

**Time and Date**

2.00 pm on Tuesday, 10th September, 2013

Place

Council Chamber - Council House

1. Apologies**2. Minutes of the Meeting held on 23rd July, 2013** (Pages 5 - 14)**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. Coventry Good Citizen Award

To be presented by the Lord Mayor and Judge Griffith-Jones, Honorary Recorder

5. Correspondence and Announcements of the Lord Mayor**6. Petitions****7. Declarations of Interest****Matters Left for Determination by the City Council/Recommendations for the City Council****8. A4600 Congestion Relief Scheme** (Pages 15 - 24)

From the Cabinet, 13th August 2013.

9. Whitley Junction - Road Improvements (Pages 25 - 42)

From the Cabinet, 13th August 2013.

It is anticipated that the following matters will be referred as Recommendations from the Cabinet, on 3rd September 2013 and from the Cabinet Member (Community Safety and Equalities) on 5th September 2013. In order to allow Members the maximum opportunity to acquaint themselves with the proposals, the reports are attached. The relevant Recommendations will be circulated separately:

10. Consultation on Refreshing the Mandate to NHS England: 2014-2015 - Consultation Response (Pages 43 - 54)

From the Cabinet, 3rd September, 2013

11. Coombe Abbey Park Hotel (Pages 55 - 64)

From the Cabinet, 3rd September 2013.

12. **Scrap Metal Dealers Act 2013** (Pages 65 - 74)

From the Cabinet Member (Community Safety and Equalities), 5th September 2013)

Items(s) for Consideration

13. **Audit Committee Annual Report 2012-13** (Pages 75 - 84)

Question Time

14. **(a) Written Question - Booklet 1** (Pages 85 - 86)

- (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

15. **Statements (if any)**

16. **Debates**

- 16.1 To be moved by Councillor Townshend and seconded by Councillor Mrs Lucas

“Coventry City Council calls on the Government to review its new UK visa policy requesting visitors from the Commonwealth countries including Pakistan, India, Bangladesh, Sri Lanka, Nigeria and Ghana to post a £3,000 bond before entering the UK. This proposed policy is discriminatory and will undermine the spirit of the Commonwealth family”

Private Business

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

17. **Whitley Junction - Road Improvements** (Pages 87 - 104)

From the Cabinet, 13th August, 2013.

It is anticipated that the following matter will be referred as a Recommendation from the Cabinet, 3rd September 2013. In order to allow Members the maximum opportunity to acquaint themselves with the proposal, the report is attached. The relevant Recommendations will be circulated separately:

18. **Coombe Abbey Park Hotel** (Pages 105 - 118)

Chris West, Executive Director, Resources, Council House Coventry

Monday, 2 September 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 Hetherington, 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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language please contact us.

Carolyn Sinclair/Suzanne Bennett
024 7683 3166/3072

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

Held on 23rd July 2013, in the Council House, Coventry

PRESENT

Lord Mayor (Councillor Crookes)

Deputy Lord Mayor (Councillor Noonan)

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

Apologies: Councillor Gingell
Councillor Kelly
Councillor Maton
Councillor Mulhall
Councillor Sawdon
Councillor Sehmi
Councillor Williams

Honorary

Alderman Present: J. Gazey
J. Wright

Public Business

39. Minutes

The minutes of the Meeting held on 25th June 2013 were signed as a true record.

40. 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 items of business indicated below on the grounds that they involve 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
57	Freehold Disposal of the former Central Depot Foleshill to Barratts PLC	3
58	Coventry City Centre Public Realm Phase 2	3

41. Death of Bishop Colin

The Lord Mayor referred to the recent death of Bishop Colin. He had served as Bishop for the Diocese of Coventry from 1998 – 2008.

Members noted that a letter expressing the Council's sincere condolences had been sent to Bishop Colin's wife and family.

42. Royal Birth Congratulations

The Lord Mayor referred to the previous day's announcement of the Royal birth from Buckingham Palace.

Members noted the Lord Mayor's intention to write, on behalf of the Council, to the Duke and Duchess of Cambridge extending congratulations on the birth of their son.

43. Congratulations on Awards

On behalf of the City Council, the Lord Mayor congratulated officers of City Services and Development who had recently won the following awards for their public realm works:

- An Innovation Award 2013 for Coventry City Public Realm Scheme: the 20mph Zone from the West Midlands Chartered Institute of Highways and Transportation Awards
- Effective Partnerships Award from the National Chartered Institute of Highways and Transportation Awards 2013
- Urban Transport Design Award 2013 for Gosford Street from PTRC 2013 Transport Practitioners' Meeting Awards

44. Business Awards

The Lord Mayor reported that Jaguar Land Rover had recently won two 'Business in the Community' Awards - Responsible Business of the Year and the Education Award.

Members noted that the Lord Mayor had written to Dr Speth the Chief Executive extending the City Council's congratulations.

45. UK Corporate Games

The Lord Mayor referred to the City's hosting of the UK Corporate Games on 4th-7th July, the same weekend as the Godiva Festival and indicated that the City Council and the University of Warwick had done Coventry proud in delivering a fantastic weekend of sport. The Parade of 5,000 Athletes in Broadgate on Saturday evening had been a display of colour with an enthused atmosphere. The City Council had 117 members in their team, competing in 15 different sports and had come 16th in the medal table out of the 56 companies that took part.

Notable Council employees who were 1st place winners in their categories were Theresa Jones who won 3 x 1st in the women's golf, Michelle Price who won the women's table tennis, Harvey Speed who won 1st place overall in the 10k running and Martin Reeves who won 1st place in his 10k running category.

The City Council extended their congratulations and thanks to everyone who took part in the event, either as a competitor or organiser.

46. Birthday Congratulations

The Lord Mayor presented the Leader, Councillor Mrs Lucas, with a bouquet of flowers on the occasion of her birthday.

The Lord Mayor also presented Councillor Blundell with a small gift to mark his recent birthday.

47. Petitions

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

- (a) Request for traffic calming measures on Harnall Lane East - 45 signatures – presented by Councillor Akhtar.**
- (b) Request to prioritise remedial work at the junction of the A45 and Broad Lane – 484 signatures – presented by Councillor Thomas**
- (c) No ball games in Exeter Close – 12 signatures – presented by Councillor Lakha**
- (d) Save Park and Ride North – 253 signatures – presented by Councillor Harvard.**

48. **Declarations of Interest**

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

Disclosable Pecuniary Interests:

Coventry City Centre Public Realm, Phase 2 (Minutes 50 and 58) – Councillor Hammon

49. **Freehold Disposal of the former Central Depot, Foleshill to Barratts PLC**

Further to Minute 30/13 of the Cabinet, the City Council 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 13th 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 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.**

50. Coventry City Centre Public Realm Phase 2

Cabinet had approved a second phase of public realm works at its meeting on 9th 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.

Further to Minute 31/13 of the Cabinet, the City Council considered a report of the Director of City Services and Development 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.

RESOLVED 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.

51. Pay Policy Statement 2013-14

The City Council considered a report of the Chief Executive which sought approval to amend the Pay Policy Statement. This was required in order to facilitate organisational changes to address the changing needs of the City Council.

At the Full Council meeting on 19 March 2013 (Minute 150/13 refers), the Pay Policy Statement for 2013/14 had been approved, in accordance with the requirements of the Localism Act 2011. The Pay Policy Statement referred to various issues relating to the pay of the workforce, particularly the most senior staff.

In moving the Recommendations relating to Pay Policy Statement, in accordance with paragraph 4.1.45 of the Constitution, Councillor Gannon moved the following additional Recommendation:

“The delegation under recommendation 2 above excludes any decisions on changes to salary or severance packages in relation to the Chief Executive irrespective of the sum and which will remain with full Council to determine these issues.”

At the request of Councillor Blundell, in support of his speech, a letter from the Department for Communities and Local Government on ‘Openness and Accountability in Local Pay’ (dated 20th February 2013) was tabled.

RESOLVED that the City Council

- (1) 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**
- (4) The delegation under Recommendation 2 above excludes any decisions on changes to salary or severance packages in relation to the Chief Executive irrespective of the sum and which will remain with full Council to determine these issues.**

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

The City Council considered a report of the Director of Community Services which detailed the City Council's response to a Care Quality Commission (CQC) consultation on the way it regulates, inspects and monitors care. CQC was 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 were 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 would include independent clinical and other experts, such as people with in depth experience of using care services. A rating system would be introduced to help people compare services. It would highlight where care is good or outstanding and expose instances where care is judged as inadequate or requiring improvement.

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

The proposals did not focus particularly on the potential role of inspection in identifying good quality services, although this was implied. The Council also considered that inspection processes should look at what was 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' were 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 would depend on the successful implementation of their current proposals.

Overall, the Council welcomed 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.

RESOLVED that the City Council approve the consultation response.

53. Appointments of the City Council – Membership of the Corporate Parenting Board

The City Council considered a report of the Director of Customer and Workforce Services which sought approval to amend an appointment made at the Annual Meeting of the City Council in May 2013 to increase the membership of the Corporate Parenting Board.

RESOLVED 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) with immediate effect.

54. **Question Time**

There were no questions.

55. **Statement by the Leader**

The Leader, Councillor Mrs Lucas, made a statement in respect of Community Resilience and Community Cohesion Issues.

On Saturday 20th July 2013, a protest demonstration had taken place in Birmingham by members of the English Defence League and a counter demonstration by Unite Against Fascism. At the same time a long planned community meeting of members of the African Caribbean Community in Birmingham was due to take place. These events placed considerable pressure on West Midlands Police whose primary responsibility was to ensure the maintenance of public order and public safety. They discharged that duty with remarkable fortitude.

The Leader indicated that Coventry had a long tradition of promoting peace and reconciliation, and an ability to encourage, foster, and maintain good community relations. Enormous investment was made by members of this Council in promoting these values. But more importantly, the strength of Community Cohesion and Community Unity existed at the level at which it did because of the commitment, effort and willingness of diverse communities across this City to come together and to work together in order to achieve outcomes for the common good.

She stated an unequivocal commitment to all communities in our city and emphasised that the Council would not let any of its communities be bullied, harassed or marginalised.

The Leader thanked all those involved in recent meetings which discussed the challenges to community cohesion including the Lord Mayor, Members, Officers and representatives of local communities,

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

56. **Debate – “Save our Royal Mail”**

Councillor B. Singh moved the following Motion which was 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.’

RESOLVED that the Motion, as set out above, be adopted.

Private Business

57. Freehold Disposal of the Former Central Depot, Foleshill, to Barratts PLC

Further to Minute 49 above and Minute 34/13 of the Cabinet, the Council considered a report of the Director of City Services and Development which detailed the confidential financial aspects of the proposals for the freehold disposal of the former Central Depot.

RESOLVED that the City Council:

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

58. Coventry City Centre Public Realm Phase 2

Further to Minute 50 above and Minute 35/13 of the Cabinet, the City Council considered a report of the Director of City Services and Development which detailed the confidential financial aspects of the proposals for the Public Realm Phase 2 works.

RESOLVED that the City Council:

- (a) Approve the revised programme of works for public realm Phase 2 as set out in Table 1.**
- (b) 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.**
- (c) Authorise the City Council to act as guarantor for a further ERDF resources to extend the current Public Realm phase 2 programme of up to a grant value of £0.5M.**
- (d) Authorise the City Council to act as guarantor for a new ERDF bid for a Public Realm phase 3 programme of up to a grant value of £1.8M, requiring match funding of £1.8m.**

- (e) Approve the Council to act as guarantor of HCA grant funding for the Gosford Gate scheme, and give delegated authority to the Directors of CSD and FLS to approve terms of the grant.**
- (f) Note the previous recommendations as well as amending the Cabinet Report 10th March 2009 so that the capital receipt generated by the Gosford Gate development can be recycled to the HCA instead of the now extinguished Advantage West Midlands.**
- (g) Authorise the City Council to act as the accountable body for the Homes and Communities Agency grant if successful in its bid for funding for the Gosford Gate scheme.**

(Meeting closed at 3.50 pm)

Minutes of the meeting of Cabinet held at 2.00 pm. on 13th August 2013

Present:

Cabinet Members:

Councillor Mrs Lucas (Chair)
Councillor Townshend (Deputy Chair)
Councillor Duggins
Councillor Gannon
Councillor Gingell
Councillor Kelly
Councillor Kershaw
Councillor A. Khan
Councillor Lancaster

Deputy Cabinet Members:

Councillor Caan

Non-voting Opposition Members:

Councillors Blundell and Andrews

Other Members:

Councillors Fletcher, Hetheron, Noonan and Thomas

Employees (by Directorate):

Chief Executive's:

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

Children, Learning and
Young People:

I Merrifield (Assistant Director), A Simpson,

City Services & Development:

M Yardley (Director), C Knight

Community Services:

B Walsh (Director), S Brake, P Fahy, M Godfrey,
C Parker, S Roach

Customer & Workforce Services:

M Salmon

Finance & Legal Services:

C West (Director), C Forde, H Lynch

Apologies:

Councillors Innes, McNicholas and Ruane

Public business

RECOMMENDATION

43. A4600 Congestion Relief Scheme

The Cabinet considered a report of the Director of City Services and Development that outlined proposals to deliver a comprehensive access improvement scheme which would reduce congestion, support new bus services and provide new

facilities for pedestrians and cyclists, on the A4600 and routes accessing the University Hospital, Walsgrave. The Scheme would be funded by £3.92m of new government grant funding from the national 'Local Pinch Point Fund' and supported by £2m of funding from the University Hospital. This was a partnership Scheme between Coventry City Council, University Hospital Coventry and Warwickshire and the Department for Transport and would be complete by mid-2015, with work commencing in Autumn 2013.

RESOLVED that the Cabinet recommend that Council:

- (1) Approves the delivery of the A4600 Congestion Relief Scheme totalling £5.92m.**
- (2) Approve capital expenditure of £3.92m funded by external grant from the Department for Transport.**
- (3) Delegates authority to sign legally binding funding agreements with the Department for Transport and University Hospital Coventry and Warwickshire, including section 151 officer sign-off by the Director of Finance and Legal Services in consultation with the Cabinet Member (Public Services), for the grant funding.**

(Meeting finished at 2.50 p.m.)

Cabinet
Council

13 August 2013
10 September 2013

Name of Cabinet Member:

Cabinet Member (Public Services) – Councillor Lancaster

Director Approving Submission of the report:

Director of City Services and Development

Ward(s) affected:

Henley and Wyken

Title: A4600 Congestion Relief Scheme

Is this a key decision?

