the following rates of pay:-

- Chief Executive = £175,000
- Median Chief Officer = £83,549
- Median employee = £20,198
- Lowest paid employee = £12,312

The current Council pay levels define the following pay multiples:-

- Chief Executive to lowest paid employee = 1:14.2
- Chief Executive to median employee = 1:8.7
- Median Chief Officer to lowest paid employee = 1:6.8
- Median Chief Officer to median employee = 1:4.1

As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the council will use available benchmark information as appropriate.

## **10. Accountability and Decision Making**

In accordance with the Constitution of the Council, the Assistant Director (Human Resources) is responsible for decision making in relation to the recruitment, pay, terms and conditions and severance arrangements in relation to employees of the Council.

## **Appendix 2**

### **Coventry City Council – Proposed Amended Pay Policy Statement 2013/14**

#### **1. Introduction and Purpose**

Under section 112 of the Local Government Act 1972, the Council has the “power to appoint officers on such reasonable terms and conditions as authority thinks fit”. This Pay Policy Statement (the ‘statement’) sets out the Council’s approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011(“the Act”).

For the purposes of this statement, Chief Officers’ is defined within S43 of the Act.

#### **2. Pay Structure**

The Council uses the NJC Job Evaluation scheme and the nationally negotiated pay spine as the basis for its local grading structure. This determines the salaries of the vast majority of the non-school based workforce, together with the use of other nationally defined rates where relevant.

The posts of Chief Officers are evaluated in accordance with the Hay job evaluation scheme.

#### **3. Senior Management Remuneration**

The remuneration for Chief Officers are:

The Chief Executive falls within a range of £175,000 to £185,000 or as may be otherwise determined by the Council.

The remaining Chief Officer remuneration falls within a range of £75,517 to £124,295 or as may be otherwise determined by the Council.

#### **4. Recruitment of Chief Officers**

The determination of the remuneration offered to any newly appoint Chief Officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment. The Council’s policy and procedures with regard to the recruitment of Chief Officers is set out within the Council’s Constitution. The determination of the remuneration to be offered to any newly appointed Chief Officer will be in accordance with the Council’s Hay pay and grading structure. Chief Officers jobs are allocated to a salary range based on a number of factors including the level of knowledge, skills and experience required and the responsibilities and accountabilities associated with the position.

Where the Council is unable to recruit to a post, it will consider the use of temporary market forces supplements. Where the Council remains unable to recruit chief officers under an employment contract, or there is a need for interim cover for a Chief Officer post, the Council will consider engaging individuals under ‘contracts for service’. These will be sourced through the Council’s Preferred Supplier List.

The Council considers that decisions on large salary packages (£100,000 and above) should be subject to accountability and scrutiny. The Council considers that it would be preferable for scrutiny of these decisions to take place in committee rather than by full Council, and that the Audit and Procurement Committee is the appropriate forum. This committee is skilled and experienced in subjecting specific decisions to scrutiny, and will be able to test the strength of the explanations put forward for particular appointment/severance packages. The Council believes

that the Audit and Procurement committee will be able to do this better than full Council and make those decisions.

## **5. Increases and additions to Remuneration of Chief Officers**

The Council does not apply any bonuses or performance related pay to its Chief Officers. The gross fees for local elections/referendums in 2012/13 was £20,272.50. £15,000 of that sum was paid to the Chief Executive as Returning Officer and Counting Officer. The remaining sum was apportioned between 16 relevant Chief Officers none of whom received a sum of more than £384.

## **6. Payments on Termination**

The Council's approach to discretionary payments on termination of employment of Chief Officers in a redundancy situation, is set out within the Security of Employment Agreement in accordance with the Discretionary Compensation Regulations 2006 which give all Councils the ability to determine redundancy payments. This Agreement sets out the processes to be used in cases of redundancy (for example consultation and redeployment possibilities).

The Council does not apply the added years arrangements available under the Local Government Pension Scheme and therefore has no discretion over the pension benefit amounts payable to Chief Officers who are made redundant and who are entitled under the scheme regulations to be paid their pension benefits.

In some rare and exceptional circumstances, it may be more appropriate and in the Council's best interests to reach mutual agreement to end employment. Such reasons can include speed and minimizing the risk of significant uncertainty and disruption. In reaching an agreement in a process of negotiation it is likely that the payment will be specific to the individual's circumstances.

