

**Time and Date**

2.00 pm on Tuesday, 22nd October, 2013

Place

Council Chamber - Council House

1. **Apologies**
2. **Minutes of the Meeting held on 10th September 2013** (Pages 5 - 16)
3. **Coventry Good Citizen Award**
To be presented by the Lord Mayor and Judge Griffith-Jones, Honorary Recorder
4. **Correspondence and Announcements of the Lord Mayor**
5. **Petitions**
6. **Declarations of Interest**

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

7. **Property Disposal Programme 2013/2014 - 2016/2017** (Pages 17 - 26)
From the Cabinet 8th October 2013
8. **Caring for our Future - Consultation on Reforming What and How People Pay for their Care and Support - Consultation Response** (Pages 27 - 44)
From the Cabinet, 8th October 2013
9. **Accountable Body Report for the Successful Regional Growth Fund 4 Bid**
(Pages 45 - 52)
From the Cabinet, 8th October 2013

Items(s) for Consideration

10. **Nomination of Elected Members for the Board of Culture Coventry** (Pages 53 - 58)
Report of the Executive Director, Place

Other Business

11. **Question Time**

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

12. **Statements (if any)**

13. **Debates**

- 13.1 To be moved by Councillor Kelly and seconded by Councillor Ruane

“The City Council resolves to continue to work in partnership with public and private sector organisations to further develop the economic profile of the City, supporting schemes for regeneration, providing support to small and medium size enterprises through alternative funded options, and the delivery of an ambitious housing programme of both aspirational and social housing.

The City Council further resolves to seek to generate further income from Business Rates by promoting the development of the Friargate Scheme and the redevelopment of the City Centre, including Coventry South, and to seek to raise the profile and perceptions of the City regionally, nationally and internationally.”

Chris West, Executive Director, Resources, Council House Coventry

Monday, 14 October 2013

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

Membership: Councillors F Abbott, N Akhtar, M Ali, A Andrews, M Auluck, S Bains, L Bigham, J Blundell, K Caan, D Chater, J Clifford, G Crookes (Chair), G Duggins, C Fletcher, K Foster, D Galliers, D Gannon, A Gingell, M Hammon, L Harvard, P Hetheron, D Howells, J Innes, L Kelly, D Kershaw, T Khan, A Khan, R Lakha, R Lancaster, J Lepoidevin, A Lucas, K Maton, J McNicholas, C Miks, K Mulhall, J Mutton, M Mutton, H Noonan (Deputy Chair), J O'Boyle, E Ruane, R Sandy, T Sawdon, H S Sehmi, B Singh, D Skinner, T Skipper, H Sweet, K Taylor, R Thay, S Thomas, P Townshend, S Walsh, D Welsh and A Williams

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OR if you would like this information in another format or
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 10th September 2013, in the Council House, Coventry

PRESENT

Lord Mayor (Councillor Crookes)

Deputy Lord Mayor (Councillor Noonan)

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 Maton
Councillor Blundell	Councillor Mrs Miks
Councillor Caan	Councillor Mulhall
Councillor Chater	Councillor J. Mutton
Councillor Clifford	Councillor Mrs M. Mutton
Councillor Duggins	Councillor O'Boyle
Councillor Mrs Fletcher	Councillor Ruane
Councillor Foster	Councillor Sandy
Councillor Galliers	Councillor Sehmi
Councillor Gannon	Councillor Singh
Councillor Gingell	Councillor Skipper
Councillor Hammon	Councillor Mrs Sweet
Councillor Harvard	Councillor Taylor
Councillor Hetherton	Councillor Thay
Councillor Kelly	Councillor Thomas
Councillor Kershaw	Councillor Townshend
Councillor A. Khan	Councillor Walsh
Councillor T. Khan	Councillor Welsh

Apologies: Councillor Abbott
Councillor Howells
Councillor Innes
Councillor Sawdon
Councillor Skinner
Councillor Williams

Honorary Alderman

Present:

J.Gazey

Public Business

59. Minutes

The minutes of the Meeting held on 23rd July 2013 were signed as a true record.

60. **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
75	Whitley Junction – Road Improvements	3
76	Coombe Abbey Park Hotel	3

61. **Coventry Good Citizen Award – Roger Smith**

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

Roger Smith can be described as one of the founding fathers of this country's aircraft preservation movement. In 2007, he was honoured by the British Aviation Preservation Council with the award of Life Membership to mark the 40th anniversary of the Midland Aircraft Preservation Society, one of the first organisations of its kind, which he founded. Without the Society the city would not have an air museum, with its unique collection of Coventry-built aircraft and aero-engines.

In 1967, the city's outstanding contribution to British road transport was already widely recognised. However, its rich aviation heritage dating back to 1910 had been largely neglected and none of Coventry's aircraft products were being preserved here, where they were made, for the benefit of future generations. Roger Smith founded the Midland Aircraft Preservation Society with the aim of redressing that imbalance and, on June 9th 1975, the City Council's responsibility to record and preserve the city's aviation history was transferred to the Society.

Back in the 1970s Roger Smith had a commemorative plaque made to mark Sir Frank Whittle's birthplace in Earlsdon (which is still in place on the house in Newcombe Road) and the Society launched its appeal for funds for an exhibition building dedicated to the work of The Father of the Jet Engine. Now, the Whittle Jet Heritage Centre the Society established at Coventry Airport is an important part of the city's tribute to Sir Frank.

Roger Smith worked tirelessly to develop the Society and to establish the Midland Air Museum. His pioneering efforts over many years, which began whilst still an engineering apprentice at Dunlop, have greatly benefited the city and local recognition for this most modest man is long overdue; he richly deserves to be a Good Citizen of Coventry. I therefore have great pleasure in bestowing this award on him on behalf of the City Council.

62. Exchange of Greetings with Windsor, Canada

The Lord Mayor referred to this year's 50th anniversary of Coventry's twinning link with Windsor, Canada. His letter of greeting to Mayor Eddie Francis had been delivered to Windsor by Councillor John Mutton when he attended the International Childrens' Games in July 2013. The Lord Mayor read out the letter of response and Councillor Mutton presented a gift from Windsor to the City to mark the twinning anniversary.

The Lord Mayor also congratulated Councillor Mutton on being re-elected as a Member of the International Committee of the International Children's Games for a further 4 years.

63. UK Corporate Games

The Lord Mayor referred to the UK Corporate Games which was hosted by Coventry in July 2013 and presented Martin Reeves with his 1st place medal in the 10k running category. Members joined with the Lord Mayor in congratulating Martin on this achievement.

64. Petitions

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

- (a) Request to co-ordinate action with police to prevent skateboarders in the Starley Road, City Arcade and Ikea Plaza area - 32 signatures – presented by Councillor O'Boyle.**
- (b) Request for Parking Bays, Bracadale Close – 17 signatures – supported by Councillor Abbott and presented by Councillor Sweet in her absence.**
- (c) Request for a residents parking scheme in Farren Road from Arch Road to Hocking Road and the full length of Arch Road – 53 signatures – supported by Councillor Abbott and presented by Councillor Sweet in her absence.**
- (d) Request for residents permit scheme on Gleneagles Road should the majority of residents agree – 29 signatures – supported by Councillor Abbott and presented by Councillor Sweet in her absence.**
- (e) Request for removal of double yellow lines in Station Street East to create additional resident parking – 29 signatures – presented by Councillor Auluck.**
- (f) Request for action to tackle anti-social behaviour in Blythe Road – 25 signatures – presented by Councillor O'Boyle.**
- (g) Request to have footways resurfaced in Porlock Close and Leaf Lane – 27 signatures – presented by Councillor Noonan.**

- (h) **Request to stop the closure of GP Surgery at 2 Maidavale Crescent, Styvechale – 441 signatures – presented by Councillor Andrews.**
- (i) **Objection to Planning Application FUL/2013/1631 at 36 Cannon Hill Road – 70 signatures – presented by Councillor Blundell.**
- (j) **Objection to the proposed closure of the Allesley Village Post Office – 291 signatures – presented by Councillor Kershaw**

65. Declarations of Interest

There were no declarations of interest.