Yes

The report seeks approval for spending in excess of £0.5m which affects the Henley and Wyken Wards of the City.

Executive Summary:

This report outlines proposals to deliver a comprehensive access improvement scheme which will reduce congestion, support new bus services and provide new facilities for pedestrians and cyclists on the A4600 and routes accessing the University Hospital in Walsgrave. The scheme will be funded by £3.92m of new government grant funding from the national 'Local Pinch Point Fund' and supported by £2m of funding from the hospital. This is a partnership scheme between Coventry City Council, University Hospital Coventry and Warwickshire and the Department for Transport and would be complete by mid-2015, with work commencing in Autumn 2013.

Recommendations:

Cabinet is requested to recommend that Council:

- (1) Approve the delivery of the A4600 Congestion Relief Scheme totalling £5.92m as outlined in the report.
- (2) Approve capital expenditure of £3.92m funded by external grant from the Department for Transport.
- (3) Delegate authority to sign legally binding funding agreements with the Department for Transport and University Hospital Coventry and Warwickshire, including section 151 officer sign-off, by the Director of Finance and Legal Services, in consultation with the Cabinet Member (Public Services) for the grant funding.

Council is recommended to:

- (1) Approve the delivery of the A4600 Congestion Relief Scheme totalling £5.92m as outlined in the report.
- (2) Approve capital expenditure of £3.92m funded by external grant from the Department for Transport.
- (3) Delegate authority to sign legally binding funding agreements with the Department for Transport and University Hospital Coventry and Warwickshire, including Section 151 Officer sign-off, by the Director of Finance and Legal Services, in consultation with the Cabinet Member (Public Services) for the grant funding.

List of Appendices included:

None

Background papers:

None

Other useful documents:

A4600 Congestion Relief Scheme application

http://www.coventry.gov.uk/downloads/download/2487/local_pinch_point_funding_bid_document

Local Transport Body 2015-2019 Priority Major Scheme submission

<http://democraticservices.coventry.gov.uk/documents/s10029/Local%20Transport%20Body%202015-2019%20Priority%20Major%20Scheme%20Submission.pdf>

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 – 10th September 2013

Report title: A4600 Congestion Relief Scheme

1. Context (or background)

- 1.1 The roads around the University Hospital Coventry & Warwickshire suffer serious congestion at peak times. As well as delays to all road users, this leads to missed appointments at the hospital and problems for people wanting to access the hospital. Bus service reliability is also seriously affected.
- 1.2 In January 2013 the Government announced an opportunity to apply for funding from a national Local Pinch Point Fund. Bids required a minimum of 30% local match funding. Consequently an opportunity was identified to work with the hospital to address congestion as action is required both within the hospital and on the surrounding road network. The bid comprised £2m of funding from the hospital for improvements to its internal road network, parking and bus interchange, and £3.92m for improvements to local roads funded by the grant from the Local Pinch Point Fund.
- 1.3 This report outlines the positive outcome of the funding bid which has secured new grant funding of £3.92m. This presents the City Council with the opportunity to address traffic congestion in the Walsgrave Area which is a major concern for both local residents, users of the hospital and commuters.
- 1.4 The bid has been undertaken and the project will be delivered in partnership with University Hospital. As well as enabling the creation of a total funding pot of £5.92m, the engagement process with the hospital enables both on-site and highway issues to be tackled in an integrated and planned way, thus providing the best possible outcome for the surrounding area, general users of the road network and visitors to the hospital.

2. Options considered and recommended proposal

- 2.1 The hospital and Coventry City Council jointly appointed a consultant to develop the bid to ensure the works proposed for the hospital's internal roads complement the changes to the surrounding road network.
- 2.2 The overriding objective of the project is to reduce congestion, and this will improve:
 - the speed and reliability of journey times for local residents, hospital users and commuters using the A4600 and routes to the hospital site and avoid the need for an additional access off residential roads.
 - the reliability of bus services which will make public transport more attractive, and support the viability of new services.
 - road safety for vulnerable road users through the introduction of safe crossing points on busy roads (this includes linking into the route being built as part of Cycling Coventry)
 - reliability for blue light vehicles accessing the hospital
 - conditions for economic growth by improving access to major employment sites
 - access to the strategic road network including the M6 and M69.
- 2.3 The package of highway improvement schemes can be seen in Figure 1 – Scheme Locations, below.

2.4 These works can be summarised as:

Location	Measure
Brade Drive	Enlarged roundabout to reduce delays and improve safety (preferred option) or re-engineered signal junction (final scheme dependant on the outcome of land acquisition negotiations)
Woodway Lane	Widening of Woodway Lane approach to the junction to 2 lanes and an improved alignment and right-turn facilities from the A4600 into Woodway Lane.
Clifford Bridge Drive / Anstry Road Gyratory	Signalisation of the junction with the creation of additional lanes and pedestrian / cycle crossing facilities.
Clifford Bridge Drive / UHCW Access	Enlarged junction with bus & blue light vehicle access lane and increased right-turn lanes into hospital site.

2.5 The Council's new Shared Professional Services Contract will be used to procure the design team for these works. The design will be worked up in consultation with the local community and stakeholders.

2.6 The package of transport measures within the hospital site include:

- the decking of two car parks to increase car parking capacity
- improvements to the bus interchange to increase capacity
- changes to the on-site road layout and additional traffic management measures to improve traffic flows and to reduce queuing traffic.

2.7 The scheme will also support the Cycle Coventry and the Cycle Safety Fund, two other successful grant funded projects. These projects will be delivered in a fully coordinated way to maximise efficiency and minimise disruption during the construction phase. Additionally works to reopen the banned right turn at Norton Hill Drive will be delivered as part of this project.

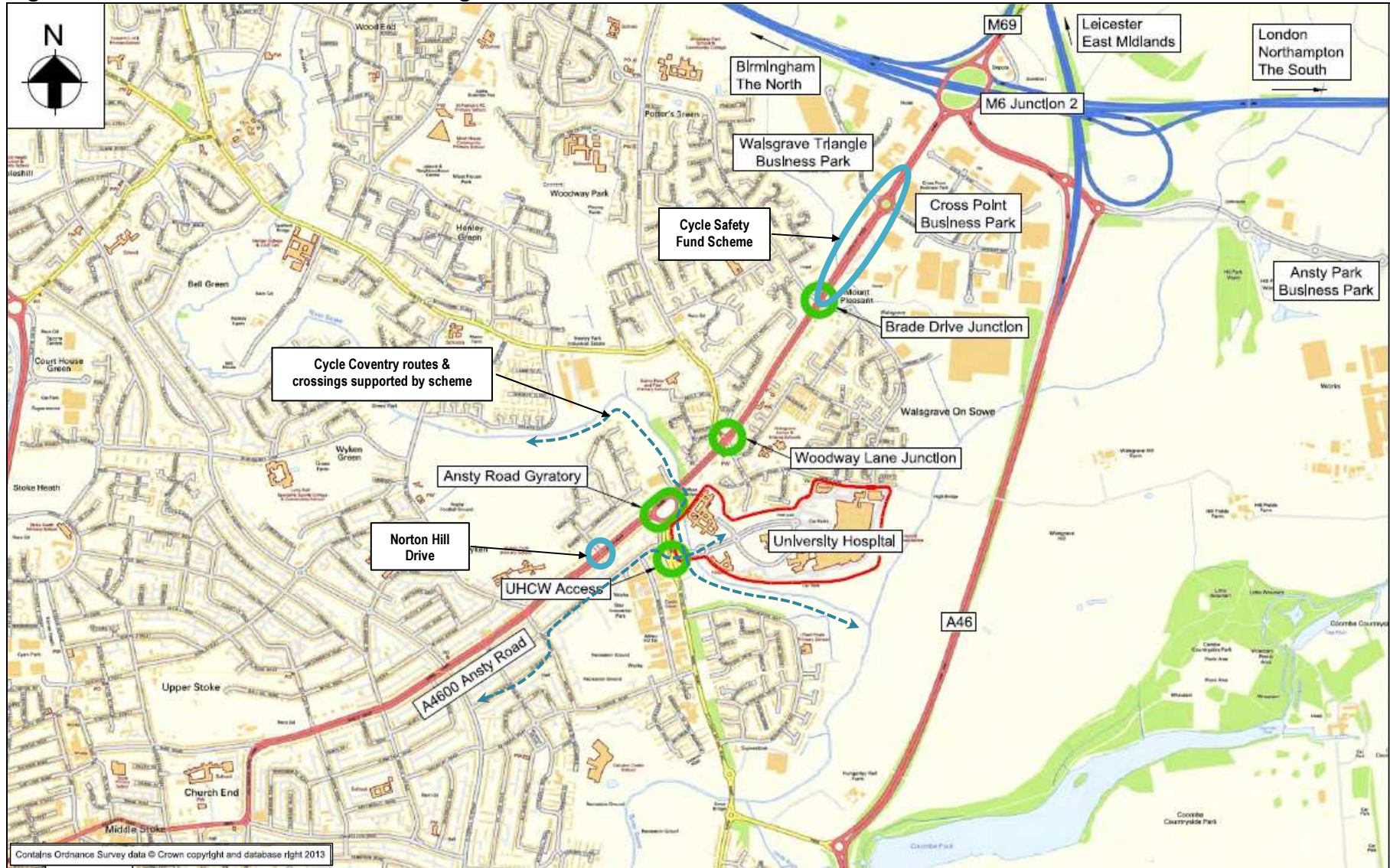
2.8 The scheme will be delivered in close partnership with the University Hospital. The programme consists of two distinct elements, one to deliver works on the public highway and the other delivering works within the hospital site and it is imperative that both operate as a single integrated package. The success of the overall project will be heavily dependent upon both schemes being delivered as one will not operate effectively without the other.

2.9 Grant funding from the Pinch Point Fund will be received in accordance with the grant agreement and the profiled cash-flow. The City Council's net expenditure will not exceed £3.92m. However, in order to manage cash flow and coordinated scheme delivery a significant element of the grant received in 2013/14 will be transferred to the hospital. This money will be returned in 2014/15 which, in combination with the 2014/15 grant, will be used to deliver the bulk of the highways works.

Pinch Point Fund Cash-flow

2013/14	2014/15	Total
£1.456m	£2.464m	£3.92m

Figure 1 – Scheme Locations – A4600 Congestion Relief Scheme



3. Results of consultation undertaken

- 3.1 Several stakeholders were involved during the development of the application and all were very supportive of the proposals. This included letters of support from the Coventry and Warwickshire Chamber of Commerce, Coventry University, The Federation of Small Businesses and Warwickshire County Council, Bob Ainsworth MP, Centro, National Express Coventry and Travel De Courcey.
- 3.2 The appropriate Cabinet Members were involved during the application process. Members will also be aware of the A4600 scheme which was reported to Cabinet in April 2013 as part of the Local Transport Body Major Scheme prioritisation process (See “other useful documents” above).
- 3.3 The detailed design process will include liaison with the local community, neighbourhood forums and other stakeholders. A structured information and awareness exercise will be undertaken in Autumn 2013.

4. Timetable for implementing this decision

- 4.1 A framework for the delivery of the project is currently being developed, and subject to approval of this report, recruitment of a project manager and delivery team will commence immediately.
- 4.2 The construction phase will commence Autumn 2013 with works within the hospital site and at Norton Hill Drive. The programme will be completed by mid-2015 in accordance with the grant conditions.

5. Comments from Director of Finance and Legal Services

5.1 Financial implications

The full cost of the capital expenditure to be incurred by the City Council will be funded by external grant received from the Department of Transport (Local Pinch Point Fund) shown in paragraph 2.9. Capital expenditure will be incurred in the years 2013/14 – 2014/15. No additional City Council resources are required to deliver this scheme. In order to accord with the DfT’s specified grant funding profile, cash-flow will be managed in partnership with the hospital. The details of this will be subject to a legally binding agreement which is to be agreed with the hospital. It is anticipated that a significant element of the grant for 2013/14 will be paid to the hospital on a temporary basis to cash-flow the delivery of on-site works. Any grant funding paid to the hospital in 2013/14 will be returned to the Council in full in 14/15 for use on the highways element of the programme.

5.2 Legal implications

The funding from the Department of Transport will be subject to grant conditions which the Council will be obliged to fulfil. The Council will also complete a legally binding agreement with University Hospital for their contribution in acceptance of supporting the grant conditions from the Department of Transport and to manage shared financial risks. The contract will be let in accordance with the Council's Rules for Contracts and comply with the Public Contracts Regulations 2006.

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)?**

Transport plays a huge part in supporting the economy and peoples everyday lives. The impact of congestion on local businesses, the environment and on people's health and wellbeing is well documented. The delivery of this Programme of Highway Schemes will have a significant positive impact on many of the City Councils core aims.

The scheme will:

- reduce congestion thereby supporting the needs of local businesses and workers and consequently the local economy
- create safe crossing points for pedestrians making the environment safer, more attractive and more enjoyable, particularly for young and vulnerable people
- support the reliability, viability and range of bus services available in the Walsgrave Area which will help people who rely on public transport
- support improved access and linkages between local communities and major employment sites and the hospital
- have a positive impact on the local environment in terms of air quality and climate change. Further details can be seen in paragraph 6.5 below.

6.2 How is risk being managed?

A costed Programme was developed during the application process and thus neither cost reductions, nor cost overruns are expected. Legal agreements will be put in place between the University Hospital and the City Council in order to manage the financial implications of risk sharing. A high level assessment of project risks has been carried out and it is considered that these can be managed with the scope of the project. A Project Manager will be recruited to lead delivery and will be responsible for managing risk.

6.3 What is the impact on the organisation?

None

6.4 Equalities / EIA

No equality impact assessment has been carried out as the recommendations do not constitute a change in policy or service.

6.5 Implications for (or impact on) the environment

The delivery of the A4600 Congestion Reduction Scheme will help reduce carbon emissions to address climate change, and improve air quality. This will be achieved through the introduction of the proposed junction enhancements which will smooth traffic flows, reduce congestion and make sustainable forms of transport such as walking cycling and public transport more attractive to users.

6.6 Implications for partner organisations?

The scheme will have a very positive impact on the operation and efficiency of the University Hospital, local businesses and public transport operators by reducing congestion on the A46000 and around the hospital entrance.