The Council considers that decisions on large severance packages (£100,000 and above) should be subject to accountability and scrutiny. The Council considers that it would be preferable for scrutiny of these decisions to take place in committee rather than by full Council, and that the Audit and Procurement Committee is the appropriate forum. This committee is skilled and experienced in subjecting specific decisions to scrutiny, and will be able to test the strength of the explanations put forward for particular severance decisions. The Council believes that the Audit and Procurement committee will be able to do this better than full Council and make those decisions.

It is not envisaged that any Chief Officer who leaves the Council with a severance or redundancy payment will be considered for further employment with Coventry or for the hiring of their services in another capacity unless there are special circumstances.

## **7. Publication**

Upon approval by the full Council, this statement will be published on the Council's Website.

## **8. Lowest Paid Employees**

The lowest paid persons employed under a contract of employment with the Council are employed on full time [37 hours] equivalent salaries in accordance with the minimum spinal column point currently in use within the Council's grading structure. As at 1 April 2013, this is

£12,312 per annum. The City Council employs a small number of modern apprentices who are not included within the definition of "lowest paid employees" as they are employed under specific trainee contract terms.

The Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the median average salary of the whole of the Council's workforce.

The current Council pay levels define the following rates of pay:-

- Chief Executive = £175,000
- Median employee = £20,198
- Lowest paid employee = £12,312

The current Council pay levels define the following pay multiples:-

- Chief Executive to lowest paid employee = **1:14.2**
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As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the council will use available benchmark information as appropriate.

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Council

23 July 2013

**Name of Cabinet Member:**

Leader of the Council – Councillor Lucas

**Director Approving Submission of the report:**

Director of Community Services

**Ward(s) affected:**

All

**Title:**

A New Start – Consultation on changes to the way the Care Quality Commission regulates, inspects and monitors care – Consultation response

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**Is this a key decision?**

No

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**Executive Summary:**

This report details the City Council's response to a Care Quality Commission (CQC) consultation on the way it regulates, inspects and monitors care. CQC is the independent regulator for health care and adult social care services in England. The 'A New Start' document details proposals to change the regulation and inspection framework from one with a simple compliance focus to one based on professional, intelligence-based judgements around 'five key inspection questions' coupled with clear standards of care, including but not limited to the 'fundamentals of care' recommended by the Francis Report.

As part of the changes CQC are appointing Chief Inspectors of Hospitals, Social Care and General Practice to lead national teams of Inspectors who specialise in particular types of care. The proposed inspection teams will include independent clinical and other experts, such as people with in depth experience of using care services. A rating system will be introduced to help people compare services. It will highlight where care is good or outstanding and expose instances where care is judged as inadequate or requiring improvement.

The consultation document states these proposed changes will involve a phased implementation over a three year period. The initial focus during 2013/14 will be changing the way NHS and independent acute hospitals are inspected and regulated. In 2014/15 CQC will begin to change the way they inspect social care services, and this will be the subject of a further consultation during the Autumn.

The proposals do not focus particularly on the potential role of inspection in identifying good quality services, although this is implied. The Council also considers that inspection processes should look at what is being done well and what people value from services as well as highlighting failures or poor quality care. Some of the proposals contained in 'A New Start' are reminiscent of intentions expressed in previous CQC documents around sharing intelligence with partners and developing better relationships with patients and service users. Following the significant controversies recently surrounding the CQC, their success as a Regulator will depend on the successful implementation of their current proposals.

Overall, the Council welcomes the proposals as significant step forward in improving the current system of regulation. Returning to a rating system for NHS Trusts and clearer more transparent inspection judgements based on five key criteria should improve the confidence of patients and service users in the services and also lead to service improvements.

**Recommendations:**

Council is requested to approve the consultation response.