66. A4600 Congestion Relief Scheme

Further to Minute 43 of the Cabinet, the City Council 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 City Council:

- (1) **Approves the delivery of the A4600 Congestion Relief Scheme totalling £5.92m.**
- (2) **Approves 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.**

67. Whitley Junction – Road Improvements

Further to Minute 35 of the Cabinet, the City Council 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 City 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 £6.5 million.**
- (2) Delegates authority to the Executive Director, Place, 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.**

68. Consultation on Refreshing the Mandate to NHS England 2014-2015 – Consultation Response

Further to Minute 56 of the Cabinet, the City Council considered a report of the Executive Director, People, which set out the proposed response to a Department of Health consultation on refreshing the Mandate to NHS England for 2014/15. NHS England was a non-departmental public body of the Department of Health and its purpose was 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 was a requirement of National Health Service Act 2006 for the Mandate to be reviewed on an annual basis to ensure that it remained up to date.

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

Key additions included 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 was also a commitment to prioritise mental health crisis intervention services and improve support to children.

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

The proposed response urged 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 wished to re-emphasise to the Government the need for the NHS to get back to basics and provide good quality, person centred care which ensured people's needs were met with dignity and compassion and these are the very principles on which the NHS was formed.

RESOLVED that the City Council approves the consultation response.

69. Coombe Abbey Park Hotel

Further to Minute 57 of the Cabinet, the City Council considered a report of the Executive Director, Resources, which set out proposals to protect the Council's investment in the Coombe Abbey Park Hotel.

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

Coombe Abbey Country Park and Hotel were important cultural, leisure and tourist assets for the City. The Council's existing interests in CAPL resulted 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.

The report detailed the options that the Council was 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 aimed to ensure that the hotel had 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. It was recommended that the Council take proactive action to refinance CAPL on a commercial basis.

CAPL would 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.

In accordance with paragraph 4.1.45 of the City Council's Constitution, in moving the Recommendations, Councillor Kelly proposed that the delegation authority specified in Recommendation 6 of the report be expanded to include the Deputy Leader and a nominee from the Conservative Group. Furthermore, that the Council agree to refer the financial and business aspects of the proposal to the appropriate Scrutiny Board.

In accordance with Paragraph 4.1.35.16 of the City Council's Constitution, it was proposed by Councillor Blundell, seconded by Councillor Andrews and agreed that the debate be adjourned for 20 minutes to consider these amended Recommendations.

RESOLVED that the City 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) Delegates authority to the Director of Finance and Legal Services and the Council Solicitor to agree detailed terms of the transaction.
- (4) Delegates authority to the Executive Director, Resources 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) Delegates authority to the Executive Director, Resources 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.
- (6) Delegates Authority to the Cabinet Member (Business, Enterprise and Employment), the Deputy Leader of the Council and a nominee from the Conservative Group 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 of the report, supported by a Council Officer. Initially the Council Officer will be the Executive Director, Resources who will discharge this day to day responsibility to a qualified senior officer in Financial Management.
- (7) Refers the financial and business aspects of this matter to the Business, Economy and Enterprise Scrutiny Board (3) for their detailed consideration.

70. Scrap Metal Dealers Act 2013

Further to Minute 29 of the meeting of the Cabinet Member (Community Safety and Equality), the City Council considered a report of the Executive Director (People), which provided information on the new Scrap Metal Dealers Act 2013 that received Royal Assent on 28th February 2013 and would be phased in between 1st September and 1st December 2013. The new Act would introduce 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 the report was 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.

The Home Office had advised there would 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 2013 and would be able to continue trading whilst their applications were being determined

RESOLVED that the City Council endorses the scheme of delegations and fee levels recommended by the Cabinet Member (Community Safety and Equalities).

71. Audit Committee Annual Report 2012-13

The City Council considered the Annual Audit Committee Report 2012-13. The report provided an overview of the Committee's activity during the municipal year 2012-13 and outlined the breadth of coverage by the Committee.

RESOLVED that the City Council receive the Audit Committee Annual Report 2012-13.

72. Question Time

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

No	Question Asked By	Question Put To	Subject Matter
1	Councillor Andrews	Councillor Thomas	Maidavale Surgery
2	Councillor Hammon	Councillor Sweet	Use of officer credit/purchase cards
3	Councillor Noonan	Councillor Lancaster	Toilets, Quinton Park, Cheylesmore
4	Councillor Andrews	Councillor Lancaster	Disabled parking bay misuse.

73. Statement by the Leader

The Leader, Councillor Mrs Lucas, made a statement in respect of progress on the "20 point plan and Childcare"

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

74. Debate – Call to Review UK Visa Policy

Councillor Townshend moved the following Motion which was 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.”

Councillor Blundell proposed the following amendment which was seconded by Councillor Andrews and which, in accordance with paragraph 4.1.62 of the City Council’s Constitution, was accepted by Councillor Townshend.

First sentence after the words “review its” insert the word “proposed”. After the word “Policy” insert “in particular clearly defining “high risk”. After the word “requesting” insert “so called “high risk”. Delete the word “including” and replace it with the word “namely”.
2nd sentence delete the word “This” and insert “We consider the”

Amended motion to then read:

“Coventry City Council calls on the Government to review its proposed new UK visa policy, in particular clearly defining “high risk”, requesting so called “high risk” visitors from the Commonwealth countries namely, Pakistan, India, Bangladesh, Sri Lanka, Nigeria and Ghana to post a £3,000 bond before entering the UK. We consider the proposed policy to be discriminatory and will undermine the spirit of the Commonwealth family”

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

Private Business

75. Whitley Junction – Road Improvements

Further to Minute 67 above, the Cabinet considered a report of the Director of City Services and Development, which detailed the confidential financial aspects of the proposals for the new junction on the A444 Styvechale-Cheylesmore Bypass to serve Jaguar Land Rover and the adjoining employment land.

RESOLVED that the City 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) Delegates 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.

76. Coombe Abbey Park Hotel

Further to Minute 69 above, the Cabinet considered a report of the Executive Director, Resources, which detailed the confidential financial aspects of the proposals to protect the Council's investment in the Coombe Abbey Park Hotel.

In accordance with paragraph 4.1.45 of the City Council's Constitution, in moving the Recommendations, Councillor Kelly proposed that the delegation authority specified in Recommendation 6 of the report be expanded to include the Deputy Leader and a nominee from the Conservative Group. Furthermore, that the Council agree to refer the financial and business aspects of the proposal to the appropriate Scrutiny Board.