Report author(s):

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Martin Yardley	Director	City Services and Development	18/07/13	21/06/2013
Councillor Lancaster	Cabinet Member (Public Services)		17/07/13	21/06/2013

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Minutes of the meeting of Cabinet held at 2.00 pm. on 13th August 2013

Present:

Cabinet Members:

Councillor Mrs Lucas (Chair)
Councillor Townshend (Deputy Chair)
Councillor Duggins
Councillor Gannon
Councillor Gingell
Councillor Kelly
Councillor Kershaw
Councillor A. Khan
Councillor Lancaster

Deputy Cabinet Members:

Councillor Caan

Non-voting Opposition Members:

Councillors Andrews and Blundell

Other Members:

Councillors Fletcher, Hetheron, Noonan and Thomas

Employees (by Directorate):

Chief Executive's:

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

Children, Learning and
Young People:

I Merrifield (Assistant Director), A Simpson,

City Services & Development:

M Yardley (Director), C Knight

Community Services:

B Walsh (Director), S Brake, P Fahy, M Godfrey,
C Parker, S Roach

Customer & Workforce Services:

M Salmon

Finance & Legal Services:

C West (Director), C Forde, H Lynch

Apologies:

Councillors Innes, McNicholas and Ruane

Public business

RECOMMENDATION

35. Whitley Junction – Road Improvements

The Cabinet considered a report of the Director of City Services and Development that outlined proposals for the new junction on the A444 Styvechale-Cheylesmore Bypass to serve Jaguar Land Rover and the adjoining employment land, bringing

much needed congestion relief to Whitley Interchange. The principal element of the works was a new bridge over the A444, referred to as Whitley Bridge.

RESOLVED that the Cabinet recommend that Council:-

- (1) Approves the addition of this Scheme to the Council's Capital Programme for 2013/14 onwards for the construction of Whitley Bridge and associated works up to £6.5million.**
- (2) Delegate authority to the Director of City Services and Development in consultation with Cabinet Member (Business, Enterprise and Employment), to award the Early Contractor Involvement Works contract for the bridge and associated junction improvement works.**

(Meeting finished at 2.50 p.m.)

Cabinet
Council

13th August 2013
10th September 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:

Cheylesmore

Title:

Whitley Junction – Road Improvements

Is this a key decision?

Yes – although geographically the development site is located within one Ward it will have an impact on the whole of the City and the costs will be above the financial threshold of £1million.

Executive Summary:

The Council has been successful in securing a Regional Growth Fund (RGF) bid on behalf of the Coventry and Warwickshire Local Enterprise Partnership (CWLEP). Within the bid, £6.5million is being made available to the City Council for works to create a new junction on the A444 Styvechale- Cheylesmore Bypass to serve Jaguar Land Rover (JLR) and the adjoining employment land along with improvements to Whitley Interchange. This proposal has the potential to support the creation of 3,750 jobs.

A proposal for a junction on the A444 was put forward as part of the Coventry and Warwickshire Gateway application. Although this has now been called in by the Secretary of State for determination, this does not affect the Whitley junction proposal as this is a stand-alone scheme and it will be the subject of a separate planning application.

The RGF funding agreement with government for the £6.5million stipulates the funding has to be spent by 30 June 2015 and that it has to lead to the delivery of 3,750 jobs by April 2022.

To achieve this tight timescale it is proposed to enter into an Early Contractor Involvement (ECI) arrangement with a contractor who will be co-located with the City Council's appointed design team to develop the scheme and a target price contract. This target price will be fixed by December 2013 subject to this price being £6.5million plus any variations up to £0.5million allowed under the scheme of delegations. Any further variance beyond this amount would need to be considered by the Cabinet and full Council.

It will be necessary to incur development costs up to December 2013 to design and produce the target price. This work is required to establish that the Project is affordable and deliverable and that it will therefore proceed. The estimated spend up to this point (principally design fees, project management and environmental assessment costs) is £0.65million. If the Council chooses not to proceed with the bridge, it will not be able to claim from RGF for the costs incurred to this date.

The Council has been very successful recently in securing RGF and ERDF (European Regional Development Funding) and, as a consequence, there are a number of high profile projects that will impact on traffic flow in the city during 2014 into 2015. These projects, listed in Appendix D to the report, are collectively known as 'Regenerating Coventry' because they are all designed to help boost economic growth.

To minimize disruption to the travelling public over the next couple of years, the delivery of these projects will be co-ordinated. To help reduce the impact on traffic, a number of enabling schemes have been identified which will need to be implemented before the start of major construction next year. These enabling works are listed in Appendix E to the report and are estimated to cost £0.9m.

Recommendations:

The Cabinet is requested to:

1. Approve project management, design costs and environmental assessment costs of up to £0.65million that will be incurred at risk up until December 2013 when contracts are planned to be signed and the commencement of procurement in advance of Council approval, provided the closing date for tenders is after the Council meeting and there are no costs to the Council if the procurement does not proceed to acceptance of tender.
2. Approve the expenditure of £0.9million on enabling works to support the Regenerating Coventry Programme.
3. Recommend that Council:-
 - a) Approves the addition of this Scheme to the Council's Capital Programme for 2013/14 onwards for the construction of Whitley Bridge and associated works up to £6.5million.
 - b) Delegate authority to the Director of City Services and Development, in consultation with Cabinet Member (Business, Enterprise and Employment), to award the Early Contractor Involvement works contract for the bridge and associated junction improvement works.

Council is recommended to:

1. Approve the addition of this Scheme to the Council's Capital Programme for 2013/14 onwards for the construction of Whitley Bridge and associated works up to £6.5million.
2. Delegate authority to the Director of City Services and Development, in consultation with Cabinet Member (Business, Enterprise and Employment), to award the Early Contractor Involvement works contract for the bridge and associated junction improvement works.

List of Appendices included:

Appendix A – plan of proposed works
Appendix B – outline project delivery plan
Appendix C – Project delivery structure
Appendix D – Regenerating Coventry programme – list of projects
Appendix E – Enabling works for Regenerating Coventry

Background papers:

None

Other useful documents:

Planning Committee – 13th December 2012
These documents can be obtained from the Council's website:
www.coventry.gov.uk/councilmeetings

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 – 10 September 2013

Report title:
Whitley Junction – Road Improvements

1. Context (or background)

- 1.1 Access to Jaguar Land Rover (JLR) at Whitley is currently from Whitley Interchange which suffers from peak time congestion. To allow for potential expansion of JLR and the development of the adjoining development land, a number of proposals have been put forward to develop an access directly off the A444 Cheylesmore/Styvechale Bypass.
- 1.2 The recent proposals for the Coventry and Warwickshire Gateway development included a new all movements junction on the A444. This was part of a package of extensive highway works to serve the proposed 439,000 square metres of B1, B2 and B8 (business park, manufacturing and warehousing) development on land around Baginton Airport.
- 1.3 The Gateway application has been called in by the Secretary of State for determination; however, this does not affect the junction proposal as this is a stand alone scheme which will support the creation of 3750 jobs and will provide much needed relief to Whitley Interchange. These works will be the subject of a separate planning application.
- 1.4 In more detail, the works include the provision of a new bridge over the A444 immediately to the south of the existing bridge which provides access to Jaguar Land Rover (JLR). New slip roads will be provided to allow all movements to take place at this junction; this will avoid the need for drivers entering from the south, or wishing to go south, having to use Whitley Interchange. The scheme is shown in Appendix A to the report.
- 1.5 The junction will be implemented to allow access to the Gateway development should this proceed in the future. This will include provision for bus lanes utilising the existing bridge over the A444 and facilities to connect into the proposed cycle routes.
- 1.6 At Whitley Interchange the road layout will be changed to improve capacity. As part of the changes, dedicated bus lanes will be provided from Daventry Road to the bridge referred to in paragraph 1.5. This is essential to ensure people from across the city will be able to access the new jobs.
- 1.7 A full planning application will be required for this scheme and will need to be submitted by early October 2013 in order to meet the tight timescales for this project.
- 1.8 The City Council, on behalf of the Coventry and Warwickshire Local Enterprise Partnership (CWLEP), was successful in obtaining £6.5million of Regional Growth Funding for the works described above. This is part of the £23.45million award which was reported to Cabinet on 12 February 2013 and Council on 26 February 2013. One of the grant conditions is that this money has to be spent by June 30th 2015; another is that it has to lead to the creation of 3,750 jobs over the next 9 years. In addition the grant is only available on the basis that there is a fully funded scheme in place.
- 1.9 The City Council has also been very successful in securing Regional Growth Funding and European Regional Development Funding for projects aimed at growing the city's economy. These projects are collectively known as the 'Regenerating Coventry' programme and are listed in Appendix D. Because of the funding conditions it is going to be necessary for most of these schemes to be delivered simultaneously in 2014 and early 2015.

2. Options considered and recommended proposal

- 2.1 To meet the very tight timetable to deliver this scheme, and to avoid the risk of losing any grant, it is proposed to adopt the same delivery model being used for the Friargate Bridge (as described in the Cabinet report of 18th June 2013).
- 2.2 This approach will include the appointment of a design team using our new Professional Shared Services Contract and Early Contractor Involvement (ECI) using the Highway Agency's Asset Support Framework.
- 2.3 This joint team will be based in Civic Centre 4 and will use the experience of the contractor working with the design team and our own staff to ensure we deliver the most cost effective solution within the given time constraints.
- 2.4 Another major time constraint will be the impact on traffic flow. The Friargate Bridge works on A429 Warwick Road, the Highway Agency's Toll Bar works on the A45/A46 and the works to A4600 Ansty Road (also the subject of a report to this cabinet) will all be happening at the same time as Whitley Bridge. Therefore it is essential that the chosen design solution is also one which has the least impact on traffic flow; this will be a critical factor in determining the chosen solution.
- 2.5 The indicative cost of the bridge and associated highway works are estimated to be in the region of £6.5million. It is proposed to develop a robust target price by December 2013. The target cost will be based on an agreed schedule of rates and will be subject to a 'pain/gain' mechanism whereby the contractor and the council will share the benefits or costs of any variance to the target price. This incentivises the contractor and the client to look for ways of saving costs on the project.
- 2.6 In the event that the Gateway does not proceed, improved access to this part of the proposed development would still be required and, therefore, the Whitley Bridge works can be implemented independently of Gateway. If this site alone is fully developed during the 9 year monitoring period it has the potential to create enough employment to comply with the grant conditions and allow the use of the RGF money. Furthermore, the new junction will provide much needed congestion relief to Whitley Interchange.
- 2.7 It is proposed that the Director of City Services and Development is authorised, in consultation with the Cabinet Member (Business, Enterprise and Employment), to enter into a contract with the successful contractor to deliver the bridge works subject to the target price being within the funding available of £6.5million plus any variations of £0.5million allowed under the scheme of delegations. Any further variance beyond this amount would need to be considered by Cabinet and full Council.
- 2.8 The new highways layout requires a comprehensive set of Traffic Regulation Orders (TROs) which the City Council are intending to advertise by September 2013. Any representations will be reported to the Cabinet Member (Public Services) in November 2013.
- 2.9 In terms of the new junction, this has been subject to rigorous assessment and modelling. A number of design options were considered and rejected, principally because of their land take and impact on the local environment. As this scheme is now proceeding independently from the Gateway scheme, a full planning application will be required. This planning application will need to include an environmental

impact assessment, a traffic impact assessment and a noise impact assessment. It is intended that this will be submitted early October 2013.

- 2.10 To ensure that the Whitley junction works and the other 'Regenerating Coventry' proposals listed in Appendix D to the report are properly co-ordinated, a strategic co-ordination team has been established. This team is developing a traffic management and communications strategy to ensure that the city keeps moving.
- 2.11 Part of the traffic management strategy is to implement low cost improvements at the key junctions listed in Appendix E. These are referred to as the 'enabling works' and are estimated to cost £0.9million. An ERDF bid has been submitted to support these works and the outcome will be known in October. If the bid is unsuccessful the scale of the enabling works to be undertaken would be reduced. The remaining cost of the works will be apportioned to the Regenerating Coventry projects subject to their own affordability constraints. It should be noted that these enabling works will provide improvements to traffic flow beyond 2015, supporting the growth of the City.

3. Results of consultation undertaken

- 3.1 The Gateway proposals were the subject of considerable consultation as part of the planning process, including public advertisements and presentations to local ward forums and a developer forum. With respect to the Whitley scheme there have been concerns about the impact on Whitley Common, this will be considered as part of the planning application process.
- 3.2 For the specific bridge proposals, there has been early engagement with a number of stakeholders including:
- JLR
 - St Modwen
 - Centro
 - National Express
 - Stagecoach
 - De Courcey
- 3.3 The purpose of the early engagement has been to explain the proposals, the need for the development, provide reassurance regarding temporary traffic management arrangements and to establish points of contact for ongoing communication. The project team have developed a communications plan which sets out how consultation and communications will be undertaken throughout the project.

4. Timetable for implementing this decision

- 4.1 The project delivery plan in Appendix B to the report sets out the implementation timetable.

5. Comments from Director of Finance and Legal Services

5.1 Finance

- 5.1.1 Revenue costs are expected to be minimal with any costs being met by existing budgets.
- 5.1.2 As there is no guarantee that the target price of £6.5million will be acceptable, the expenditure on project management and design between now and December must be considered to be "at risk". However, the level of the risk will reduce as the detailed design stage progresses and confidence on the robustness of the emerging target price will also increase. It is planned that half way through the design stage the

design will be frozen and as such expenditure will also be frozen. At this point a detailed analysis will be undertaken on the emerging target price and the estimated costs of construction.

5.1.3 The method of construction and the type of materials used for the bridge will have a bearing on the cost of the project. These details will emerge during as part of the detailed design.

5.1.4 Abortive costs will only be incurred if we opt not to appoint a contractor and before any formal contract is signed. It is estimated that these will amount to a maximum of £0.65million. This estimate is based on 10% of the indicative capital costs of the scheme and is included in the £6.5million capital total. These can broken down as follows:

Table 2: Summary of at risk costs

Task	Cost £'000s
Project Management	100
Design fees costs	550
Total	650

5.1.5 Enabling works of £0.9m are subject to an ERDF bid, the outcome of which will not be known until October.

5.1.6 The Gateway and Whitley sites are key to the Council's objectives to drive growth in jobs, commercial floorspace and business rate income, which has financial targets within the Council's medium term financial strategy.

5.2 Legal implications

5.2.1 Any public works carried out that are over the EU thresholds will be tendered under the Public Works Contract Regulations 2006. The use of the highway Agency's framework does comply with 2006 regulations.