**List of Appendices included:**

Appendix 1 - Consultation response

**Other useful background papers:**

None

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

Yes – 23 July 2013

Report title: A New Start – Consultation on changes to the way the Care Quality Commission regulates, inspects and monitors care – Consultation response

## **1. Context (or background)**

- 1.1 The Care Quality Commission (CQC) is the independent regulator for health care and adult social care services in England. Its purpose is to make sure that health and social care services provide people with safe, effective, compassionate, high quality care and to encourage care services to improve.
- 1.2 Their role is to monitor, inspect and regulate services to make sure they meet fundamental standards of quality and safety, taking action where a service is found to be not meeting standards, involving people in its work and publishing information about the services it regulates.
- 1.3 Since its creation in 2009, CQC has focused on registering providers into the new regulatory system. In April 2013, CQC published their strategy for 2013-2016 which outlined their intention to radically change the way it inspects and regulates services within health and social care. This consultation marks the beginning of these changes which will affect all sectors under the jurisdiction of CQC over a three year period.
- 1.4 Due to the unusually short period of time allowed by the consultation it was not possible for a draft response to be considered by Cabinet, therefore with the agreement of the Leader of the Council this report is only being considered at the 23rd July Full Council meeting.

## **2. Options considered and recommended proposal**

- 2.1 CQC has developed its future operating model for regulating, monitoring and inspecting health and social care services. There are a number of key principles which will apply to all care services. These are:
  - A better registration system for those applying to offer new care services, including holding senior managers, boards and directors to account for poor quality care
  - Increased use of intelligent monitoring information and evidence to decide when, where and what to inspect, including listening better to people's experiences of care
  - Improvements on how inspections will be made, including the introduction of Chief Inspectors to lead expert teams and the use of five key inspection questions
  - Clear standards of care including, but not limited to, the fundamentals of care below which no provider must fall.
  - A ratings system to help people choice between services and to encourage improvement
  - The action taken in response to poor care.
- 2.2 Alongside the general principles, they have set out detailed proposals on how they will inspect and regulate NHS and independent acute hospitals.
- 2.3 The twenty one consultation questions and responses are detailed in the appendix to this report. In addition there are six further consultation questions located in the consultation annex about initial proposals for key indicators to be used for monitoring NHS acute hospitals.
- 2.4 Overall, the Council welcomes the proposals as significant step forward in improving the current system of regulation. However they do not focus particularly on the potential role of inspection in identifying good quality services, although this is implied. The Council

considers that inspection processes should look at what is being done well and what people value from services as well as highlighting failures or poor quality care.

- 2.5 The use of a ratings system will enable the public to make informed choices, and have greater confidence about their care but there is a need to ensure within published information and/or inspection reports that the public can understand the difference between the basic fundamentals of care, expected standards of care and high quality care.
- 2.6 The Council welcomes the introduction and monitoring of the proposed 'duty of candour' that is to be included in the revised CQC regulations. Making sure services are open and honest about things that have gone wrong and why will be important in ensuring that people and their families are able to make informed decisions about the care and support provided to them or the person that they care for.
- 2.7 The Council is in agreement with the proposals to increase the regulatory powers of CQC to enable them to take action against poor providers who breach the 'fundamentals of care' without the need to issue warning notices. This will enable the regulator to act swiftly when poor standards of care are identified. In order to increase public confidence in the regulator, the Council considers that it will be vital for CQC to demonstrate the use and effectiveness of these powers to the public.
- 2.8 The Council considers that the issues raised by the Francis Inquiry most recently, and other similar inquiries before that during the past two decades (including Winterbourne View and the Bristol Royal Infirmary) require a measured and systematic response, on an holistic, health and social care economy-wide basis. It will be important not to rush any review of the regulatory framework, whilst the implications of the Francis Inquiry are still emerging, ensuring an effective system for oversight and regulation of health and social care commissioning and provision.
- 2.9 The CQC needs to ensure that it fully reflects on criticisms of previous inspection failures where 'soft intelligence' from members of the public and patients groups was considered as of secondary importance to data produced by NHS professionals. Arrangements should be put in place (as have been suggested by CQC previously) for effective and reciprocated information sharing protocols to enable patients and services users, local authorities, Local Healthwatch and others with information about the quality of care services to interact meaningfully with the regulator.
- 2.10 The CQC will need, as part of its "new start", to make itself more open to scrutiny and oversight in the discharge of its regulatory responsibilities. This will need to include more regular dialogue with, and presentations to, Health Overview and Scrutiny Functions, Health and Wellbeing Boards, and local commissioners and providers of services, as well as the wider public. The "duty of candour" should equally apply to the CQC itself, as well as the functions it is responsible for regulating.

### **3. Results of consultation undertaken**

- 3.1 The consultation response is from the City Council and therefore wider consultation has not been undertaken.

### **4. Timetable for implementing this decision**

- 4.1 Responses to the consultation are required by 12 August 2013.