RESOLVED that the City 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) Delegates authority to the Director of Finance and Legal Services and the Council Solicitor to agree detailed terms of the transaction.**
- (4) Delegates authority to the Executive Director, Resources 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) Delegates authority to the Executive Director, Resources 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.**

- (6) Delegates Authority to the Cabinet Member (Business, Enterprise and Employment), the Deputy Leader of the Council and a nominee from the Conservative Group 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 of the report, supported by a Council Officer. Initially the Council Officer will be the Executive Director, Resources who will discharge this day to day responsibility to a qualified senior officer in Financial Management.**
- (7) Refers the financial and business aspects of this matter to the Business, Economy and Enterprise Scrutiny Board (3) for their detailed consideration.**

(Meeting closed at 6.15 pm)

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<p style="text-align: center;">Council – 22nd October 2013</p> <p style="text-align: center;">Recommendation from Cabinet 8th October 2013</p>

Minutes of the meeting of Cabinet held at 2.00 pm. on 8th October 2013

Present:

Cabinet Members: Councillor Townshend (Deputy Chair)
 Councillor Duggins
 Councillor Gannon
 Councillor Gingell
 Councillor Kershaw
 Councillor Lancaster
 Councillor Ruane

Non-voting Opposition Members: Councillor Blundell

Other Members: Councillors Fletcher, Thomas, Skipper

Employees (by Directorate):

Chief Executive's: M Reeves (Chief Executive), V. Castree, J Moore

People: S Brake, M Godfrey, T Pinks

Place M Yardley (Executive Director), R Moon, D Cockroft,
 S Weir

Resources C West (Executive Director), H Lynch, H. Peacocke,
 M Salmon, A West

Apologies: Councillors Andrews, Caan, Hetherton, Innes, Kelly,
 Lucas and McNicholas

Public business

RECOMMENDATION

65. Property Disposal Programme 2013/14 - 2016/17

The Cabinet considered a report of the Executive Director, Place, that identified a site disposal programme of recognised housing development sites that could result in 1100 new houses being built over a 4 year period, to meet one of their 20 priorities to identify within a year how 1000 new homes could be built in Coventry. In addition, the Council's budget for 2013/14 required the continuation of significant savings stretching into the medium term, which were primarily being achieved through the Council's ABC Programme. The Programme's Fundamental Service Review for Strategic Property required the Council to save £3m per annum from its property

portfolio by 2016/17. This target could only be achieved through a combination of property solutions including rationalisation of operational property, optimisation of the commercial property portfolio, and disposal of property assets. The report set the work of the review team in identifying an indicative programme of asset disposals for the period 2013/14 to 2016/17 that would contribute an estimated £1.1 million per annum revenue towards the target when all disposals had been completed, as well as providing 1100 new homes in Coventry.

RESOLVED that the Cabinet approved recommendations (1) to (4) below and recommend that the Council:

- (1) Approves the indicative Capital Disposal Programme set out in the Appendix to the report, subject to detailed terms being approved in accordance with the Council's Constitution and Section 123 of the Local Government Act 1972.**
- (2) Approves that the proceeds of sale, over and above the values required to support the approved capital programme, be allocated to reduce debt servicing costs in accordance with the Council's Medium Term Financial Strategy which provides that the prudential borrowing should be repaid from capital receipts as they are generated.**
- (3) Approves that the savings realised through debt reduction be allocated against the savings targets for the Strategic Property Fundamental Service Review.**
- (4) Give delegated authority to the Executive Director, Place, to approve any variations in the Programme in consultation with the Cabinet Member (Business Enterprise and Employment).**

(Meeting finished at 2.35 p.m.)

Cabinet
Council

8th October 2013
22nd October 2013

Name of Cabinet Member:

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

Director Approving Submission of the report:

Executive Director, Place

Ward(s) affected:

All

Title:

Property Disposal Programme 2013/14 - 2016/17

Is this a key decision?

Yes - The proposals in this report will result in financial implications exceeding £500,000.

Executive Summary:

Council Members have made it one of their 20 priorities to identify within a year how 1000 new homes could be built in Coventry. This report identifies a site disposal programme of recognised housing development sites that could result in 1100 new houses being built over a 4 year period. In addition the Council's budget for 2013/14 requires the Council to continue to make significant savings stretching into the medium term. These savings are primarily being achieved through the Council's ABC programme. The Fundamental Service Review for Strategic Property requires the Council to save £3m per annum from its property portfolio by 2016/17. This target can only be achieved through a combination of property solutions including rationalisation of operational property, optimisation of the commercial property portfolio, and disposal of property assets. Members will be consulted on proposals for each of these components. This report sets the work of the review team in identifying an indicative programme of asset disposals for the period 2013/14 to 2016/17 that will contribute an estimated £1.1 million per annum revenue towards the target when all disposals have been completed as well as providing 1100 new homes in Coventry.

Recommendations:

Cabinet are requested to recommend that Council:

1. Approve the indicative capital disposal programme set out in Appendix 1 of this report subject to detailed terms being approved in accordance with the Council's constitution and Section 123 of the Local Government Act 1972.
2. Approve that the proceeds of sale, over and above the values required to support the approved capital programme, be allocated to reduce debt servicing costs in accordance

with the Council's Medium Term Financial Strategy which provides that the prudential borrowing should be repaid from capital receipts as they are generated.

3. Approve that the savings realised through debt reduction be allocated against the savings targets for the Strategic Property Fundamental Service Review.
4. Give delegated authority to the Executive Director, Place to approve any variations in the programme in consultation with the Cabinet Member (Business Enterprise and Employment).

Council are requested to:

1. Approve the recommendations received from Cabinet.

List of Appendices included:

Appendix 1 – Schedule of properties for disposal 2013/14 – 2016/17

Background Papers

None

Other useful documents:

Budget Report 2013/14 – report to Cabinet and Council 26th February 2013

Has it been or will it be considered by Scrutiny?

No

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

No

Will this report go to Council?

Yes - 22nd October 2013

Report title: Property Disposal Programme 2013/14 - 2016/17

1. Context (or background)

1.1 Council Members made it one of their 20 priorities to identify within a year how 1000 new homes could be built in Coventry. This report identifies a site disposal programme of recognised housing development sites that could result in 1100 new houses being built over a 4 year period. In addition the Budget Report approved by Council in February 2013 requires the Council to make substantial savings through the implementation of the ABC programme. Under the ABC initiative a Full Service Review of Property (FSR A60) requires savings of £3m per annum to be realised by 2016/17.

2. Options considered and recommended proposal

- 2.1 The current cost of the Councils operational property portfolio is circa £4.1m per annum. This covers the cost of 133 properties around the city including libraries, community centres, residential homes, depots and various other operational properties. It does not include the cost of the Council's office accommodation which falls outside the scope of the review. The office accommodation has been reviewed separately and was the subject of a report to Cabinet on 18th June (Starting Friargate Business District to Regenerate the City, Transform the Council and Deliver Savings) which identified an £0.5m per annum saving when implemented.
- 2.2 The Council's commercial property portfolio currently produces a net annual income of circa £11m per annum.
- 2.3 It is clear from work being undertaken by the A60 Project Team that to save £3m pa by 2016/17 will require the Council to occupy less property and to drive more income from its commercial portfolio. However these measures alone will not produce the savings required. Revenue savings can however be achieved through the disposal of surplus land and property and contribute to the achievement of the target of 1000 new homes.
- 2.4 Clause 6.2 of the Budget Report presented to Council in February 2013 dictates that capital receipts, over and above those required to fulfil the Councils capital investment plans set out in the Medium Term Financial Strategy (MTFS), be used to pay down borrowing.
- 2.5 By setting aside capital disposal proceeds to either offset future debt repayments and/or prevent the need for future borrowing, revenue savings can be achieved and new homes created.
- 2.6 Accordingly this report sets out the basis of the capital disposal programme for the period 2013/14 to 2016/17. If adopted, surplus capital receipts over and above the MTFS, would pay down debt to provide revenue saving to the Council.
- 2.7 Further disposals will be added to this programme as the Councils estate reduces because of service change to meet budgetary pressures and as a result of proposals that come forward from the strategic review and other services reviews. These disposals will be added to the programme through formal reporting to Cabinet on the implementation of proposals.