5.2.2 In order to meet the timescale it is intended to obtain Procurement Board approval to the construction contract with the intention of commencing the procurement in advance of Council approval. The invitation to tender would be very clear that the procurement was subject to member approval. The closing date of the procurement would be after the date of Council to ensure that any changes arising out of the member approval could be incorporated into the tender. If the procurement does not proceed to acceptance the parties that submit a bid cannot claim abortive costs from the Council if they proceed on an at risk basis.

5.2.3 The RGF funding comes with conditions about the creation of a minimum of 3,750 jobs by 2022 which the Council alone cannot comply with. Negotiations will take place with the adjoining land owners to obtain a covenant to comply with the grant condition for the creation of jobs. There may still be some exposure to grant clawback on the Council if that grant obligation is not fulfilled by either party.

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 delivery of the Whitley Junction Road Improvements will help achieve a number of the priority themes of the Sustainable Community Strategy and objectives within the Councils Corporate Plan. These include:

- ***A prosperous Coventry with a good choice of jobs and business opportunities for all the city's residents*** - by providing significant opportunities for existing and new business to locate to this site
- ***Making places and employment sites easily accessible for Coventry people*** – in a physical sense including direct access for public transport providers, new cycle lanes to the site and pedestrian crossing facilities.
- ***Improving Coventry's environment and tackling climate change*** – by creating a sustainable business location.

6.2 How is risk being managed?

- 6.2.1 To mitigate the risk there is a comprehensive governance structure in place to ensure correct procedures are being followed and that the programme is maintained. A project workshop has been held to identify the main risks and associated mitigation measures. The principal risks to the project are cost and time (RGF funding could be lost if the project is not substantially complete by June 2015) and challenge of the statutory processes.

6.3 What is the impact on the organisation?

- 6.3.1 The impact to the organisation will be the generation of additional work for officers within City Services and Development Directorate. The resources required to successfully deliver this large project are being brought together into a “Regenerating Coventry” group. These will be located together and include a combination of existing employees and additional resources required to deliver these significant projects within the strict timetable required in order to satisfy the grant conditions.

6.4 Equalities / EIA

- 6.4.1 Under the Equality Act 2010 the provision of public highway and regulation of traffic are services to which equality must be considered. Access Development and disability groups will be consulted regarding the scheme. Contractors bidding for the construction work must demonstrate their approach to involving small firms, ethnic minority businesses, social enterprises and third sector suppliers within the supply chain, and also how they will support the education and training of young people. Local people will be engaged throughout the project and appropriate consideration given to protected characteristics.

6.5 Implications for (or impact on) the environment

- 6.5.1 The improved access arrangement proposed for pedestrians and cyclists will have a direct impact on helping to achieve both climate change and air quality targets. Improving access arrangements for buses and vehicles will reduce congestion and therefore reduce carbon emissions from stationary vehicles.

6.6 Implications for partner organisations?

- 6.6.1 The impact on partner organisations will continue to be reviewed.

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City Services and Development

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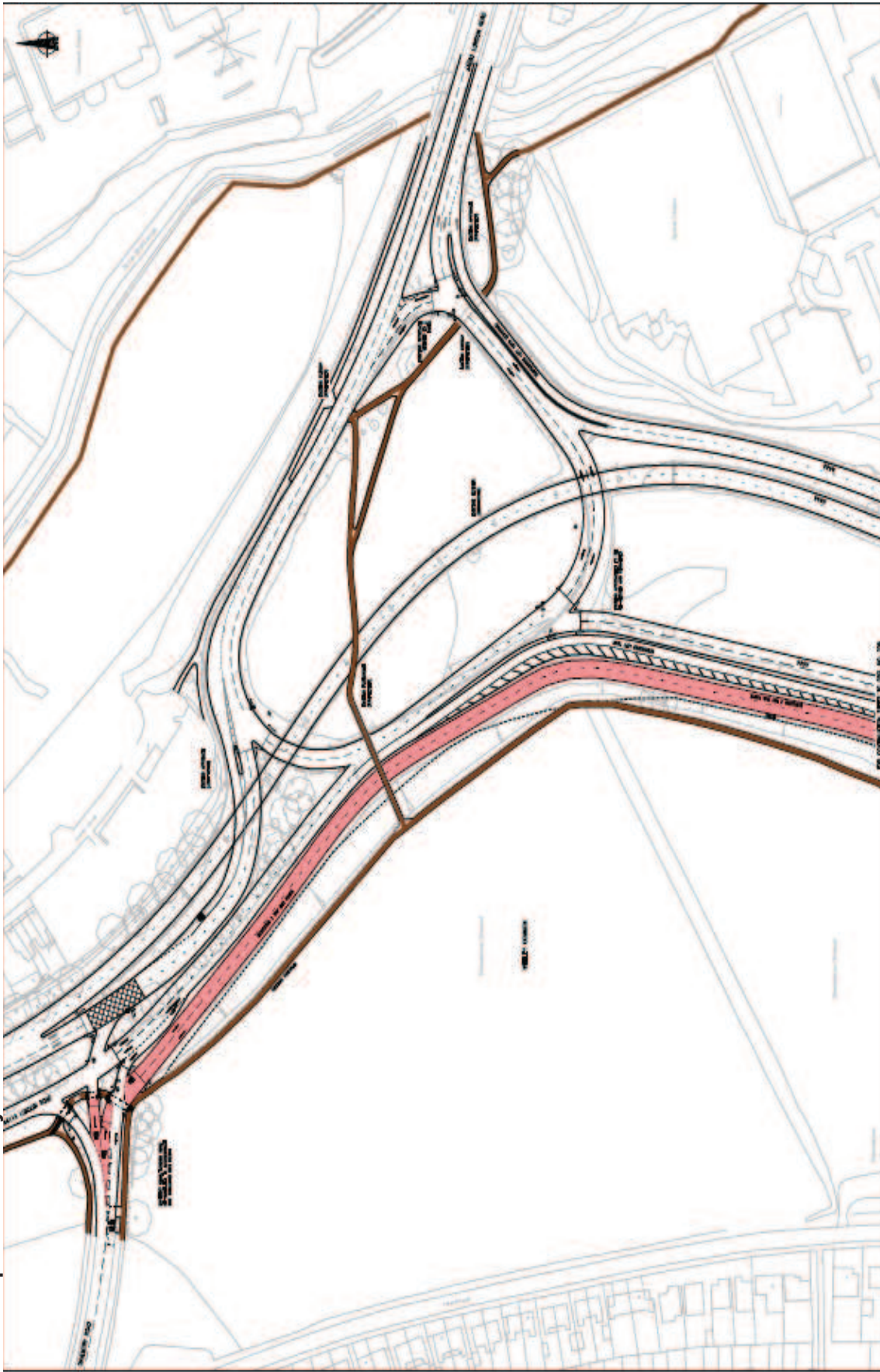
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Names of approvers for submission: (officers and Members)				
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Martin Yardley	Director	City Services and Development	22.07.13	25.07.13
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Councillor Kelly	Cabinet Member (Business, Enterprise and Employment)		22.07.13	26.07.13
Councillor Lancaster	Cabinet Member (Public Services)		22.07.13	26.07.13

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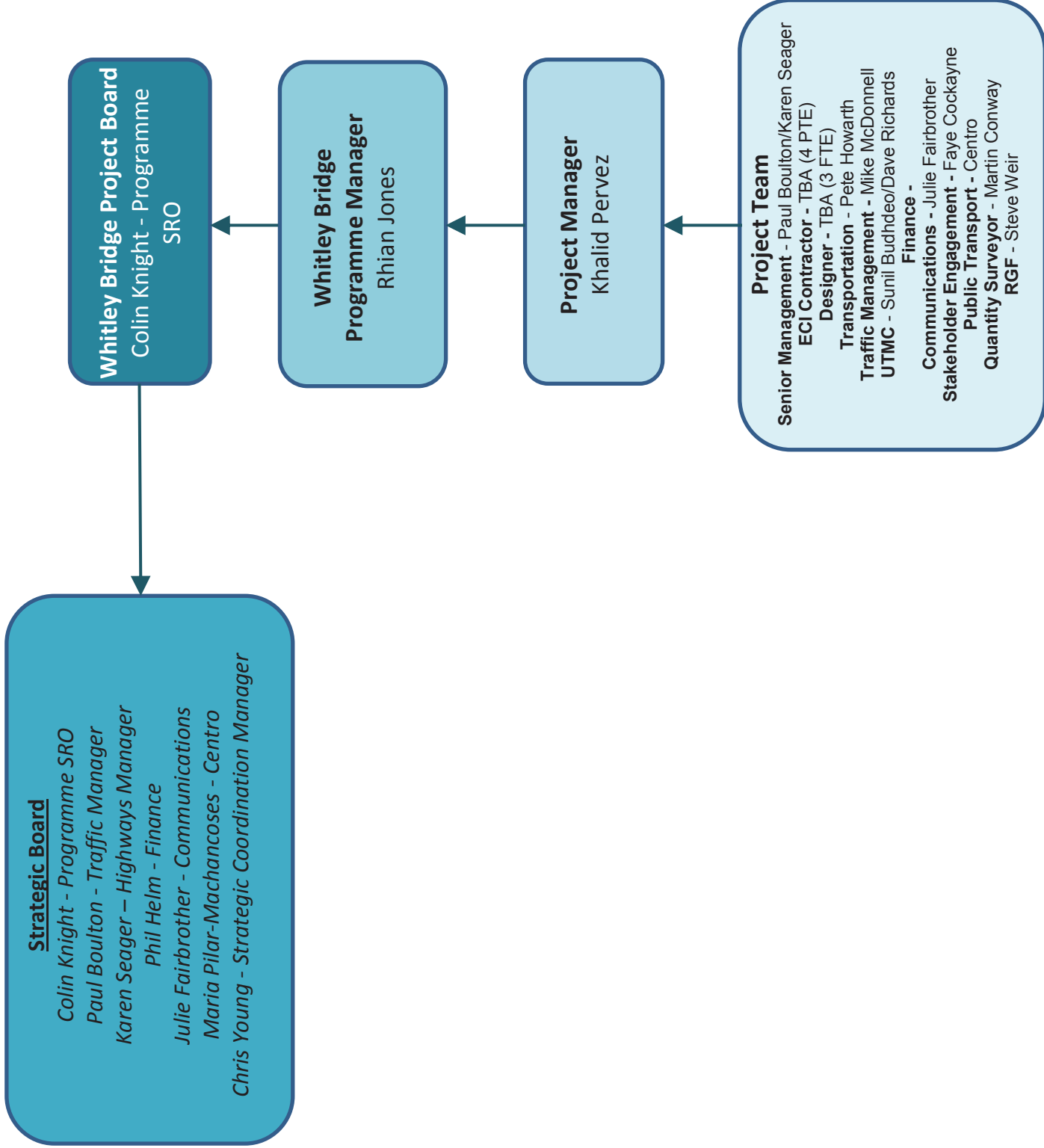
Appendix A part 2 – Whitley Roundabout



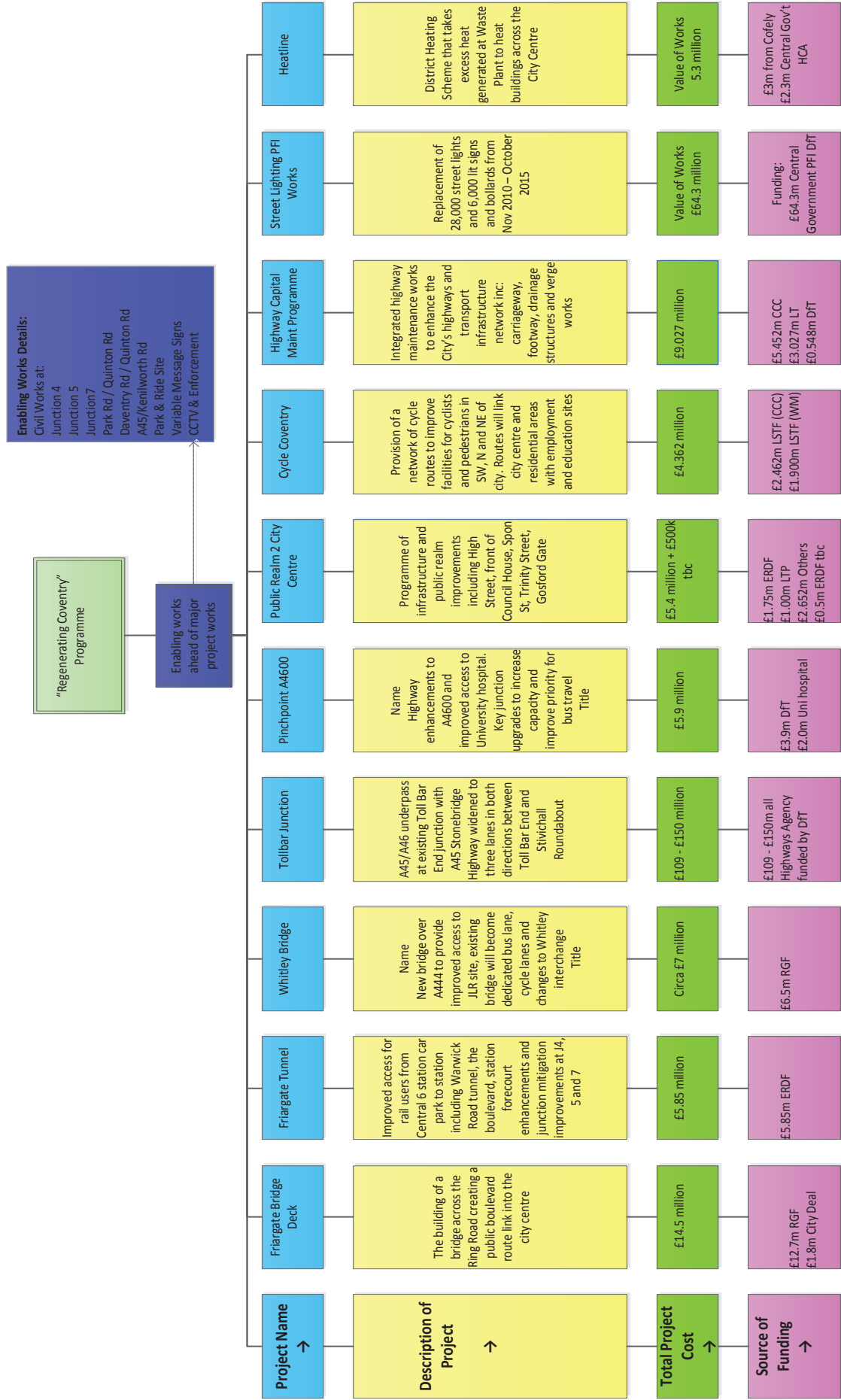
Appendix B
Outline Project Delivery Plan

Key Project Milestone	Timescale
Cabinet approval sought	August 2013
Commence stakeholder engagement	August 2013
Prepare contract documentation for design contract and construction contract	August 2013
Council approval sought	September 2013
Award design contract	September 2013
Advertise Traffic Regulation Orders (TRO's)	September 2013
Award Early Contractor Involvement contract	September 2013
Planning Application submitted	October 2013
Finalise highway design	October 2013
Complete preliminary structural design	October 2013
TRO's approved	November 2013
Complete detailed structural design	November 2013
Target Cost Approved	December 2013
Planning decision known	December 13 / January 14
Site mobilisation	May 2014
Construction start	June 2014
Construction complete	June 2015

WHITLEY BRIDGE GOVERNANCE STRUCTURE



“Regenerating Coventry”



Appendix E
List of Enabling Works

Junction 4 Ring road
Junction 5 Ring road
Junction 7 Ring road
Junction of Quinton Rd and Daventry Rd
Junction of Park Rd and Quinton Rd
Junction of A45 and Kenilworth Rd
Additional Variable Message Signs (VMS)
Additional traffic monitoring cameras

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Public report Cabinet Report

Cabinet
Council

3 September 2013
10 September 2013

Name of Cabinet Member:

Cabinet Member (Health and Adult Services) – Councillor Gingell

Director Approving Submission of the report:

Executive Director, People

Ward(s) affected:

All

Title:

Consultation on Refreshing the Mandate to NHS England: 2014-2015– Consultation response

Is this a key decision?