### **5. Comments from Director of Finance and Legal Services**

- 5.1 Financial implications

There are no direct financial implications arising from this consultation.

5.2 Legal implications

There are no direct legal implications arising from this consultation.

6. Other implications

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

The proposed changes to the way CQC regulate, monitor and inspect health and adult social care services will contribute to ensuring the quality and of care and support services in the city and ensuring non-compliance is addressed effectively and promptly. This may contribute to people living longer, healthier lives.

6.2 How is risk being managed?

There are no specific risks relating to the consultation response itself.

6.3 What is the impact on the organisation?

The consultation response itself will have no specific impacts on the organisation.

6.4 Equalities / EIA

An Equalities and Human Rights Duties Impact Assessment has been completed by the Care Quality Commission.

6.5 Implications for (or impact on) the environment

N/A

6.6 Implications for partner organisations?

The consultation response itself will have no specific impacts on partner organisations.

Report author(s):

Name and job title:

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Directorate:

Community Services

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Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
<b>Contributors:</b>				
Peter Barnett	Health Development Service	Community Services	10.07.13	11.07.13

	Manager			
<b>Names of approvers for submission:</b> (officers and members)				
Finance: Ewan Dewar	Finance Manager Community Services	Finance & Legal	10.07.13	11.07.13
Legal: Julie Newman	Solicitor	Finance & Legal	10.07.13	11.07.13
Director: Brian M Walsh (cleared on his behalf by Simon Brake)	Director	Community Services	10.07.13	11.07.13
Members: Cllr Lucas	Leader		11.07.13	11.07.13

This report is published on the council's website:  
[www.coventry.gov.uk/meetings](http://www.coventry.gov.uk/meetings)

## Appendices

### Appendix 1

#### **Consultation on Care Quality Commission (CQC) – A New Start – Consultation on changes to the way CQC regulates, inspects and monitors care**

#### **Consultation Questions and Responses**

##### **General Questions**

##### **Question 1: What do you think about the overall changes we are making to how we regulate? What do you like about them? Do you have any concerns?**

Overall the proposals would be a significant step forward in improving the current system of regulation. In particular, the emphasis on moving to specialist inspection teams rather than a generic approach to inspection will help ensure that inspection teams are able to quickly identify problems in a service or organisation and ask the right questions. This will however need to be appropriately resourced. It would also be helpful if CQC could provide a definition of the 'experts' that will be part of an inspection team.

The model used by other quality assurance processes of staff from relevant related services being seconded to CQC inspection teams for specific reviews may be a useful one to follow. We also welcome the emphasis on 'intelligent monitoring' which combines qualitative and quantitative data sources.

The current proposals do not give much consideration to the role of inspection in identifying good quality services, although this is implied. Inspection processes should look at what is being done well and what people value from services as well as highlighting failures or poor quality care. There is much to be learned from best practice and the CQC has a potentially important role in this.

The Council notes the appointments of the three Chief Inspectors as adding a significant amount of expertise to the CQC inspection regime. It also notes that the initial focus of CQC will be around developing an inspection regime for NHS acute trusts. Whilst this is clearly an important focus, inspections need to have the capability to look at how the system works as a whole and in particular at how patients and service users transfer between different parts of the NHS and social care services. Effective use of user and carer stories will help to identify whether there are problems with pathways of care which may not be highlighted by looking at single organisations. The Council therefore welcome the emphasis in proposals to take a thematic approach to inspection by for example looking at care for people with dementia.

The Council welcomes the introduction and monitoring of the proposed 'Duty of Candour' that is to be included in the revised CQC regulations. Ensuring that services are open and honest about things that have gone wrong and why will be important in ensuring that patients, service users and their families are able to make informed decisions about the care and support provided to them or the person that they care for.

Previously CQC has made efforts to develop arrangements for sharing information in local health and social care economies, and to develop better working relationships with the public, patients and service users. Local Healthwatch has recently taken a place in localities promoting patient and service user voices and making sure these are heard in places like local authority Health and Wellbeing Boards. CQC need to ensure that they develop appropriate and effective local arrangements with Local Healthwatch and other patient and service user groups to make sure that local intelligence such as that which was missed in Mid Staffs is fully captured. Similarly information sharing with local authorities needs to be set at the level to ensure that intelligence flows both ways and informs both CQC and local authority agendas.