3. Results of consultation undertaken

3.1 Where appropriate, consultation over individual disposals will take place in accordance with the Council's constitution and through the planning process.

4. Timetable for implementing this decision

- 4.1 It is intended that recommendations of this report be implemented over the period 2013/14 to 2016/17. Individual disposals may not occur in the actual years indicated for operational reasons or because of changed market conditions. It is recommended that the Executive Director, Place be given delegated authority to approve any variations to the programme in consultation with the Cabinet Member (Business Enterprise and Employment).

5. Comments from Executive Director, Resources

5.1 Financial implications

The MTFS requires a certain level of receipts to fund the capital programme approved by members in February 2013. The disposal programme identified at Appendix 1, whilst only indicative at this stage, would deliver both the required MTFS disposals, and a further £17.5m of receipts. This report proposes to use disposal proceeds over that required in the budget, to offset new debt and/or future debt repayments.

Based on receipts of £17.5m it is estimated that revenue savings of £1.1m can be achieved to contribute towards the FSR target and the approved Council Budget. The exact profile of those savings will depend on the timing of disposals.

5.2 Legal implications

The Council is obliged to secure best considerations for the sale of its assets and will use the disposal power under section 123 of the Local Government Act 1972

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 savings outlined will contribute to the Council maintaining a balanced budget into the medium term thus preserving services for the people of Coventry.

In addition the sale of these sites should achieve the construction of over 1100 new homes over the next 4 years in the city helping to fulfil the commitment recently made to secure the construction of 1000 new homes by May 2014.

6.2 How is risk being managed?

The proposals contained within this report are to mitigate against the risks of the Council being unable to maintain a balanced budget. A Project Board chaired at Director Level provides governance to the whole FSR.

6.3 What is the impact on the organisation?

The impact to the organisation will be minimal but it will generate additional work for officers within Places and Resources Directorates in processing the sales.

6.4 Equalities / EIA

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

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

6.5 Implications for (or impact on) the environment

Individual disposals that result in development proposals will be subject to planning applications that will cover the environmental impact of the individual schemes.

6.6 Implications for partner organisations?

There are no implications for any partner organisations.

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Councillor Kelly	Cabinet Member (Business, Enterprise and Employment)		02/09/13	02/9/13

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CAPITAL RECEIPTS

13/14

14/15

15/16

16/17

Arena Park Canley Ph 1 Central Depot Lincoln Street Adelaide Street Princethorpe Way Dick Crossman House Broad Lane Swanswell	Canley Ph 2 Lyng Hall Ph 1 Torrington Ave Shilton Lane Additional sites are being explored for disposal potential. These will be the subject of separate reports.	Lyng Hall Ph 2 Canley misc Bishopgate Additional sites are being explored for disposal potential. These will be the subject of separate reports.	Lyng Hall Ph 3 Arena Leisure Land Canley site E Additional sites are being explored for disposal potential. These will be the subject of separate reports.

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Agenda Item 8

Council – 22nd October 2013

**Recommendation from Cabinet
8th October 2013**

Minutes of the meeting of Cabinet held at 2.00 pm. on 8th October 2013

Present:

Cabinet Members: Councillor Townshend (Deputy Chair)
Councillor Duggins
Councillor Gannon
Councillor Gingell
Councillor Kershaw
Councillor Lancaster
Councillor Ruane

Non-voting Opposition Members: Councillor Blundell

Other Members: Councillors Fletcher, Thomas, Skipper

Employees (by Directorate):

Chief Executive's: M Reeves (Chief Executive), V. Castree, J Moore

People: S Brake, M Godfrey, T Pinks

Place: M Yardley (Executive Director), R Moon, D Cockroft,
S Weir

Resources: C West (Executive Director), H Lynch, H. Peacocke, M
Salmon, A West

Apologies: Councillors Andrews, Caan, Hetheron, Innes, Kelly,
Lucas and McNicholas

Public business

RECOMMENDATION

68. Caring for our future – Consultation on Reforming What and How People Pay for their Care and Support – Consultation Response

The Cabinet considered a report of the Executive Director, People, that detailed the City Council's response to a Department of Health (DH) consultation on reforming what and how people paid for their care and support. The Cabinet also considered a Briefing Note of the Executive Director, People, detailing the recommendations and comments made by the Health and Social Care Scrutiny Board (5) following consideration of the report at their meeting on 25th September 2013 (their minute

17/13 refers.)

The Department of Health published the 'Caring for our future: reforming care and support' White Paper in July 2012 and in February 2013 the Government announced reforms to give more certainty and peace of mind over the costs of old age, or of living with a disability and committed to reforming the funding of care and support. The proposals represented the biggest changes in adult social care since 1948 and would affect Local Authorities, Health partners and providers of care and support and covered issues including assessment of care, how this care was met, how this care was paid for, the impact of the reforms on the care market and the required changes to local authorities to deliver this change.

The proposals were welcomed as a significant step forward in improving and simplifying the charging framework for adult social care, with the introduction of a standardised approach across all settings providing the local authority and the public with much needed clarification.

RESOLVED that the Cabinet recommends that the Council approves the consultation response.

(Meeting finished at 2.35 p.m.)

Health and Social Care Scrutiny Board (Scrutiny Board 5)
Cabinet
Council

25 September 2013
8 October 2013
22 October 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:

Caring for our future – Consultation On Reforming What And How People Pay For Their Care And Support – Consultation Response

Is this a key decision?

No.

The provision of Adult Social Care is City wide; this is a consultation response and does not in itself significantly affect residents.

Executive Summary:

This report details the City Council's response to a Department of Health (DH) consultation on reforming what and how people pay for their care and support. The Department of Health published the White Paper 'Caring for our future: reforming care and support' (Care and Support White Paper) in July 2012.

Subsequent to this, in February 2013, the Government announced historic reforms to give more certainty and peace of mind over the costs of old age, or of living with a disability and committed to reforming the funding of care and support to ensure:

- Everyone receives the care they need and more support goes to those in greatest need
- We end the unfairness of, and fear caused by, unlimited care costs
- People will be protected from having to sell their home in their lifetime to pay for care.

The Government is now consulting on the implementation of these significant reforms. The consultation covers a number of issues including assessment of care, how this care is met, how this care is paid for, the impact of the reforms on the care market and the required changes to local authorities to deliver this change. These proposals represent the biggest changes in adult social care since 1948 and will affect Local Authorities, Health partners and providers of care and support.

The consultation is focused on how practical details of the changes to social care should be managed. The consultation included eleven consultation questions and five implementation questions.

Overall, the Council welcomes the proposals as a significant step forward in improving and simplifying the charging framework for adult social care. The introduction of a standardised approach across all settings will provide the local authority, and public, with much needed clarification.