No

Executive Summary:

This report details the City Council's response to a Department of Health (DH) consultation on refreshing the Mandate to NHS England for 2014-2015. NHS England is a non-departmental public body of the Department of Health. Its purpose is to oversee the planning, delivery and day to day operation of the NHS in England. The first mandate to NHS England was published in November 2012 and set out objectives from April 2013 to March 2015. However, it is a requirement of National Health Service Act 2006 for the Mandate to be reviewed on an annual basis to ensure that it remains up to date.

The Government is proposing to carry forward the existing objectives but is proposing to make additional requirements on NHS England to reflect the learning from Winterbourne View and the Francis Inquiry into the Mandate to enable the quality services and patient safety to be improved.

Key additions include objectives to prevent ill health, strengthen A&E services, increase the diagnosis of dementia by two thirds and deliver rapid progress on the vulnerable older people's plan. There is also a commitment to prioritise mental health crisis intervention services and improve support to children.

Overall, the Council welcomes the proposals as a significant step forward in improving the current Mandate to NHS England. In order to make a real difference, the Council believes there needs to be measurable objectives put in place, in order to monitor the process of NHS England in delivering change.

The Council urges the Government to appropriately fund the NHS and where applicable local authorities to meet the requirements of the Mandate in order to make a difference to the health and wellbeing of people living in England.

Over and above anything else the Council wishes to re-emphasise to the Government the need for the NHS to get back to basics and provide good quality, person centred care which ensures people's needs are met with dignity and compassion. These are the very principles on which the NHS was formed.

Recommendations:

Cabinet are requested to:

- 1) Recommend that Council approve the consultation response.

Council is requested to:

- 1) 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 – 10th September 2013

Report title:

Consultation on Refreshing the Mandate to NHS England: 2014-2015– Consultation response

1. Context (or background)

- 1.1 NHS England, formally the NHS Commissioning Board, became a non-departmental public body of the Department of Health in April 2013, as part of the implementation of the Health and Social Care Act 2012. Its purpose is to oversee the planning, delivery and day to day operations of the NHS in England.
- 1.2 Their main role is to improve health outcomes for the people of England. In order to do this NHS England provides national leadership for improving outcomes and driving up the quality of care within the health service. NHS England is also responsible for overseeing the Clinical Commissioning Groups (CCGs) and allocating their resources. Additionally, NHS England commission primary care and specialist services.
- 1.3 The purpose of the Mandate to NHS England is to set the Government's ambitions for the NHS, as well as the funding available to achieve and deliver the kind of care people need and expect. This is the mechanism through which the NHS is accountable to Parliament, and therefore the general public.
- 1.4 The first Mandate to NHS England, published in November 2012, set objectives from April 2013 to March 2015, with the aim of providing stability to the NHS to plan ahead. It is a requirement of the National Health Service Act 2006 that the Mandate is refreshed on an annual basis to ensure it remains current and up to date following consultation.
- 1.5 Due to the short period of time allowed by the consultation it was not possible for a draft response to be considered by the Health and Social Care Scrutiny Board (Scrutiny Board 5) prior to the Cabinet and Council meetings.

2. Options considered and recommended proposal

- 2.1 The current Mandate sets twenty four objectives and the following five priority areas have been identified by Government. These are:
 - Improving standards of care and not just treatment, especially for older people and at the end of people's lives
 - The diagnosis, treatment and care of people with dementia
 - Supporting people with multiple long-term physical and mental health conditions, particularly by embracing opportunities created by technology, and delivering a service that values mental and physical health equally
 - Preventing premature deaths from the biggest killers
 - Furthering economic growth, including supporting people with health conditions to remain in or find work
- 2.2 A core aim of the mandate is to provide consistency by setting the strategic direction of NHS England. The Government is therefore proposing to carry forward all of the existing objectives in the current Mandate.
- 2.3 The Government recognises that since the publication of the first Mandate in November 2012 a number of reviews, including the Francis Inquiry and Winterbourne View, have highlighted appalling care standards and abuse. The Government and the wider health and social care system must learn from the failings within the NHS and adult social care that these reviews uncovered. The refreshed Mandate proposes to reflect the recommendations to transform patient care and safety over the coming year.

- 2.4 There are a number of areas which the Government seek to update within the Mandate to NHS England for 2014/15. These include:
- Helping people live well for longer
 - Managing ongoing physical and mental health conditions, including strengthening Accident and Emergency (A&E) Services
 - Helping people recover from episodes of ill health or following injury
 - Making sure people experience better care
 - Providing safe care
 - Transforming Services
 - Supporting economic growth
 - Making better use of resources
- 2.5 The twenty one consultation questions and responses are detailed in the appendix to this report.
- 2.6 Overall, the Council welcomes the proposals as a significant step forward in improving the current Mandate to NHS England. In order to make a real difference, the Council believes there needs to be measurable objectives put in place, in order to monitor the process of NHS England in delivering change.
- 2.7 The Council urges the Government to appropriately fund the NHS and where applicable local authorities to meet the requirements of the Mandate, especially in relation to increased targets for dementia diagnosis and subsequent post diagnostic support, including support given to carers. If additional resources are not provided, the Government must recognise that this will place an additional financial burden across the health and social care economy.
- 2.8 The Council supports the strong emphasis on preventing ill-health in the mandate. However, this will only be achieved by close working relationships between the NHS and councils. As of April 2013, councils have taken on the lead responsibility for improving the health of the local population and now have the public health budgets. Therefore the NHS will only achieve this part of the Mandate if councils are properly resourced to deliver improvements in health outcomes. The Council asks the Government to maintain its commitment to properly fund public health in councils to ensure the burden of ill health is reduced both on the people of Coventry and the NHS.
- 2.9 The Council supports the Government commitment to strengthen A&E services and welcomes the additional short term funding the Government has committed to avoid the pressures of last winter. Nonetheless long term solutions will only be found through joint working between acute hospitals, primary care providers and commissioners to ensure alternative pathways are made available to avoid unnecessary presentations at A&E.
- 2.10 An effective NHS111 service and up to date directory of services would improve public confidence and therefore appropriate use of local services to enable demand suppression for A&E services.
- 2.11 The Council welcomes the Government's intention to publicise a plan for vulnerable older people in autumn 2013. The Council agrees that the priority areas for action are:
- Better early diagnosis and support to stay healthy
 - Named accountable clinician
 - Improved access
 - Consistent and safe out of hours services
 - Enhanced choice and control
 - Better Information Sharing

2.12 Over and above anything else the Council wishes to re-emphasise to the Government the need for the NHS to get back to basics and provide good quality, person centred care which ensures people's needs are met with dignity and compassion. These are the very principles on which the NHS was formed.

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 27th September 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

The consultation being conducted in respect of refreshing the mandate to NHS England 2014-2015 does not give rise to any specific legal implications should the Council fail to submit its response by the deadline date of 27 September 2013. The consultation is however the Council's opportunity to provide its input and potentially to influence the policy outcome.

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 refresh to the Mandate to NHS England services will contribute to ensuring the quality of health care services in the city. 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 Interim Coordinating Equality and Impact Statement has been produced by the Department of Health.

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):

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Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Lara Knight	Governance Services Team Leader	Customer and Workforce Services Directorate	08.08.13	09.08.13
Dr Jane Moore	Director of Public Health	Chief Executive's Directorate	12.08.13	12.08.13
Names of approvers for submission: (officers and Members)				
Ewan Dewar	Finance Manager Community Services	Finance and Legal Services	26.07.13	30.07.13
Elaine Atkins	Solicitor, Legal Services	Finance and Legal Services	06.08.13	07.08.13
Brian M Walsh	Director	Community Services	11.08.13	12.08.13
Councillor A Gingell	Cabinet Member (Health and Adult Services)	Community Services	11.08.13	12.08.13

This report is published on the council's website: www.coventry.gov.uk/meetings

Appendices

Appendix 1

Consultation on Refreshing the Mandate to NHS England: 2014-2015

Consultation Questions and Responses

Refreshing the mandate

Question 1: What views do you have on the proposed approach to refreshing the Mandate?

The Council welcomes the opportunity to comment on the proposed approach to refreshing the Mandate. The Council agrees that the refresh of the Mandate to NHS England is appropriately timed given the significant challenges faced by the NHS to address examples of poor quality care coupled with constraints on public finances.

It is important that the Government recognise that any commitments made within the refreshed Mandate are likely to create new financial burdens across the health and social care economy.

The Council supports the strong emphasis on preventing ill-health in the mandate. However, this will only be achieved by close working relationships between the NHS and councils. As of April 2013 councils have taken on the lead responsibility for improving the health of the local population and now has the public health budgets. Therefore the NHS will only achieve this part of the mandate if councils are properly resourced to deliver improvements in health outcomes. The council ask the government to maintain its commitment to properly fund public health in councils to ensure the burden of ill health is reduced both on the people of Coventry and the NHS.

The Council has noted many references to supporting change within the proposal document. It is imperative for the future of the NHS that progress can be measured against these objectives. This will enable the public to regain its confidence in our much loved and respected health care service.

Question 2: What views do you have on assessing NHS England's progress to date against objectives?

The Council agrees that NHS England be subject to annual assessment of their performance. The performance of NHS England to deliver its objectives has to be the priority.

Although NHS England has had a slow start, the Government need to allow NHS England to manage and co-ordinate the NHS without ministerial interference.

The Government needs to give the new bodies created by the Health and Social Care Act some time to understand local pressures, for example the unprecedented pressures felt on Accident and Emergency services to enable a localised response. This will then enable innovation and cross sector working to be maximised for benefit of the population.

Question 3: What views do you have on the proposal to help people live well for longer?

The Council welcomes the proposal, as there is a need to focus on evidence-based interventions in early intervention and prevention. Including a move towards asset based working.

It is important that the NHS recognises the general public as people, partners and not passive recipients of care.

Partnership working across primary, secondary and social care is essential in helping people live well for longer. Integrated work with incentives to develop models based on delivering outcomes will assist this ambition to improve the quality and length of life.

The Council considers that it would be helpful to see greater strategic input from Public Health England, working in collaboration with Local Authority Public Health Departments.

Question 4: What views do you have on using the refreshed Mandate to reflect the plans to strengthen A&E services?

Coventry has experienced unprecedented pressure on A&E services over the last three years, with particular problems for the health economy being created by excessive demand last winter. Locally much work has been done on understanding the nature of the increases in demand, and identifying the impact this has caused on other health services particularly in the main acute hospital.

Whilst any short term support to ensure that a repeat of last winter is avoided, again the solution to these problems will only be achieved by joint work between acute hospitals, local primary care providers and commissioners to ensure alternative pathways are available to patients to avoid unnecessary presentations at A&E. For example, GPs need to improve access, enable better management of long term conditions and move towards aggressive case management and preventative care in the country.

The many problems of NHS111 do not need to be rehearsed here, but clearly the NHS should learn this experience to ensure it is avoided in future local health economies should be given a clear set of standards as to what NHS111 will achieve and then be allowed local flexibility to commission local services which are integrated into services with an emphasis on an accurate and up-to-date Directory of Services which will help build confidence in the service and ensure appropriate use of local services rather than presenting at the nearest A&E Department.

This issue has been the subject of an extended meeting of the City Council's Health Overview and Scrutiny Committee.

Question 5: What views do you have on the proposal to reflect NHS England's ambition to do diagnose and support two thirds of the estimated number of people with dementia in England?

The Council considers this to be a worthy ambition to increase dementia diagnosis, but considers the support provided to individuals and their families following diagnosis to be more important than obtaining a medical diagnosis itself. It is imperative that 'post diagnosis' support is clearly defined and adequately resourced despite the current financial pressures.

In Coventry, the Health and Well Being Board are holding an engagement day in October to accelerate progress around dementia. The day will involve users, carers, commissioners and providers as well as wider stakeholders such as the private sector. An action plan will be developed following the session, which will be monitored by the Board.

Question 6: What views do you have on updating the Mandate to make it a priority for NHS England to focus on Mental Health crisis intervention as part of putting mental health on a par with physical health?

The Council supports the proposal with regards to the equity and access to but it has to be in line with the law of mental health and mental capacity. Further understanding of the change in model is required before the Council provide detailed comments.

The Council considers Improving Access to Psychological Therapies (IAPT) services to be preventative service rather than a direct crisis intervention service.

The Council agrees that more people who experience mental ill health and distress should be supported to maintain their employment through a course of recovery, equitably and aligned with physical health approaches.

In order for this ambition to be successful an additional focus on employers is needed to ensure correct application of the Equality Act. This would ensure employers provide reasonable adjustments to those people with a mental health and or cognitive / developmental condition in order to support a successful return to the work place.

The Council would like to see specific reference to carers' being fully involved as expert care partners in managing episodes of mental health crisis, as their knowledge and experience is most valuable. It is also important to consider the needs of carers' to sustain their caring role, especially during crisis situations.