The Council supports proposals to increase the regulatory powers of CQC to enable them to take action against providers who breach the 'fundamentals of care' without the need to first issue warning notices. This will enable the regulator to act swiftly when poor standards of care are identified. In order to increase public confidence in the regulator, the Council considers that it will be vital for CQC to demonstrate the use and effectiveness of these powers to the public.

Ultimately inspection and monitoring information produced by CQC will need to be clearly understood by the public; with this in mind CQC should ensure that the public understand the differences between fundamentals of care, expected standards of care, high-quality care, the regulations and the five key inspection questions.

The CQC will need, as part of its "new start", to make itself more open to scrutiny and oversight in the discharge of its regulatory responsibilities. This will need to include more regular dialogue with, and presentations to, Health Overview and Scrutiny Functions, Health and Wellbeing Boards, and local commissioners and providers of services, as well as the wider public. The "duty of candour" should equally apply to the CQC itself, as well as the functions it is responsible for regulating.

The Council considers that the issues raised by the Francis Inquiry most recently, and other similar inquiries before that during the past two decades (including Winterbourne View and the Bristol Royal Infirmary) require a measured and systematic response, on an holistic, health and social care economy-wide basis. It will be important not to rush any review of the regulatory framework, whilst the implications of the Francis Inquiry are still emerging, ensuring an effective system for oversight and regulation of health and social care commissioning and provision.

**Question 2: Do you agree with our definitions of the five questions we will ask about quality and safety (is the service safe, effective, caring, responsive and well-led)**

The questions are all appropriate and well defined. There is however some overlap and there is potential to combine questions. For example is a service 'caring' and is it 'responsive to people's needs'. If members of staff are not responsive to people's needs, how can they be caring and vice versa.

The Council welcomes the emphasis on using inspection to drive up quality and to ensure that services are delivered in line with relevant quality standards. It will also be important to ensure that patients and service users perspectives of what good quality services look like are adequately captured and promoted.

From a provider perspective, expectations for each question need to be understood and clear guidelines developed to assist providers in ensuring they are able to demonstrate quality and safety within their services.

**Question 3: Do you think any of the areas in the draft fundamentals of care should not be included?**

No.



**Question 4: Do you think there are additional areas that should be fundamentals of care?**

Yes.

The following additional areas should be considered fundamentals of care:

1. That people will be involved in decision making about their medical treatment or care options and enabled to make informed choices.
2. That people will be told when there are concerns about their care provider, so that people can make informed choices about who provides their care in future.
3. Outlining values within health and care delivery.

Consideration should also be given to recognising the importance of carers and relatives and the need to involve them appropriately, if this is something the person would like.

**Question 5: Are the fundamentals of care expressed in a way that makes it clear whether they have been broken?**

It is not clear from the consultation document what evidence will be required in order to make a judgement about whether a fundamental of care has been broken or not. At present this is open to interpretation. Following the consultation, clearer information needs to be provided about how CQC intends to evidence broken fundamentals of care in order to make providers accountable for poor quality care.

It is also worth noting that pain relief may also be in a non-pharmacological form.

**Question 6: Do the draft fundamentals of care feel relevant to all groups of people and settings?**

Yes, although further consideration may be need to be given on how these would apply to people who are unable to communication for themselves or rely on a carer to support them. The needs of carers and relatives need to be considered as part of these basic standards. There will need to be consideration of the individual settings when applying these standards, residential settings will require a wider interpretation of some of the personal care points, vulnerable individuals in settings remote from their friends and family also may need additional support to articulate their experiences of care.

**Intelligent monitoring of NHS acute hospitals**

**Question 7: Do you agree with the proposals for how we will organise the indicators to inform and direct our regulatory activity?**

The proposals represent a significant step forward and the focus on using data from different sources (both quantitative and qualitative) is extremely welcome. How data from different sources is triangulated will be a key challenge and is likely to require a culture change in how people use and interpret data and 'soft' intelligence (which may act as an early warning system before problems become evident through other sources) to drive quality improvements. Consideration should be given to use inspection visits to 'drill down' into the data to identify where further intelligence is needed to understand the true picture. This could involve more detailed analysis of data, audit or interviews with staff, people who use services or their carers'. Greater consideration should be given to how people's stories can be used by inspection teams to understand quality issues.

Local CQC inspection teams need to make appropriate arrangements with local sources of intelligence around health and care services (including Local Healthwatch) to ensure these are

captured and inputted into risk management accordingly.