Recommendations:

Health and Social Care Scrutiny Board (5) are asked to:

1. Consider the proposed response to the consultation and advise Cabinet of their agreement/endorsement of the response and/or submit any further additions to the response to Cabinet for their consideration.

The Cabinet is asked to:

1. Consider comments from the Health and Social Care Scrutiny Board (5).
2. Recommend that Council to approve the consultation response.

Council is asked 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?

Yes – Health and Social Care Scrutiny Board (5) – 25 September 2013

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 – Council 22 October 2013

Report title: **Caring for our future – Consultation on reforming what and how people pay for their care and support – Consultation response**

1. Context (or background)

- 1.1 Since May 2010, the Government has published a range of policy documents in relation to adult social care aimed at shaping and affirming the direction for the sector, and addressing the funding arrangements for care and support.
- 1.2 In February 2013, the Government announced the reform of the funding for care and support with the aim of providing more certainty and peace of mind over the costs of old age or living with a disability.
- 1.3 The Government is now consulting on the implementation of these significant reforms. The consultation covers a number of issues including assessment of care, how this care is met, how this care is paid for, the impact of the reforms on the care market and the required changes to local authorities to deliver this change. These proposals represent the biggest changes in adult social care since 1948 and will affect local authorities, health partners and providers of care and support.
- 1.4 The Care Bill, currently before Parliament, will be the legal framework on which this social care reform will be based. This includes the introduction, from April 2015, of new charging rules, new regulations for adult social care assessments, and a requirement to offer deferred payments so that homeowners in need of residential care do not need to sell their home during their lifetime.
- 1.5 From April 2016, it is proposed that local authorities will assess the care and support needs of people who fund their own care. For people who meet the eligibility criteria for social care and support, the local authority will calculate valid expenditure against the cap of £72,000 and once cap is reached it is proposed that the local authority takes responsibility for payment.
- 1.6 The consultation contains eleven consultation questions, five implementation questions plus an additional forty questions in the form of a 'call for evidence'. In the consultation response the Council responds to the consultation and implementation questions. The Council will engage separately with regards to the forty calls for evidence questions through its links with the Local Government Association (LGA) and The Association of Directors of Adult Social Services (ADASS). By responding to the call for evidence in this way the Council will ensure that it contributes to understanding the implications and practicalities of social care reform to enable sustainable delivery of these reforms.

2. Options considered and recommended proposal

- 2.1 The consultation covers a range of topics relating to social care reform. These are:
 - How to help people make more informed choices over care through information and advice and assessments and help local authorities meet the demands of these.
 - How the capped cost system should work with assessments, personal budgets, charging, and care and support planning.
 - The design of the new charging framework for care and support and the choices around how the capped cost system should work for working age adults.
 - How deferred payment agreements should be managed and administered.
 - The process for providing redress and resolving complaints.
- 2.2 The consultation document states that the current charging framework is unfair, poorly understood and differs based on different care settings. The Government intends to

introduce regulations to establish a single overarching charging system, although local authorities will still be able to choose not to charge.

- 2.3 A key aspect of funding reform is the need to raise awareness amongst the general population of how care and support works and to assist people to plan for how they might pay for their care and support. It is currently estimated that 40% of people are unaware that they might need to pay for their care and support. The Care Bill will give local authorities a duty to arrange for the provision of independent advice for people who need care and support.
- 2.4 In 2016, additional demands will also be placed on social work teams to carry out care assessments for people who fund their own care and support in order to determine eligibility. There could also be increased contact from people with lower level needs enquiring as to whether they are eligible for social care. The Care Bill will also give additional assessment rights to an increased number of informal carers, due to proposed changes in the carer assessment criteria. How these additional demands on social work teams are managed will require careful consideration.
- 2.5 The consultation and implementation questions contained within the consultation document are focussed on the technical details of how these changes should be managed in practice. These include:
- Rules relating to different care caps for adults at various ages under 65, to reflect different abilities to build up assets
 - Systems for measuring what counts towards the cap and the management of care accounts, including greater use of online transactions
 - Administrative fees that local authorities could charge self-funders if the local authority arranges their care and support
 - How deferred payment agreements could be managed and administered
 - The process for providing redress and resolving complaints
- 2.6 The eleven consultation questions and five implementation questions along with proposed City Council responses are included in the appendix to this report.
- 2.7 Overall, the Council welcomes the proposals as a significant step forward in improving and simplifying the charging framework for adult social care. The introduction of a standardised approach across all settings will provide the local authority, and public, with much needed clarification.
- 2.8 As part of the consultation, the Government is also proposing to extend free care for eligible needs to young people up to age 25 to support the transition from children's to adult care. The Council believes the Government should reconsider this proposal as; it is potentially unfair to younger adults with a disability who may not have received support from children's social care.
- 2.9 The Council fully supports the proposal that local authorities should have the discretion to introduce reasonable safeguards to ensure deferred payment agreements can be repaid.
- 2.10 One of the consultation proposals is that a period of three months is allowed to elapse following death before the Council can seek repayment. The Council disagrees with this proposal and considers that an earlier claim could be registered with the Executor of the estate without causing undue distress to families. It will be important within the publicity material for deferred payments for care that this should be considered as part of the normal process for settling a deceased estate.
- 2.11 The Council agrees with the overarching principles for redressing complaints. The Council would recommend the terminology around independence is clarified to explain that

decisions can be reviewed by someone within the local authority, as long as they are independent of the original decision maker. The current wording may create an unrealistic expectation that reviews will be undertaken from outside the local authority

- 2.12 The Government is proposing a new funding formulae to implement these reforms, this formula is not covered in the current consultation and independent experts have been commissioned to identify the new formulae by spring 2014. A period of consultation will follow in summer 2014 which the Council will have an opportunity to respond to.
- 2.13 The Council urges the Government to appropriately fund local authorities to meet the legal requirements of the Care Bill; the Council welcomes the Government commitment to provide additional resources to local government to cover the costs of implementation of the cap and the requirement to offer deferred payments for residential care. However, whether these additional resources are sufficient to meet the additional demands is unclear.
- 2.14 The timelines for implementation are particularly challenging. In order to assist local authorities to plan, prepare and implement changes, the Government should ensure the timely release of regulations and guidance that will provide the legal basis for these wholesale reforms.

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 25 October 2013.

5. Comments from Director of Finance and Legal Services

5.1 Financial implications

5.1.1 There are no direct financial implications arising from responding to this consultation.

5.1.2 The financial implications from this level of reform will be significant, and due to the quantity and complexity of the scale of change involved, also difficult to predict with any certainty. The changes and associated costs relate to increased assessment requirements, reduced income due to new exemptions and the application of the funding cap, the associated potential impact on the provider market, as well as the infrastructure requirements to implement the changes.

5.1.3 Some new burden funding is available to contribute towards these costs, however as this will be formulae based and also at a time where other funding is reducing, it is not likely to meet the full cost of these changes.

5.2 Legal implications

5.2.1 The Care Bill is currently proceeding through the House of Lords before moving to the House of Commons. The Bill includes proposals to reform the law relating to care and support for adults and the law relating to support for carers. It is envisaged that the new care support framework will be implemented in 2015 moving into 2016.

5.2.2 The consultation exercise that is the subject of this report is to inform regulations and processes required around the implementation of the new proposed framework.