Question 7: What views do you have on the proposals to ask NHS England to take forward action around new access and/or waiting time standards for mental health services and IAPT services?

The proposal is welcomed but IAPT services need to be able to apply their services to people with a range of needs as identified above to ensure that people with the aforementioned conditions (Q6) get the same level of support and opportunity to retain employment. This should be based on maximizing their skill set in the workplace and therefore minimising the risk of deterioration due to a lack of applied understanding.

The Council agrees with the proposed extension of IAPT services to working age adults and children.

Question 8: What views do you have on the ambitions and expectations for vulnerable older people's plan?

The Council believes that the initial priority areas are the correct ones. Greater leadership is needed to ensure that GPs take on more responsibility in providing care and supporting vulnerable older people to stay healthy. Having a named accountable clinician to oversee care in the community is a positive step. The greatest and most important challenge will be to improve the quality of care to older people.

Question 9: What views do you have on how we should achieve our ambitions on the vulnerable older people's plan, particularly on how to strengthen primary care?

The Council considers that radical reform of the current GP contract is desirable to achieve the ambitions within the Vulnerable Older People's Plan. Those working within primary care services need to support, lead and drive these ambitions in order for them to be successful.

Question 10: How should the ambitions for vulnerable older people be reflected in the refreshed Mandate?

The production of a fully integrated model for urgent, emergency and social care should be prominent in the Mandate as an ambition to improve outcomes for vulnerable older people.

Question 11: What views do you have updating the Mandate to reflect the Francis Inquiry and the review of Winterbourne View Hospital?

Whilst there needs to be recognition of the infrastructure and investment of services, a pooled budget will only consider the structure and mechanism of how services are delivered. Integration plans will not address everything.

Embedding a set of core principles and priorities that address the value and approach applied across all sectors in their service delivery is required. Including promoting peoples' identity and independence through a person centred approach by recognising vulnerable people as individuals with rights, who in accessing services do so in the understanding and knowledge of the need being met, how including the provision of required adjustments (such as communication support) and why.

A specific focus to address the specific events is also important, however it is the understanding of the common links between such events that will inform the scale of the problem and the actions required to deliver a sustainable outcome.

Abuse and inertia and poor practice across all disciplines which support people who require additional support in communicating their needs regardless of the reason, old age, sensory disabilities, learning, autism or head injury is not acceptable. A resetting of the code of conduct, practice competencies and consequences should be embedded across the board influenced by the learning of the two examples given. This would also apply within social care settings.

The focus should be on improving quality standards and understanding of people with additional needs. Therefore it is more important to reference improvement programmes rather than repeated references to specific reviews. It would also be helpful if the cross sector commitment to quality of care was referenced as this must be a key focus for health and social care integration.

Question 12: What views do you have on updating the objective to reflect NHS England's role in supporting person centred and coordinated care?

This is welcomed by the Council but person centred care needs to focus on individual outcomes and goals and not be transactional in its approach to coordinated care.

Question 13: What views do you have on updating the existing objective to reflect the pledges in Better health outcome for children and young people?

This is welcomed, as it represents a positive set of pledges for partners to support but there is a need to ensure balance between universal (preventative) and targeted (intervention) provision as there is a danger of only providing targeted services.

The government in its acceptance of the Marmot review has recognised the importance of the early years of life to improving health outcomes and reducing inequalities. The Council therefore urge the government to give greater prominence and commitment to the NHS working with councils on key areas such as health visiting, supporting effective parenting and breastfeeding where the evidence is clear that these interventions are protective of good child development. Coventry as a city has adopted the Marmot recommendations across all its areas of responsibility and would urge the government to make the same commitment in the NHS mandate.

Consideration should be given for additional national emphasis on raising the levels of children benefitting from sustained breastfeeding. The health benefits for mother and baby are so widely accepted and it is clear that the continued casual tolerance of bottle feeding and pockets of poor practice around this area are increasingly unacceptable.

Question 14: What views do you have on updating the existing objective to reflect the challenge for NHS England to the 'friends and family test' to general practice and community and mental health services by end of December 2014 and the rest of NHS funded services by the end of March 2015?

The Council welcomes the roll out of the 'friends and family test'. Currently only limited information is available to the public on a practice by practice basis. Patient choice and service quality will be improved by more transparency in outcomes from primary care, as it is anticipated to be the case for hospitals and now hospital consultants. However the current tool needs to be refined.

The Council is hopeful that over time the test will be central to an improved culture of care and compassion. These are some of the core values on which the National Health Service was founded. NHS England must use this intelligence on the progress of services to fulfil the Government's ambition of providing quality care to all.

Question 15: What views do you have on these proposals to improve patient safety?

The Council agrees with the proposal. Current limitations on the ability to share identifiable NHS and other data between service providers and statutory partners may unduly fetter future integration of Health and social care services, as well as limit the ability to triangulate and recognise complex patterns of activity which may lead to the improvement of patient safety and the reduction of harm.

Question 16: What views do you have on the proposal to update the Mandate for NHS England to work with Monitor towards a fair playing field for providers?

The Council agrees that NHS England should work with Monitor towards a fair playing field for providers.

Question 17: What views do you have on the proposal for Government to provide additional leadership on the delivery of agreed pre-existing Government Commitments?

Additional leadership capacity will be definitely be required by NHS England in order for them to be able to deliver the current and additional commitments proposed through this consultation. The Council considers that this will be especially important to deliver its Health Visitor commitments.

Question 18: What views do you have on the proposal to update the objective challenge NHS England to support the NHS to go digital by 2018?

This is welcomed, but in order have any impact on direct care the objective needs to be aligned to reforms relating to Information Governance across health and social care. The Council wouldn't support any costly IT solutions to achieve the ambition, as recent IT solutions have failed to meet expectations.

Question 19: What views do you have on the proposal to be more explicit on the expectation around reporting?

The Council agrees wholeheartedly, as this part of the Mandate will hopefully enable greater transparency and accountability within primary and secondary care to ensure quality provision is provided to all. However the reporting must be clear, candid and available to all stakeholders.

Question 20: What views do you have on the proposals to update the objective in asking NHS England to support the recovery of the economy where they can make an important contribution?

The Council is supportive where NHS England can meaningfully do so. It is important that the founding principles of the NHS are maintained. NHS England has the opportunity to support responsibly and locally sourced services and materials under a range of recent legislation, and the Marmot evidence also describes the causal relationship between employment and improved health and wellbeing.

Question 21: What views do you have on the proposal to make better use of resources?

The Council believes that the NHS should be made available to those most in need, free at the point of delivery. It is essential that any system of cost recovery or eligibility checking process should not unduly limit or deter those who most need help from seeking it, nor should any such system risk the stigmatisation of vulnerable people or children who would benefit from access to assessment and treatment.



A separate report is submitted in the private part of the agenda in respect of this item, as it contains information required to be kept private in accordance with Schedule 12A of the Local Government Act 1972 as amended. The grounds for privacy are that it refers to the identity, financial and business affairs of any particular person (including the authority holding that information) and it relates to information relating to an individual. The public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

Cabinet
Council

3rd September 2013
10th September 2013

Name of Cabinet Member:

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

Director Approving Submission of the report:

Executive Director, Resources

Ward(s) affected:

All

Title:

Coombe Abbey Park Hotel

Is this a key decision?

Yes

This decision results in financial implications exceeding £0.5m.

Executive Summary:

The Council's arrangements with Coombe Abbey Park Ltd ("CAPL") which operates Coombe Abbey Hotel were restructured in 2006. The Council retains a special share in the company which entitles the Council to significant value if certain conditions are met including onward disposal of the company. The company also has a leasehold interest which generates significant annual rental income to the Council. Coombe Abbey Country Park is entirely separate from CAPL and is owned and operated by the Council.

Coombe Abbey Country Park and Hotel are important cultural, leisure and tourist assets for the city. The Council's existing interests in CAPL result from work over the last 20 years to bring the building back into use and operate it as a unique hotel.

Prior to the global financial crisis, CAPL's current owner took out a short term bank loan to finance the investment in an additional 39 new bedrooms on the site.

This report details the options that the Council is to consider in order to protect its public investment in Coombe Abbey Hotel as a shareholder, landlord and protect the cultural asset for

the city. The Council aims to ensure that the hotel has a sustainable future, to maximise commercial opportunities between the Coombe Abbey Hotel and Coombe Abbey Country Park and to increase the opportunity for value to be realised from the special share in the medium term. This report recommends that the Council take proactive action to refinance CAPL on a commercial basis.

CAPL will be required to manage its costs and maximise income to ensure a sustainable and growing business plan and to meet the terms of the loan and rental payments due to the Council.

Recommendations:

Cabinet is asked to recommend that the Council:

- (1) Approves the use of its powers under the Local Government Act 2003 to prudentially borrow the sum detailed in the private report.
- (2) Approves the use of its powers under the Localism Act 2011 to provide a loan to Coombe Abbey Park Limited on commercial terms to be met from prudential borrowing as an addition to the existing approved capital programme*.

*(this is on the basis that the Council is minded to approve recommendations (1) and (2) to Council but is not authorised by the authority's executive arrangements, financial regulations, standing orders or other rules or procedures to make a determination in those terms.)

- (3) Delegate authority to the Director of Finance and Legal Services and the Council Solicitor to agree detailed terms of the transaction.
- (4) Delegate authority to the Director of Finance and Legal Services and the Council Solicitor as appropriate, in consultation with the Cabinet Member (Business, Enterprise and Employment) and Cabinet Member (Strategic Finance and Resources), to make variations or new requirements to give effect to the proposals that are deemed necessary.
- (5) Delegate authority to the Director of Finance and Legal Services and the Council Solicitor as appropriate, in consultation with the Cabinet Member (Business, Enterprise and Employment), Cabinet Member (Strategic Finance and Resources) and Cabinet Member (Community Safety and Equalities), to sign the loan agreement and an amended Shareholders Agreement and such other ancillary documentation as is necessary to complete the refinancing transaction, based on the proposals detailed in the private report.

Council is asked to:

- (1) Approve the use of its powers under the Local Government Act 2003 to prudentially borrow the sum detailed in the private report.
- (2) Approve the use of its powers under the Localism Act 2011 to provide a loan to Coombe Abbey Park Limited on commercial terms to be met from prudential borrowing as an addition to the existing approved capital programme.
- (3) Delegate authority to the Director of Finance and Legal Services and the Council Solicitor to agree detailed terms of the transaction.
- (4) Delegate authority to the Director of Finance and Legal Services and the Council Solicitor as appropriate, in consultation with the Cabinet Member (Business, Enterprise and

Employment) and Cabinet Member (Strategic Finance and Resources), to make variations or new requirements to give effect to the proposals that are deemed necessary.

- (5) Delegate authority to the Director of Finance and Legal Services and the Council Solicitor as appropriate, in consultation with the Cabinet Member (Business, Enterprise and Employment), Cabinet Member (Strategic Finance and Resources) and Cabinet Member (Community Safety and Equalities), to sign the loan agreement and an amended Shareholders Agreement and such other ancillary documentation as is necessary to complete the refinancing transaction, based on the principles detailed in the private report.
- (6) Delegate authority to the Cabinet Member (Business, Enterprise and Employment) to approve the appointment of a Non-Executive Director on the Coombe Abbey Park Limited Board to represent the Council as referred to in section 2.3, supported by a Council Officer. Initially the Council Officer will be the Director of Finance who will discharge this day to day responsibility to a qualified senior officer in Financial Management.

List of Appendices included:

None

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 – 10th September 2013

Report title: Coombe Abbey Park Hotel

1. Context (or background)

- 1.1 The Council owns the freehold for Coombe Abbey Hotel and the land, which is let on a long lease to Coombe Abbey Park Limited (CAPL) the company that operates the hotel. CAPL has a sole Director/ owner who holds 100 per cent issued ordinary share capital. CAPL is entirely separate from Coombe Abbey Country Park which is owned and managed by the Council. The Council receives an annual rental from the hotel and a cottage on the site, which is used to support the Medium Term Financial Strategy (MTFS). The annual rent was increased significantly through the last restructure as it moved to a fixed reviewable rent from a low rent and profit share.
- 1.2 The Council also has an interest in the hotel through a special “golden” shareholding detailed in the Shareholders Agreement that was approved by the Council in 2006.
- 1.3 Coombe Abbey Country Park and Coombe Abbey Hotel are important cultural and tourist assets for the City. The option recommended in this report aims to secure the Council’s objectives of protecting these assets and ensuring both have a sustainable future, securing value from the special share in the medium term and maximising the commercial opportunities between the Coombe Abbey Hotel and Coombe Abbey Country Park.
- 1.4 Prior to the global financial crisis the current owner took out a short term bank loan to finance the investment in an additional 39 new bedrooms on the site.
- 1.5 The report recommends that the Council take proactive action to refinance CAPL on a commercial basis.

2. Options considered and recommended proposal

- 2.1 The options considered are detailed in the private report.
- 2.2 The recommended proposal is to provide a loan on a commercial basis, allowing the Council to generate a return to support the Commercialisation and Income Maximisation review under the abc programme.

2.3 Financial implications for the Council

- 2.3.1 These are further detailed in the private report. Approval of the proposed recommendations in this report would result in the Council loaning the sum detailed in the private report to CAPL. The Council would own the new debt owed by CAPL.
- 2.3.2 The Council will treat this as capital expenditure on the basis that the Council is protecting its interest in a non-current (fixed) asset. This report recommends that the final details of the loan agreement are delegated to Director of Finance and Legal Services and the Council Solicitor, in consultation with the Cabinet Member (Business, Enterprise and Employment), Cabinet Member (Strategic Finance and Resources) and Cabinet Member (Community Safety and Equalities) to agree.
- 2.3.3 There will be a Non-Executive (NED) on the CAPL Board to represent the Council, as well as a Council Officer to provide support to the NED. Initially the Council Officer will be the Director of Finance who will discharge this day to day responsibility to a qualified senior officer in Financial Management. The NED will have the right to participate and vote at board meetings, but in the event of deadlock, this is subject to any casting vote of the Chairman, and will not be able to vote at Shareholder Meetings.

2.3.4 A requirement for the CAPL to work closely with the Park to commercialise these two key assets for the city, driving up revenues for both parties.

2.3.5 A requirement for CAPL to work with the Council to fill training and apprenticeships places.

3. **Results of consultation undertaken**

Not applicable

4. **Timetable for implementing this decision**

4.1 The Council will seek to complete the transaction detailed in the private report as soon as practicable possible following Council decision.