**Question 8: Do you agree with the sources we have identified for the first set of indicators?**

Yes.

**Question 9: Which approach should we adopt for publishing information and analysis about how we monitor each NHS Trust? Should we:**

- a) Publish the full methodology for the indicators?
- b) Share the analysis with the providers to which the analysis relates?
- c) Publish our analysis once we have completed any resulting follow up and inquiries (even if we did not carry out an inspection).

The City Council supports option (a). In the interests of transparency it will be important to share the methodology for collating and analysing data about each trust, including qualitative data sources. This should focus on what data was collected, from whom and how data was used to inform the inspection process and inspection conclusions. This should recognise the potential limitations of specific data sources and how data was triangulated or explored through the inspection process to reach a conclusion.

## **Inspections**

**Question 10: Do you agree with our proposals for inspecting NHS and Independent acute hospitals?**

Yes, the City Council welcomes in particular the focus on specialisms within the inspection teams, and the inclusion of lay inspectors. Also the commitment to spend more time talking to patients, carers and frontline staff delivering care should lead to more rounded inspection judgements as opposed to ones based on data and targets. The proposal for the majority of inspections to remain unannounced is also important given the experience of past high profile inspection failures.

## **Ratings**

**Question 11: Should the rating seek to be the single authoritative assessment of quality and safety? Although the sources of information to decide a rating will include indicators and the findings of others, should the inspection judgement be the most important factor?**

It is important that the CQC is able to act as the authoritative and decisive voice on quality and safety and that the public can have confidence in their judgement. There is potential for confusion if there are several judgements from different sources about a single service or provider. Should CQC inspection findings differ from those of other organisations or views, it will be important to understand and explain why this is the case.

CQC needs to be better at sharing with the public information about their inspection findings and what exactly they mean. In general the public are unclear about the system of regulation around health and social care and CQC managers should be mindful in planning their activities of the importance of good communications with local communities.

The Council is of the opinion that the ratings should be piloted and tested against a large sample of user and carer views to inform their validity.

**Question 12: Should a core of services always have to be inspected to enable a rating to be awarded at either hospital or trust level?**

Yes, and there should be some further discussion about this. Although there may be a need for focused visits of particular service, especially where concerns have been raised about the quality of this service, if there is going to be a single rating for a hospital or trust, the public will expect this to act as a benchmark for the whole organisation.

Accordingly this should therefore include as a minimum high-volume and/or core services, including accident and emergency, care of the elderly, general medicine, general surgery and maternity /paediatrics.

**Question 13: Would rating the five key questions (safe, effective, caring, responsive and well-led) at the level of an individual service, a hospital and a whole trust provide the right level of information and be clear to the public, providers and commissioners.**

There is potential for confusion around having a rating for the whole trust or hospital without adequate information about quality in respect of specific services. People can often have a good experience of one service (e.g. maternity) but experience poor care in another. A single rating across a hospital could disguise significant variation between services and be potentially misleading to the public. However, there is also a need to assess the overall quality of the hospital, particularly around leadership issues. This may be better achieved by producing an overall summary measure that reflects the quality of a number of different services but also reports the results of individual services.

**Question 14: Do you agree with the ratings labels and scale and are they clear and fair?**

Yes

**Question 15: Do you agree with the risk adjusted inspection frequency set out which is based on ratings, i.e. outstanding every 3-5 years, good every 2 to 3 years, requires improvement at least once per year and inadequate as an when needed?**

This appears to be a balanced approach. However services can change within short periods of time and there needs to be the capacity to reduce the frequency of time between inspections if data or local intelligence indicates issues or concerns. This would be especially important in relation to a providers currently ranked outstanding as an inspection period of up to five years is an extremely long time without review.

For 'outstanding' or 'good' providers consideration should be given to shorter unannounced inspections focused on walking the wards and speaking with patients and front-line staff to gain a snapshot of how hospitals are performing. These would add confidence for patients who may be concerned at the prospect of four or five year gaps in inspection activity.

In order to amend the frequency of inspections based on data or local intelligence, CQC need to adequately resource its inspection function to monitor the information sources identified in the document and meet the potential demand for more regular inspections. This will also enable the regulator to ensure that it does not become over reliant on the ratings system as a measure of quality.