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)?

These proposals support the continued provision of a range of statutory social care services to the people of Coventry. 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

A Social Care Funding Reform Impact Assessment 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.

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People Directorate

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Michelle Salmon	Governance Services Officer	Resources Directorate	28.08.13	02.09.13
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Ewan Dewar	Finance Manager Community Services	Resources Directorate	23.08.13	29.08.13
Julie Newman	Solicitor, CLYP and Adults Manager	Resources Directorate	23.08.13	27.08.13
Brian M Walsh	Executive Director	People Directorate	30.08.13	02.09.13
Councillor Gingell	Cabinet Member (Health and Adult Services)		30.08.13	02.09.13

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Appendices

Appendix 1

Caring for our future – Consultation on reforming what and how people pay for their care and support – Consultation response

Consultation and implementation Questions and Responses

Consultation questions

Fairer and more consistent charging – the charging framework

Question 1: Do you agree the future charging framework should be based on the following principles?

The principles are to be:

- Comprehensive
- To reduce variation in the way people are financially assessed; be transparent, so people know what they will be charged
- Promote wellbeing and support the vision of personalisation, independence, choice and control and enables delivery of funding reform
- Be user-focused reflecting the variety of care journeys and the richness of options available to meet their needs
- Encourage and enable those who wish to take up employment, or plan for the future costs of meeting their needs to do so; support carers and not place additional burdens on them, in recognition of the invaluable contribution they make to society
- Minimise anomalies and perverse incentives in choices between care settings
- And be sustainable in the long term

The principles are sound. Any changes to the current arrangements would need to reflect any new financial burden brought about by the changes. The proposed principles would also need to feed into the development of any financial services models that would potentially assist people to plan for future care needs.

Fairer cap for working age adults – varying the levels of cap

Question 2: Do you agree that the decision on the level of the cap on care costs set for working age adults between the ages of 18 and state pension age should be based on the following principles?

The principles are:

- People in similar circumstances should make a similar contribution
- Reflect people's ability to plan, prepare and build up savings
- Be simple for people to understand and feasible to implement
- Support integrated care and effective transitions between services
- Help people to live independent lives

Principles are sound but the Council considers more information is needed to fully understand the implications of the proposed principles.

Question 3: Do you agree in order to support transitions from children to adult care and support we should extend free care for eligible needs to young people up to age 25? Or are their alternatives we should consider such as through integration between child and adult care and support and the guidance provided on how to set the level of the cap?

The Council disagrees with this proposal. There would be an adverse financial impact for local authorities. 18 to 25 year olds could potentially have a chargeable income or other financial resources, such as inheritance, which could make them a self-funder and therefore no costs would initially be incurred by the Council.

This proposal is also potentially inequitable for young adults who may have a disability but did not received support from Children's Social Care. For example, they acquired a disability following an accident at the age of 18.

This proposal would also create the need for dual budgets across children and adult social care.

The Council considers that in order to support integration between child and adult care it is important that social care practitioners are also able to work together well in advance of transition to support future financial planning.

Aligning contributions in different care settings – daily living costs

Question 4: Do you agree the contribution a person makes to daily living costs should be calculated on the same basis as financial assistance with care costs, taking into account both income and assets?

Agree. The Council welcomes a standardised approach to the charging framework for both residential and non-residential care packages. The Council considers it is imperative to ensure equitability across care settings, so that people in receipt of support in their own homes are not financially worse off in paying these costs than if they were in receipt of residential care or vice versa.

Who will qualify for a deferred payment

Question 5: Do you agree our criteria for determining who qualifies for a deferred payment should be? The criteria include people who would benefit from residential care and people with less than £23,250 in assets excluding their home.

Are there any examples of where greater flexibility might be necessary to ensure people do not have to sell their homes in their lifetime to pay for care?

Whilst the principles proposed are appropriate to ensuring deferred amounts can be repaid, it does restrict the availability of this opportunity. Any promotional material relating to the reforms needs to be very clear on who can or cannot benefit from this to ensure people are clear and can plan accordingly.

In the example given where someone may have "slightly more" than the £23,250 and it is preferred to offer the option upfront, it may be more appropriate to look at the length of time before the deferred payment option arises rather than a value of how much they are over the £23,250 as otherwise another level is set which someone else may be just over.

If a service users assets fluctuated above and below £23,250 it would be inappropriate to agree to defer then stop then agree to defer then stop in line with the fluctuations. A balance needs to

be struck between ensuring amounts are paid, at the same time as minimising the administrative burden for both the service user and the local authority.

What fees can someone defer

Question 6: Do you agree with the principle that local authorities should have the discretion to introduce reasonable safeguards to ensure deferred payment agreements can be repaid? If so how can this be done in a way to support people's choice of care home?

The Council agrees that local authorities need to retain decision regarding agreeing a deferred payment, as some properties will not have sufficient equity to be able to reach the capped amount. Clarification of approach when a property is jointly owned would be welcomed, including valuing of a part share and the Land Registry's approach to registering a charge against the property.

Any discussions regarding care funding options should include an honest and open dialog about personalisation and choice. There is a need to ensure that where people choose a high cost residential home as a self-funder, that they understand, that once the cap is reached they may be required to move when the local authority funds their care.

How long can the deferred payment last?

Question 7: Do you agree local authorities should normally wait at least 3 months after someone has died before actively seeking repayment? Are there circumstances in which the Local Authority should wait longer?

The Council disagrees with this proposal. Repayment needs to be considered part of the normal process for dealing with someone's financial affairs after death. The Council considers that the local authority should be able to register an early claim with the Executor of a client's estate. This can be pursued sensitively without causing undue stress to families.

Wider flexibility to offer deferred payments

Question 8: Do you agree that local authorities should have additional flexibility to go beyond what they would normally cover and allow people to defer care charges to help them get the care they want in wider circumstances such as domiciliary care?

From an equality perspective, it would seem fair, to offer deferred payment schemes to all irrespective of types of care provided. The difficulty in offering deferred payments schemes to people in receipt of domiciliary care is they often have spouses and children living with them. This could potentially mean the Council could be waiting a generation to make a financial claim against the property.

Therefore it is imperative that the financial implication of this proposal is understood in advance to ensure that it is not an unfunded new burden to the local authority.

An alternative would be enabling equity release from a property to be able to pay care costs upfront.

Calculating what counts towards the cap

Question 9: Do you agree with the proposed principles for calculating the independent personal budget and personal budget?

The principles are:

- To support the overall outcome of promoting a person's wellbeing
- Be equitable to everyone who accesses local authority support, no matter whether they pay for their own care, or where they live
- Ensure consistency in the outcome of the calculation of the costs of meeting a person's needs according to their individual circumstances as if the local authority was under a duty to meet them
- Be transparent over the calculation and the basis for it
- Where needs are being met by a carer, reflect the carer's ability and willingness to care
- And the impact of continuing to provide this support, and reflect what it may reasonably cost a local authority to meet a person's needs according to their particular circumstances

The Council agrees with the principles, if they are consistently applied to both the independent personal budget and personal budget.

Question 10: Do you agree that local authorities should have flexibility on providing annual updates where a person has not had care needs for many years, or they have already reached the cap? In what other circumstances should discretion be given?

The Council agrees that local authorities should have flexibility on providing annual updates for people currently receiving care. Updates for others, should be available on request. It will be important for people to be able to receive annual updates online.