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

5.1 **Financial implications**

5.1.1 The financial implications of the decision and the due diligence work completed are detailed in the main body of the private report.

5.1.2 The Council will generate a surplus on the loan to CAPL, which can be used to support the savings targets built into the Medium Term Financial Strategy as part of the Commercialisation and Income Maximisation review set out in the 13/14 budget and assist in preventing cuts to front line services.

5.1.3 CAPL will meet the one off costs associated with the due diligence completed by the Council to support the refinancing.

5.1.4 CAPL business plan has been independently reviewed on behalf of the Council, who focused on the market assumptions applied by CAPL.

5.1.5 The security arrangements being put into place over the asset, the value of the property with vacant possession, with the unique benefit of the Council owning the freehold and leasehold interest, does mean the Council is uniquely secured in the event of default on the loan. The loan agreement requires CAPL to comply with the financial covenants, valuation requirements and to provide financial information regularly to the Council for the purposes of monitoring and to support their continued ability to service the new loan.

5.1.6 The recommendations specifically for the Council are being made because Cabinet is minded to recommend to Council to approve the level of prudential borrowing and the related loan to CAPL for the equivalent value, which is in addition to the current agreed capital programme.

5.2 **Legal implications**

5.2.1 The Council will use its general power of competence (GPOC) under section 1 the Localism Act 2011 (the Act). This is very broad and Section 1 states that:-

- i. A local authority has the power to do anything that individuals generally do.
- ii. [The power] applies to things that an individual may do even though they are in nature, extend or otherwise:
 - Unlike anything the authority may do apart from subsection (i)
 - Unlike anything that other public bodies may do.

- 5.2.2 Section 2 of the Act provides that where the GPOC is conferred on the authority to do something, it confers the power to do it in any way whatever, which includes the power to do it for, or otherwise than for the benefit of the authority, its area or persons resident or present in its area.
- 5.2.3 The limitations set out in Section 2 of the Act imposed on the GPOC do not apply to the loan to be made to CAPL and these are :
- i. If the exercise of the GPOC overlaps with a pre-commencement power, then GPOC is subject to the same restriction as that power,
 - ii. GPOC does not allow the Council to do anything which it is unable to do because of a pre-commencement limitation,
 - iii. GPOC does not enable the Council to do anything which it is unable to do because of a post commencement limitation which is expressed to apply to GPOC.
- 5.2.4 The power to the Council to borrow is contained in section 1 (b) Local Government Act 2003, which allows the Council to borrow money for the purposes of the prudent management of its financial affairs.
- 5.2.5 The Council has the vires to demonstrate that taking all circumstances into account that this is a reasonable decision to be taken by the Council and in accordance with its fiduciary duty.
- 5.2.6 Under EU legislation the public sector cannot support commercial organisations in such a way that would be seen as disadvantaging EU competitors and distorting the market. This is referred to as state aid. The Council has sought external legal advice on the issue of state aid, which concludes the basis of the loan arrangement is on terms that a private operator acting under normal market conditions would provide.
- 5.2.7 The Council is in a unique position as a landlord and shareholder for CAPL, not just a private investor.

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's objectives at Coombe Abbey were met with the restoration and bringing the Abbey into productive use as a special hotel. The Coombe Abbey parkland and visitor centre which is directly managed by the Council is unaffected by these proposals. The proposals in this report will protect the current annual rental income stream used support the Council's priorities and to protect the value of the Council's Special Share interest in the hotel.

6.2 **How is risk being managed?**

By undertaking the actions detailed in the private report the Council is securing the annual rental income stream it receives from Coombe Abbey Hotel and protecting the Special Share interest in the hotel. This transaction should allow the Council to realise the value attached the Special Share interest in the future.

The key risks in relation to the transaction have been highlighted in the private report. Actions to mitigate risks have culminated in the private report to Council with its recommendations.

6.3 What is the impact on the organisation?

This has been covered throughout the report.

6.4 Equalities / EIA

No equality impact assessment has been carried out as the recommendations do not constitute a change in service or policy.

6.5 Implications for (or impact on) the environment

There is no impact.

6.6 Implications for partner organisations?

The report has implications for CAPL in which the Council has a leasehold and shareholder interest. These are detailed in the main body of the report.

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Appendices

None

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Public report Cabinet Member

Cabinet Member – Community Safety & Equalities
Council

5th September 2013
10th September 2013

Name of Cabinet Member:

Cabinet Member (Community Safety & Equalities) - Councillor Townshend

Director Approving Submission of the report:

Executive Director – (People Directorate)

Ward(s) affected:

All

Title: Scrap Metal Dealers Act 2013

Is this a key decision?

No

Executive Summary:

The Scrap Metal Dealers Act 2013 received Royal Assent on 28th February 2013 and will be phased in between 1st September and 1st December 2013. The Act provides the legislative framework in relation to the licensing of Scrap Metal Dealers. It introduced a revised regulatory regime for the scrap metal dealing and vehicle dismantling industries.

On 31st July 2013, Cabinet Member (Community Safety & Equalities) authorised a consultation process on the proposed fee levels for the implementation of the new regulatory process. The purpose of this report is to provide details of the results of the consultation and to seek approval to refer the proposed setting of fees and scheme of delegations to Council.

Recommendations:

- 1) That Cabinet Member Community Safety & Equalities is requested to:-
 - a) Consider the consultation responses in the Report, shown at Appendix C.
 - b) Recommend that Council adopt the scheme of delegations as shown at Appendix A; and
 - c) Recommend that Council adopt the proposed fee levels, as shown at Appendix B.
- 2) Council is requested to endorse the scheme of delegations and fee levels recommended by the Cabinet Member (Community Safety and Equalities).

List of Appendices included:

Appendix A - Scheme of Delegations
Appendix B - Proposed Schedule of Fees

Appendix C - Consultation Results

Background papers:

None

Other useful documents:

Scrap Metal Dealers Act 2013 - <http://www.legislation.gov.uk/ukpga/2013/10/enacted>

The Scrap Metal Dealers Act 2013 (Commencement and Transitional Provisions) Order 2013 (2013/1966)

Scrap Metal Dealer Act 2013: Home Office Guidance on Licence Fee Charges

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 – 10th September 2013

Report title: Scrap Metal Dealers Act 2013

1. Background

The Scrap Metal Dealers Act 2013 provides the legislative framework in relation to the licensing of Scrap Metal Dealers. The new legislation will introduce a revised regulatory regime for the scrap metal dealing and vehicle dismantling industries.

The Home Office have advised there will be transitional arrangements for dealers registered under the old Scrap Metal and Motor Salvage Acts. Under these arrangements, current registered traders would be able to make applications from 1st October and to continue trading whilst their applications are being determined.

On 31st July 2013, Cabinet Member (Community Safety and Equalities) agreed that the proposed fee levels should be subject to a public consultation.

2. Options considered and recommended proposal

- 2.1 The fee level has been calculated at £300 for site licences and £200 for collectors' licences and covers a licence period of three years. Since the Cabinet Member considered this issue on 31st July 2013, the Home Office has issued its statutory guidance on fee setting. Officers have followed this guidance and there are no changes to the previously considered new application fees. This Guidance was also used in calculating the proposed fee levels for renewals and variations to licences, these fees are shown at Appendix B.
- 2.2 The scheme of delegations proposed at Appendix A involves most decisions being taken at Officer level in the interest of efficiency. However, where an applicant/licensee has exercised their right to request an oral hearing before a final decision is taken, eg. in relation to a proposed refusal of a licence, proposed refusal to vary a licence or proposed revocation of a licence, then a decision will be taken by the Licensing and Regulatory Committee.

Cabinet Member Community Safety & Equalities is requested to:-

- a) Consider the consultation responses in the Report.
- b) Recommend that Council adopt the scheme of delegations as shown at Appendix A; and
- c) Recommend that Council adopt the proposed fee levels.

Council is requested to:-

- a) Endorse the scheme of delegations and fee levels recommended by the Cabinet Member (Community Safety and Equalities).

3. Results of consultation undertaken

- 3.1 The consultation exercise was carried out between 29th July and 26th August 2013. Letters were sent to all existing scrap metal dealers and motor salvage operators registered with Coventry City Council. As there are a large number of Romanian dealers who are registered with the Local Authority, the consultation letter that was sent to them was translated to ensure that they understood the consequences of the new legislation and the costs that were being introduced.

- 3.2 The consultation was made available via the Council's website, which enabled all members of the public and any trade organisations or other interested parties to respond.
- 3.3 Officers also consulted with a number of other Council Departments and stakeholders who were considered to be persons who may have an interest in scrap metal dealers and who may be involved in the application consultation process when the Council starts to receive applications.
- 3.3 As the end date for the consultation period is later than the report preparation deadline date, the final results of the consultation will be made available at the meeting. To date, **we have not received any** responses to the consultation. A summary of any responses received will be given as Appendix C.

4.1 Implementation

Under the 'Functions & Responsibilities Regulations', neither the Cabinet nor a Cabinet Member can make a final decision in relation to the fee levels applied to scrap metal dealers or the delegation of powers under the Act – this is a 'Council function' under the regulations and therefore a final decision will be made by Full Council.

5. Comments from Director of Finance and Legal Services

5.1 Financial implications

- 5.1.1 The Act provides that an application must be accompanied by a fee set by the Authority. The fee levels for applications are set for full cost recovery in relation to processing applications and monitoring compliance with licences issued but not for enforcement against unlicensed operators.
- 5.1.2 Cabinet Member is asked to consider the level of fees in relation to new applications, renewals, change of licence type and minor variations relating to a change in the licensee's name, site details or site manager details. A proposed schedule of fees is shown at Appendix B. The expected fee income for these licences is likely to be in the region of £4,000 per annum.

5.2 Legal implications

- 5.2.1 The Act will come into force in phases (1st September 2013 – powers to set fees, 1st October 2013 – powers to receive/process applications, 1st December 2013 – enforcement powers) and delegations as well as an application fee will need to be in place to allow for the authority to carry out its functions. The initial fees will be set by Council on 10th September 2013 and the proposed scheme of delegations provides for any subsequent fee adjustments to be made by the Licensing and Regulatory Committee.

6. Other implications

Regulations are awaited to advise whether Local Authorities must provide for applications to be made electronically in accordance with Article 9 of the EU Services Directive 2006/123/EC.

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint

An efficient and effective licensing regime ensures the Council has an opportunity to monitor and manage activity in this area of trade and provides a framework to set expectations on individuals regarding behaviour and how businesses should operate.

6.2 How is risk being managed?

If the Scrap Metal Dealers fee levels are not in place within the required timeframes, the City Council will not be able to perform its function under the Act. The consultation process and Cabinet Member and Council dates have been planned to ensure that these are in place at the required time.

6.3 What is the impact on the organisation?

The licensing team would accept and process applications in addition to their current duties. As more details on the overall process are still forthcoming from the Home Office and application numbers are only estimated at this stage, it is not entirely clear what the overall impact will be. Officers will need to monitor the situation over the first six months of implementation to assess whether there are sufficient resources to respond to the new requirements.

6.4 Implications for (or impact on) the environment

None – It is considered that the reform of the Scrap Metal Dealers Act will improve the impact on metal theft affecting national transport infrastructure, electricity, telecommunication links and street furniture etc.

6.5 Implications for partner organisations?

The Police will have an opportunity to consider all applications for scrap metal dealers. They are currently provided with registration applications and had powers of entry under the old regime. It is therefore not anticipated that the adoption of the new provisions will have a significant impact on police resources.

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**SCRAP METAL DEALERS ACT 2013
DELEGATIONS**

Matters to be dealt with	Full Council	Licensing & Regulatory Committee	Officers Licensing Team
Fee Setting		X	
Processing Applications and supply of Information to External Agencies			X
Entry, Inspection and Enforcement			X
Inclusion of Conditions under Section 3(8)			X
Refusal of Licence		If the applicant requests a hearing	If no hearing is requested
Variation/Imposition of Conditions on a Licence under Section 4		If the applicant requests a hearing	If no hearing is requested
Revocation of Licence		If the applicant requests a hearing	If no hearing is requested

Scrap Metal Licence Fees

Scrap Metal Licences will be issued for a maximum period of 3 years following payment of the full fee. These fees are applicable from 1st October 2013 and will be subject to revision.

Scrap Metal Site Licence		Scrap Metal Collectors Licence
Grant	£300	£200
Renewal	£300	£200
Variation	£300	£200
Name Change	£30	£30
Change of site	£70	

SUMMARY OF RESPONSES FROM PUBLIC CONSULTATION

There was only one response to the consultation, which has been provided in full below.

“After speaking to someone from Member Services - while I agree in principle with the £200 fee I discovered that this fee may be applicable to each town other than Coventry. As I and many others carry out work throughout the West Midlands and Warwickshire does this mean we will have to pay £200 for each town worked. It could incur costs of £1200 per 3 years which is not a viable cost to my business nor many others in the same line of business. There are a lot of sole traders doing this job and these costs would put them out of business. The current Waste Carriers Licence covers us to work all over the country and allows us to take jobs on when none is available locally. It seems to me that if you pass your driving test in Coventry then that is the only place you can drive or so this new license will appear. (I do know that this new licence is not to allow us to drive)

Your comments would be greatly appreciated as this fee is a worrying factor to my business.”

Steve Wright - Wrights Metals

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Audit Committee Annual Report to Council 2012-13

To be considered at the City Council meeting
on the 10th September, 2013

Audit Committee Annual Report 2012-13

Introduction by Chair of Audit and Procurement Committee

In May 2013, the Council appointed me as the new Chair of the Audit and Procurement Committee. After a year spent as Deputy Chair of the Children and Young People Scrutiny Board, I am looking forward to the opportunity of ensuring that the Audit and Procurement Committee makes a positive contribution particularly given the challenging financial environment that the Council continues to operate in.

I am pleased to report that the Committee continues to make good progress in terms of discharging its key responsibilities in providing independent assurance on the adequacy of the Council's risk management framework and control environment, as well as the challenge and scrutiny it provides over the Authority's financial performance.

In looking forward to 2013-14 and beyond, the Committee has now extended its remit to include responsibility for oversight of procurement arrangements. This is a logical development, given that excluding salaries, the majority of spend incurred by the Council is through procurement activity. Whilst our focus around procurement is still being developed, I have already instigated work in this area through the 'JEEP' (Justify Expenditure, Example Performance) campaign, which is focused at looking at everyday changes that teams can make, not only to save cash, but to help the Council become more efficient.