**Question 16: The model set out in this chapter applies to all NHS acute trusts. Which elements of the approach might apply to other types of NHS provider?**

Many of the elements set out in this approach will apply to other types of NHS provider. There is a clear distinction for many non-acute trusts which provide a variety of different services. Whilst measures of organisational health will be of some value for a trust which covers for example mental health, learning disability and general community services some separate measures may be appropriate. There is likely to be less good quality data and fewer evidence standards for many community services for example. User feedback is also likely to be less easily available so more attention will be needed as to how this data is collected for community services within the NHS.

### **Duty of candour**

**Question 17: Do you agree that a duty of candour should be introduced as a registration requirement, requiring providers to ensure their staff and clinicians are open with people and their families where there are failings in care?**

The Council definitely agrees that a duty of candour should be introduced, although this needs to apply to both clinical and managerial staff and its implementation needs careful thought.

There needs to be collective responsibility among clinicians and managers to take action where there are failings of care within an organisation and patients need to see clear evidence that failures are being dealt with appropriately.

Clarity is required on what constitutes a failing in care and what evidence would be required to support a prosecution. Clarity would also be needed as to how information is shared and how others might be involved in the communication, for example Local Authorities to ensure that appropriate support is available to those people who are affected.

**Question 18: Do you agree that we should aim to draft a duty of candour sufficiently clearly that prosecution can be brought against a health or care provider that breaches this duty?**

Yes.

**Question 19: Do you have any other comments about the introduction of a statutory duty of candour on providers of services via CQC registration requirements?**

The timing of the information about quality of provision is important. The duty of candour should apply at the point where concerns are identified and not after they have been rectified. The duty of candour should extend to providers being clear about action taken to rectify issues and keeping people informed of progress.

The following questions relate to the Impact Assessments that accompany the consultation document

**Impact Assessments**

**Question 20: Do you have any comments on the draft Regulatory Impact Assessment?**

No.

**Question 21: Do you have any comments on the draft Equality and Human Rights Duties Impact Assessment?**

No.

The following questions are set out on the separate Consultation Annex – Proposed Model for intelligent monitoring and expert judgement in acute NHS trusts

**A1: Do you agree with the principles that we have set out for assessing indicators?**

Yes largely although there are issues with “Easily gathered”. Whilst few would disagree that the regulatory burden needs to be minimised if an indicator is vital to our understanding of quality every effort needs to be made to gather the information as it is all too easy to dismiss data gathering as “too hard”

**A2: Do you agree with the indicators and sources of information?**

They all appear valid. It is important to ensure that quality indicators are used. It might be possible to streamline some indicators to ensure quality of indicators and information is maintained.

**A3: Are there any additional indicators that we should include as ‘tier one’ indicators?**

No.

**A4: Do the proposed clinical areas broadly capture the main risks of harm in acute trusts? If not, which key areas are absent?**

Yes

**A5: Do you agree with our proposal to include more information from National Clinical Audits once it is available?**

Yes.

**A6: Do you agree with our approach of using patient experience as the focus for measuring caring?**

Broadly this is supported however CQC need to constantly cross-check hospital generated data on patient satisfaction with other measures, particularly those which give feedback on care following discharge. As discussed previously Local Healthwatch with its links into CQC should be a good source of local intelligence on the quality of local services.



## Public report

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Council

23<sup>rd</sup> July, 2013

**Name of Cabinet Member:**

Councillor G Duggins - Cabinet Member Children and Young People and  
Councillor D Kershaw - Cabinet Member (Education)

**Director Approving Submission of the report:**

Director of Customer and Workforce Services

**Ward(s) affected:**

Not Applicable

**Title:**

**Appointments of the City Council - Membership of the Corporate Parenting Board**

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**Is this a key decision?**

No

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**Executive Summary:**

This report seeks approval to amend the appointments made at the Annual Meeting of the City Council in May 2013 to the membership of the Corporate Parenting Board (which acts as the Cabinet Advisory Panel for Looked After Children).

**Recommendations:**

That the City Council appoints Councillor Innes (Deputy Cabinet Member (Children and Young People)) and Councillor Howells (Deputy Cabinet Member (Education)) to the Corporate Parenting Board (which acts as the Cabinet Advisory Panel for Looked After Children).