Providing redress and resolving complaints

Question 11: Do you agree that the following principles should underpin dispute resolution mechanisms?

The principles are:

- To be clear and easy to understand, be locally accountable
- Be fair and effective and should therefore have public confidence
- Resolve issues in a timely, effective and cost-effective way
- Have an independent element; and promote local resolution, minimising the need for more formal challenge mechanisms which could be costly and time-consuming

The Council agree with the overall principles but rather than having a footnote to explain "independent element" suggest that it is reworded to "Decision is reviewed and/or considered by someone other than the original decision maker." The word independent gives an immediate feel that it will be someone totally independent of local authority/organisation.

However it must be noted that in the consultation document heading refers to "providing redress and resolving complaints" It therefore does not allow for initial concerns to be raised before going into a formal process.

Responses need to be proportionate to the complaint and deal with the people initially rather than the system. Preventing simple requests, questions or expressions of concern escalating into complaints is critical, hence the need for initial concerns before formal complaint. This is very much like the triage system that the Local Government Ombudsman currently use.

It would also be a mistake to add extra layers to the complaints system, the public want simplicity, effectiveness and speed in complaint handling, as well as to be listened to.

This has to be particularly considered, as in the “Caring for our future” document it indicates that “more people will be brought into contact with the local authority by the reforms to care and support funding.”

Also the lines are going to be more blurred in relation to who to complain to. At the moment with joint services and commissioned services people are unsure with the advent of more personal budgets and direct payments that will be even more blurred especially with self-funders who may now come to the council to arrange packages of care.

Whatever system is adopted, it is about attitude towards concerns and complaints, and willingness by the organisation to listen and shift away from defensiveness. The system whereby they can complain to the Local Government Ombudsman does give that independence line and reassurance in that local authorities know that this could happen.

One of the major areas of concern, is what people can complain about, for instance with regard to schools admission it is very clear what they can complain about is that the process has not been followed, not the decision.

Also there is no mention of the role of The Health and Well-being Board or relevant scrutiny board within local authorities to look at complaints. The Government may wish to redress this as complaint information can provide a valuable insight of people’s experience and can be useful for identifying emerging trends which may require further investigation to safeguard individuals.

Implementation questions

Transition to the introduction of the cap

Implementation Question 1: Do you agree local authorities should conduct assessments of people who are funding their own care and support up to 6 months before the introduction of the cap on care costs?

The Council considers that conducting assessments six months before the implementation of the cap is too far in advance. People’s circumstance and care needs can change greatly over that period. Therefore the Council would recommend starting three months prior to the introduction of the cap. It will be important, at the start of this process, that local authorities are very clear on what the local authority would fund in the future once cap is reached.

Local authorities will need to be supported by care providers to increase knowledge of self-funders in their local area, to support appropriate planning for the increase in the demand for care assessments and support planning.

Implementation Question 2: How could local authorities use reviews they have planned with individuals throughout 2015 to prepare for introduction of the cap on care costs in 2016?

Local authorities will need to be supported by national promotion of the planned changes by both Central Government and national 3rd sector organisations. This information can then be tailored to meet local needs as required by either the Council or local providers of information and advice.

It is therefore important that promotion material is made available in 2015 to support the social care and health professional to play a supportive role in providing timely information about care costs to those people who come into contact with the local authority, our health or 3rd Sector partners.

There must be a shared approach to the promotion of the cap on care costs. Promotion cannot be the sole responsibility of the local authority.

Workforce Development

Implementation question 3: We welcome views on the implications for commissioners and workforce leads from the potential use of partners' resources to help manage the demands on local authorities from the introduction of the cap on care costs and how this should be addressed within the workforce development strand of the implementation programme.

The proposed changes are fundamental and wide-ranging and have enormous implication for workforce development of a range of stakeholders including care management and financial assessment staff, providers, and commissioners and ranging from awareness training in relation to new systems through to detailed training and development for those required to implement the detail of the expectations dependent on job role.

This in itself will require a fuller training and development needs analysis. There will also be a need to examine whether new/revised job roles are required.

Local authorities would certainly need to work closely with partner organisations including ADASS and Skills for Care on both a national and regional basis.

Market Shaping and oversight

Implementation question 4: We welcome views on how local authority commissioning and care and support provider provision should adapt to take advantage of the opportunities provided by the introduction of funding reform and respond to the challenges it may present.

One opportunity would be that local authorities would be required to understand the whole market including self funders. This would enable a more holistic approach to market shaping in local areas. Information about self funders is currently often patchy but the new approach would require more robust information upon which to base commissioning plans.

A risk in the new system would be the transparency of costs charged by providers. Currently providers tend to cross subsidise local authority customers through charging higher rates to self-funders. Shining a light on this practice, may lead to some equalisation of rates building cost pressures for local authorities. Engagement with providers might assist to some extent but it would be naive to think that providers would not see this as an opportunity to put upward pressure on local authority rates.

Another risk might be that self funders reaching the cap might not be able to remain with their current services, if they do not accept the price that local authorities are able to pay. A contingency to this would be to engage private payers at an early stage to ensure that they are aware of limitations around choice that would need to be in place.

Implementation question 5: We welcome views on how funding reform and increased transparency will affect the shape of local markets for types of care and support, and evidence to understand how the demands on local authorities to arrange care on behalf of people who arrange their own care and support may change.

The local market for self-funded provision will reduce. More people will become reliant on local government, which is a reversal of policy to enable people to be more independent of local authorities. There would need to be more provider/ local authority engagement as providers who hitherto catered exclusively or mainly for self-funders will no longer do so.

Some providers may exit the care market and elect to specialise in catering for non- eligible self-funded services e.g. domestic services.

The provider market for information and advice may need to expand to cater for the reforms.



To: Cabinet

8th October 2013

Subject:

Caring for Our Future on What and How People Pay for their Care and Support – Consultation Response: Comments from consideration by the Health and Social Care Scrutiny Board (5) on 25th September 2013.

1 Purpose of the Note

- 1.1 To inform Cabinet of the Health and Social Care Scrutiny Board (5)'s recommendations following their consideration of Caring for our Future on Reforming What and How People Pay for their Care and Support – Consultation Response on 25th September 2013.

2 Recommendations

- 2.1 (a) Cabinet are asked to consider and decide whether to agree the following recommendations of the Scrutiny Board:
That the Scrutiny Board supports the Consultation Response included in the Report.

(b) Cabinet are asked to note the issues raised by the Scrutiny Board:
That following some discussion related to the circumstances in which Adult Social Care clients may be required to make payments for their care a briefing is to be arranged for Members to enable them to better understand the details of this process.

3 Information/Background

- 3.1 The Scrutiny Board considered the report of the Assistant Director Policy, Performance and Health into the recent policy document setting out current Government thinking on the funding for care and support.
- 3.2 The Board recognised that this is a complex area and one in which the City Council will be required to respond to important national policy debates in this area.
- 3.3 The Board considered the draft Consultation Response prepared by officers and added their endorsement.
- 3.4 Members reflected on some of the many misconceptions which surround adults receiving care and support services and the circumstances in which they are required to make contributions, particularly with regards to circumstances in which property assets are considered as chargeable. In discussion it was suggested that a short session be arranged to enable officers currently involved in this process to brief Members and give more detail on local implementation of national policy.