The importance of an effective Audit and Procurement Committee remains critical, with the continued financial pressures facing the Council, and it is anticipated that the focus on procurement will supplement the significant contribution previously made by the Audit Committee.

Despite this new focus, there are a number of existing issues, including the implementation of a new finance system that the Committee will monitor closely in the coming year to ensure these issues are managed effectively and do not have a detrimental impact on the workings either the Committee and / or the key areas that the Audit and Procurement Committee provides oversight of.

This report provides an overview of the Committee's activity during the municipal year 2012-13 and outlines the breadth of coverage by the Committee. I look forward to continuing this good work with colleagues over the coming year.



Councillor Hazel Sweet
Chair, Audit and Procurement Committee

1 Activity of the Council's Audit Committee

During 2012-13, the Council's Audit Committee met on seven occasions. Meetings were held in July, August, September, October and December 2012 as well as in February and April 2013.

The Audit Committee receives a range of:

- Routine reports based on the clearly defined expectations of services / functions that report to the Audit Committee, for example internal / external audit and financial management.
- Ad-hoc reports which focus on either a specific concern raised by or developments that impact directly on the Committee.

The details of the reports considered in 2012-13 are expanded upon below.

1.1 **Accountancy** - The unaudited Statement of Accounts (including revenue and capital outturn) was considered by the Committee in July 2012 and then in September 2012, when the audited Statement of Accounts were approved by the Audit Committee. Additionally, progress reports were received in respect of:

- The Council's performance against its revenue and capital budgets (September and December 2012, as well as in February 2013).
- The Council's Investment Policy and Activity (July, September and December 2012, as well as in February and April 2013). The focus on investments stemmed from the Committee's concern regarding the volatility in the financial sector and the increased financial risk that this created for the Council.
- Savings made through the Council's Transformation Programme. A report considering savings delivered in 2011-12 was considered in July 2012, with a further progress report considered in September 2012, regarding progress against saving targets for the financial year 2012-13.

After considering the savings progress report covering the financial year 2012-13, additional reports were requested regarding concerns over the delivery of savings in respect of the Paper Review and the Fundamental Services Review of Sustainability and Low Carbon. These were considered in December 2012, where explanations of why targets may not be achieved, and assurance, was provided that the non-delivery of these targets would not have a detrimental effect on the Council's overall financial position for 2012-13.

1.2 **External Audit** - The following reports were received from the Council's external auditors in 2012-13:

- Annual Governance Report – This report was considered in September 2012, and its purpose was to identify amendments in the Statement of Accounts, following the completion of the audit by the Audit Commission and also to make recommendations for improvements arising from the

audit process. The Audit Commission concluded that, pending satisfactory clearance of outstanding matters:

- An unqualified audit opinion would be provided on the Council's financial statements.
 - The Council has, in respect of value for money (vfm), proper arrangements in place to secure economy, efficiency and effectiveness in its use of resources.
- Annual Audit and Inspection Letter - This was considered at the October 2012 meeting. The main focus being to summarise the findings from the 2011-12 audit carried out by the Audit Commission and to formally document their conclusions in respect of the audit of the accounts and the Council's arrangements for securing vfm. The conclusions reached for both these areas were consistent with those indicated in the Annual Governance Report.

The report did identify four areas (i.e. medium term financial position, business rate retention, council tax benefit reform and replacement of the Council's finance system) which the external auditors thought required focus by the Council during the year. An update on progress on these issues was provided by Council officers in April 2013, and highlighted that whilst progress had been made in all areas, these are viewed as on-going issues facing the Council and as such will be subject to another update in 2013-14.

- Following the appointment of Grant Thornton as the Council's new external auditors, a letter addressed to the Council's Director of Finance and Legal Services was considered by the Audit Committee in respect of the planned audit fee for 2012-13. The letter indicated that as a result of a change in the way audit fees are set nationally by the Audit Commission, the Council would receive a 40% reduction in the price of the audit for 2012-13, which equated to a saving of approximately £150,000.
- Certification of Claims and Returns Annual Report - This report was considered in February 2013 and summarised the findings from the certification of 2011-12 claims and returns that were subject to review by the external auditors. The report highlighted that improvements had been made in the administration of such grants and this was reflected in a reduced number of required amendments when compared with the previous year's findings.
- 2012-13 Audit Plan - This report was considered in April 2013 and set out the work that Grant Thornton would undertake in respect of the audit of the Council's financial statements for 2012-14. It also documented the expected outputs that the Committee would receive from the external auditors.

1.3 Internal Audit

During the year, the Audit Committee received the following annual reports at the July and August 2012 meetings:

- Internal Audit Annual Report - This report had two main purposes:

- To summarise the Council's Internal Audit activity for the period April 2011 to March 2012, against the agreed Internal Audit Plan for the same period.
 - To provide the Audit Committee with the Internal Audit and Risk Manager's opinion on the overall adequacy and effectiveness of Coventry City Council's internal control environment. Based on the work of Internal Audit in 2011-12, the Internal Audit and Risk Manager concluded that 'moderate' assurance could be provided that there was generally a sound system of internal control in place during 2011-12 designed to meet the organisation's objectives.
- The Annual Review of the Effectiveness of the System of Internal Audit - This review discharges a requirement of the Accounts and Audit Regulations that the Council "*at least once a year, conduct a review of the effectiveness of the system of Internal Audit*". The review focused on two areas: namely assessing the performance of the Internal Audit Service during 2011-12, and reviewing progress against the action plan developed to support the assessment of the Council's Audit Committee arrangements in comparison to CIPFA recommended practice.

Other Internal Audit reports considered during the year include:

- Progress reports on Internal Audit work - Monitoring reports were received in October 2012 and February 2013. These reports provided updates on the performance of the Service, along with a summary of the key findings from a sample of high profile audit reviews carried out in the relevant periods.
- Recommendation Tracking Report - In October 2012, a report on action taken by Council officers in respect of implementing agreed audit recommendations was presented. This highlighted high levels of compliance with the implementation of agreed actions.
- Public Sector Internal Audit Standards (PSIAS) - A briefing note was considered, which outlined that the PSIAS would replace the current code that applied to local authority Internal Audit, namely the CIPFA Code of Practice for Internal Audit in Local Government, with effect from April 2013. In terms of the next steps, the note indicated that the Internal Audit Plan for 2013-14 would be based around the requirements of the PSIAS and would be underpinned by an Internal Audit Charter. In addition, guidance from CIPFA was due to be published in March 2013, to assist the Council in undertaking a self-assessment against the new standard.
- The Internal Audit Plan for 2013-14 - This builds on previous plans in continuing to focus resources using a risk-based approach, with clear links with the Council's corporate risk register and Corporate Plan.
- Internal Audit Charter - This report was considered and approved in April 2013 along with the Internal Audit Plan. In highlighting that the Charter defines the purpose, authority and responsibility of the Internal Audit Service within the Council, it was recognised that such information was already reflected in the existing Internal Audit Terms of Reference which had previously been considered by the Committee.

Based on requests from the Audit Committee stemming from concerns raised in audit reports, the following reports / briefing notes were considered:

- IT Environment Report - This report followed up recommendations made previously by the external auditors in their review of the Council's IT environment. The review highlighted significant progress had been made in implementing all the actions agreed although, due to the nature of some of the actions, they had not all been fully implemented at the time of the review. In respect of the outstanding actions, it was agreed that these would be considered as part of planned reviews reflected in the three year Internal Audit IT Plan that had been endorsed by the Committee in April 2012.
- Corporate Complaints Progress Update - A briefing note was considered in October 2012 and provided an update on the progress made against the recommendations identified within the Corporate Complaints Audit conducted in August 2010, which was subsequently followed up in February 2012. After considering the update, a decision was made to request the Assistant Director, Customer and Business Services to attend the next meeting, to further explain the reasons for the delay in implementing actions agreed. When discussed at the December 2012 meeting, the Committee accepted that some progress had been made but that a final follow up audit be completed in early 2013, with the expectation that all actions would be implemented by this time.
- CareDirector Update – A briefing note was considered that provided an update on progress in addressing serious weaknesses identified when this system was audited earlier in 2012. This highlighted that since remedial work had commenced in July 2012, demonstrable progress had been made against the issues identified, which has included improvements to internal processes, control measures and technical fixes to the CareDirector System. It was agreed that as a further audit review of CareDirector was scheduled for early 2013, this would allow further progress to be measured and provide a mechanism to provide assurance to stakeholders that the System was working as intended.

1.4 **Fraud**

The following fraud reports were considered in 2012-13:

- Annual Fraud Report - This report summarised the Council's response to fraud activity for the financial year 2011-12, focusing on the work of both of the Corporate Fraud and Benefit Fraud Teams.
- Fraud and Corruption Strategy - The Committee considered this report in August 2012, before recommending it for approval by the Cabinet Member (Strategic Finance and Resources). The Strategy explained the Council's underlying approach to fraud and corruption, documenting the roles and responsibilities of Members and officers, as well as explaining key aspects of the Council's process for responding to this risk.
- Half Yearly Fraud Update - A report was received in December 2012, focusing on the outcome of work by both the Corporate Fraud and Benefit Fraud Teams in the first six months of 2012-13.

- Fuel Theft – In response to a theft reported in the half yearly fraud update, the Committee asked management in City Services and Development to consider the introduction of antisiphon devices on all Council vehicles and the removal of the use of jerry cans. A note was considered on these issues and highlighted that antisiphon devices are specified on all new Council vehicles, but that it was felt that the benefit of the actions proposed would be outweighed by the additional cost and / or operation impact. As a result, it was accepted that these additional control measures would not be implemented but that focus would be given to making improvements to existing procedures.
- 1.5 **Risk Management** - In July 2012 and February 2013, progress reports on the Council's corporate risk register were considered. The purpose of these reports were to provide an overview of the Council's corporate risk register, along with the actions being taken to mitigate these risks from occurring. A process now exists whereby this Committee considers these updates and then makes recommendations to Cabinet when they subsequently consider the reports.
- 1.6 **Other** - The following reports were also considered by the Committee in 2012-13:
- As part of the Annual Accounts process for 2011-12, the Internal Audit and Risk Manager co-ordinated the development of the Council's Annual Governance Statement (AGS). The Statement was presented in July 2012, and then approved by the Audit Committee in September 2012, following consideration of the audited Statement of Accounts.
 - Annual Regulation of Investigatory Powers Act (RIPA) 2000 Report – This was a new report in 2012-13 and focused on providing governance and oversight of the Council's compliance with this Act. In considering this report, the Committee approved the publication of performance statistics on this area through the Council's website. In February 2013, an update was provided on changes in legislation supporting the use of RIPA.
 - Council Tax Bailiffs – A briefing note was requested by the Chair in respect of the use of bailiffs for recovering Council tax. This request stemmed from the fact that this issue had been raised at Council and it was felt that the Committee needed to understand the working practices in place regarding the use of bailiffs, including how the Council monitors this work. After considering the note, the Committee acknowledged that, despite the recent publicity around the work of bailiff companies, this had not resulted in a surge of complaints and that the data produced to support management oversight did not indicate that there was a problem within this area.
 - Local Authority Error Benefit Overpayment – The Committee considered this report in response to concerns around the level of benefit overpayments due to local authority error. The note outlined that:
 - The Council pays out approximately £150 million a year on benefit payment and process around 6,000 work items a week.
 - Local authority error can be due to a processing error, but can also be due to a delay in processing information received by the Council.

- Error is built into the grant subsidy from the DWP in that if error is due to the local authority, as long as the annual error is less than 0.48% of the total payments made, then there is no impact on the Council from a financial perspective.

Whilst challenges existed around increases in volumes of work, it was accepted local practices existed to oversee this issue and minimise the financial risk to the Council from such errors.

1.7 **Private Reports**

After a request from the Committee, a briefing note titled 'Arena Risk Update' was considered in February 2013 in order to provide a better understanding of this issue given that it was now a corporate risk. As a result of this paper, it was agreed a six monthly update would be provided to the Committee.

1.8 **Training and Awareness**

Two training sessions were held during 2012-13:

- In advance of considering the Statement of Accounts, a session was provided by the Corporate Finance Manager to aid the Committee in better understanding the accounts and, in particular, guiding members through what is a complex document.
- In February 2013, a demonstration of the Council's e-learning fraud awareness module was given to the Committee. This provided a reminder of both national views on fraud risks facing the Council, along with some practical views from officers from within the Internal Audit and Risk Service on fraud challenges facing the Council.

2 **Audit Committee Priorities** - The Council has made significant enhancements to its Audit Committee arrangements over the past few years. Nevertheless, there are still areas for development for the Audit and Procurement Committee, including:

- Given the significant change in membership for the new municipal year, there is a clear need to ensure that all members of the Audit and Procurement Committee are provided with appropriate training to allow them to discharge their responsibilities. A process exists to ensure new members receive an induction to the Committee, but further work is required to identify and meet individual member training needs.
- To keep abreast of national developments and the potential impact that these may have on the operation of the Audit and Procurement Committee.

In 2013-14, the Audit and Procurement Committee's initial focus will be on ensuring that effective action is taken in response to areas for improvement highlighted in the Annual Governance Statement for 2012-13. From an audit perspective, four areas were identified as a result of work carried out by the Council's Internal Auditors. These relate to the need to ensure that:

- Effective safeguards are in place to oversee the Council's IT arrangements.

- Control weaknesses that have been identified in 2012-13 audits of the Oracle System (i.e. creditor payments, income and debtors) are addressed as part of the implementation of the replacement finance system, Agresso.
- Robust processes and procedures exist to minimise the risk of fraud and error in relation to the award of council tax discounts and exemptions.
- Effective and standardised procedures exist to oversee cash received across all areas of the Council.

There are also a number of planned changes over the next year which, if not managed, may have a detrimental impact on the effectiveness of the Council's governance arrangements, including the Audit and Procurement Committee. In addition to the Committee ensuring that it discharges its new responsibilities in relation to procurement, there is a need to ensure that:

- Robust governance / project management arrangements are in place to oversee the implementation of the Council's new finance system.
- Any potential impacts that the creation of the Single Fraud Investigation Service (merger of benefit fraud teams from DWP, HMRC and Local Authorities) has on local fraud arrangements need to be identified and managed.

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Council Meeting

10th September, 2013

Booklet 1

Questions

1.

QUESTION SUBMITTED BY: Councillor Andrews

TO BE ANSWERED BY: Councillor Lancaster

TEXT OF QUESTION:

Can the Cabinet Member (Public Services) provide an update to Council on the progress being made by Cycle Coventry to improve facilities for cyclists and pedestrians in the City?

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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