**List of Appendices included:**

1. Terms of Reference and current membership of the Corporate Parenting Board

**Background papers:**

None

**Other Useful Documents:**

Cabinet Report, 16 April 2013, establishing the Corporate Parenting Board

<http://democraticservices.coventry.gov.uk/documents/s10032/Establishment%20of%20Corporate%20Parenting%20Board.pdf>

**Has it or will it be considered by Scrutiny?**

No

**Has it, or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

Yes – 23<sup>rd</sup> July, 2013



## **Report title: Appointments of the City Council**

### **1. Context (or background)**

#### **Appointment to Corporate Parenting Board**

- 1.1 Cabinet has approved the establishment of the Corporate Parenting Board to perform the functions of a cabinet advisory panel as set out in the Board's Terms of Reference (appended). The City Council is the corporate parent of all children it takes into its care and as the Corporate Parent to these looked after children and young people it is important that there is a mechanism whereby strategic level decisions and services can be reviewed at a senior level.

#### **Amendment to Membership**

- 1.2 At the Annual Meeting of the City Council on 16th May 2013, the membership of this Board was agreed. It is now proposed to appoint Councillor Innes (Deputy Cabinet Member (Children and Young People)) and Councillor Howells (Deputy Cabinet Member (Education)) to the Board with immediate effect.

### **2. Options considered and recommended proposal**

It is proposed that:

- 2.1 Councillor Innes (Deputy Cabinet Member (Children and Young People)) be appointed to the Corporate Parenting Board
- 2.2 Councillor Howells (Deputy Cabinet Member (Education)) be appointed to the Corporate Parenting Board.

### **3. Results of consultation undertaken**

- 3.1 Not applicable

### **4. Timetable for implementing this decision**

- 4.1 The appointment will take effect from the date of the Council Meeting.

### **5. Comments from Director of Finance and Legal Services**

- 5.1 Financial implications

Not applicable

- 5.2 Legal implications

The appointment of additional councillors is within the Board's terms of reference.

### **6. Other implications**

These appointments will enable the Board to be more effective in carrying out the functions assigned to it by Cabinet.

**Report author:**

**Name and job title:**

Michelle Rose, Governance Services Officer

**Directorate:**

Customer and Workforce Services Directorate

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<b>Contributor/approver name</b>	<b>Title</b>	<b>Directorate or organisation</b>	<b>Date doc sent out</b>	<b>Date response received or approved</b>
<b>Contributors:</b>				
Hugh Peacocke	Governance Services Manager	Customer and Workforce Services		3.7. 2013
Helen Abraham	Assistant Director (Democratic Services)	Customer and Workforce Services	27.6.13	3.7.13
Suzanne Bennett	Governance Services Officer	Customer and Workforce Services	27.6.13	3.7.13
Lara Knight	Governance Services Officer	Customer and Workforce Services	27.6.13	27.6.13
<b>Names of approvers for submission:</b> (Officers and Elected Members)				
Carol Bradford	Locum Legal Officer	Finance and Legal Services	27.6.13	12.7.13
Bev Messinger	Director of Customer and Workforce Services	Customer and Workforce Services	27.6.13	8.7.13
Councillor Lucas	Leader of the Council	-		11.7.13

This report is published on the council's website: [www.coventry.gov.uk/meetings](http://www.coventry.gov.uk/meetings)

**Membership of the Corporate Parenting Board, appointed at the Council's Annual Meeting 16 May 2013:**

Councillor Duggins	Cabinet Member for Children and Young People (Chair)
Councillor Kershaw	Cabinet Member for Education
Councillor Abbott	Chair of Education and Children's Scrutiny Board (2)
Councillor Chater	Labour Group Representative
Councillor Blundell	Shadow Cabinet Member for Education
Councillor Lepoidevin	Shadow Cabinet Member for Children and Young People
Councillor Skinner	Conservative Group Representative

Terms of Reference

1. The Board will be constituted as a Cabinet Advisory Panel with a politically balanced membership.
2. To focus on the requirements in legislation and in good practice advice for Elected Member involvement and support in service improvement for looked after children and young people.
3. To develop a work programme and allocate and monitor tasks within the City Council to improve outcomes for looked after children.
4. To identify key areas where services and partner agencies need to deliver improved support for looked after children and refer these issues to the relevant organisations as necessary.
5. To develop and support direct communication with looked after children, including formal meetings and consultation leading to the establishment of a Children's Council, a structured pattern of visits to children's homes and social work team offices, and also informal meetings with looked after children and young people with a social and enjoyable element.

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