**Peter Barnett, Head of Health Overview and Wellbeing
People Directorate
Telephone 02476 831145
27th September 2013**

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Agenda Item 9

Council – 22nd October 2013

**Recommendation from Cabinet
8th October 2013**

Minutes of the meeting of Cabinet held at 2.00 pm. on 8th October 2013

Present:

Cabinet Members: Councillor Townshend (Deputy Chair)
Councillor Duggins
Councillor Gannon
Councillor Gingell
Councillor Kershaw
Councillor Lancaster
Councillor Ruane

Non-voting Opposition Members: Councillor Blundell

Other Members: Councillors Fletcher, Thomas, Skipper

Employees (by Directorate):

Chief Executive's: M Reeves (Chief Executive), V. Castree, J Moore

People: S Brake, M Godfrey, T Pinks

Place M Yardley (Executive Director), R Moon, D Cockroft,
S Weir

Resources C West (Executive Director), H Lynch, H. Peacocke,
M Salmon, A West

Apologies: Councillors Andrews, Caan, Hetheron, Innes, Kelly,
Lucas and McNicholas

Public business

RECOMMENDATION

70. Accountable Body Report for the Successful Regional Growth Fund 4 Bid

The Cabinet considered a report of the Executive Director, Place, that indicated that the City Council had been successful in securing Regional Growth Fund (RGF) money on behalf of the Coventry and Warwickshire Local Enterprise Partnership (CWLEP) and requested that the City Council acts as accountable body for the successful RGF4 Programme.

In October 2012, £24.3m was secured from the third round of RGF (RGF3). The Programme offered £1m in grants to businesses, and provided funding for three key

infrastructure projects – the Friargate Bridge Deck, Whitley Interchange and improvements to M40 Motorway Junction 12.

The City Council had been successful in the fourth round of bidding (RGF4) with a bid for a programme of business grants worth £4m to help businesses invest in new equipment, premises or products, leading to the creation of up to 500 new jobs in Coventry and Warwickshire.

The funding Programmes were key to the CWLEP's and the Council's current economic development agenda; almost £13m in RGF3 cash was being used to fund the Friargate Bridge deck, which was needed to allow the Kickstart Project and to attract major tenants to the Friargate development. Both RGF3 and RGF4 were closely aligned to the emerging City Deal proposals and would form an important part of the support that Coventry and Warwickshire offered to businesses, particularly in advanced manufacturing sectors.

The condition on which both of these bids had been won was that the City Council acts as accountable body.

RESOLVED that the Cabinet recommends that the Council recognise the funding opportunity secured through Regional Growth Fund Round 4, and authorises the Council to act as guarantor for the Programme.

(Meeting finished at 2.35 p.m.)

Cabinet
Council

08 October 2013
22 October 2013

Name of Cabinet Member:

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

Director Approving Submission of the report:

Executive Director, Place

Ward(s) affected:

All

Title:

Accountable Body Report for the Successful Regional Growth Fund 4 Bid

Is this a key decision?

Yes - Regional Growth Fund Programmes affect the City as a whole, and the total expenditure involved is in excess of £500,000

Executive Summary:

The Council has been successful in securing Regional Growth Fund (RGF) money on behalf of the Coventry and Warwickshire Local Enterprise Partnership (CWLEP).

In October 2012, £24.3m was secured from the third round of RGF (RGF3). This Programme is now underway, offering £1m in grants to businesses, and providing funding for three key infrastructure projects – the Friargate Bridge Deck, Whitley Interchange and improvements to M40 Motorway Junction 12.

In the fourth round of bidding (RGF4), the Council was again successful with a bid on behalf of CWLEP, this time for a larger programme of business grants worth £4m. These grants will help businesses to invest in new equipment, premises or products, leading to the creation of up to 500 new jobs in Coventry and Warwickshire.

These funding Programmes are key to the CWLEP's and the Council's current economic development agenda; almost £13m in RGF3 cash is being used to fund the Friargate Bridge deck, which is needed to allow the Kickstart Project and to attract major tenants to the Friargate development. Both RGF3 and 4 are closely aligned to the emerging City Deal proposals and will form an important part of the support that Coventry and Warwickshire offers to businesses, particularly in advanced manufacturing sectors.

The condition on which both of these bids have been won is that the Council acts as accountable body. The RGF3 Programme was brought to Cabinet and Council for approval to act as accountable body in February 2013. This report asks the Council to act as accountable body for the successful RGF4 programme.

Recommendations:

Cabinet is requested to:

- 1) Recommend to Council to recognise the funding opportunity secured through Regional Growth Fund Round 4, and authorise the Council to act as guarantor for the Programme.

Council is requested to:

- 1) Council is asked to accept the recommendation from Cabinet.

List of Appendices included:

None

Background Papers

None

Other useful documents

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 – Council, 22nd October 2013

1. Context (or background)

1.1 The City Council has been successful in securing RGF4 on behalf of CWLEP in the latest bidding round which closed in March 2013. A further £4m has now been awarded for a Programme of grants to businesses in Coventry and Warwickshire. This grants programme will complement the existing European Funded grants programme to businesses the Council currently delivers, and further meets the demand from local business for financial support to grow and invest.

2. Options considered and recommended proposal

2.1 The preferred option is for the Council to act as accountable body for the new RGF4 Business Grants Programme, using established processes for handling grants to business which have been used in other Programmes and have been audited, such as Growing Places, or the European Funded Coventry and Warwickshire Enterprise and Business Growth Programme. In this case because the Grant Aid Agreements with individual businesses will result in the creation of **direct jobs**, the council is adequately able to transfer the job creation grant claw back risk to the business, which will be invoked if the jobs are not satisfactorily created.

2.2 An alternative option would be for the Council to withdraw as accountable body. In all likelihood the Department for Business, Innovation and Skills will withdraw the funding offer as it has been won in part through the Council's highly successful track record of managing and distributing economic development grant.

3. Results of consultation undertaken

3.1 The Jobs Strategy is the Council's proposal for taking forward the economy of the City in the light of the changed circumstances experienced over the last couple of years. The RGF funding is aligned to delivering the Jobs Strategy and the priorities of the CWLEP set out in their 5-year strategy based on the Local Economic Assessment and feedback from local businesses which include:

- Creating New Jobs
- Enterprise Entrepreneurship and Start-Ups
- Access to Finance, Innovation, Low Carbon

The RGF4 Programme has been approved by the CWLEP Board, in order to determine the investment priorities for Coventry and Warwickshire.

4. Timetable for implementing this decision

4.1 The RGF3 Programme will take place between now and June 2015.

5. Comments from Executive Director, Resources

5.1 Financial implications

5.1.1 The Council will be the accountable body for the RGF grant funds as specified in the report, totalling £4m. Whilst there is some financial risk in the form of grant claw back these are discussed further in section 6 of this report.

5.1.2 It is also worth noting that the activities funded through RGF have the potential to grow business rates benefit to the Council and through pooling arrangements as significant employment sites are unlocked across the Coventry and Warwickshire sub-region.

5.1.3 As accountable body, Council Officers will ensure effective governance arrangements are in place to facilitate appropriate control over the allocation of resources and spend against the approved Programme.

5.2 Legal implications

5.2.1 The Council has the legal ability to act as guarantor under the general power of competence under the Localism Act 2012 as it confers power where it is for the benefit of the Council, its area or persons resident or present in its area. The projects which will benefit Coventry with the creation of jobs within its area do fall within the power under the said Act. In the event that back to back obligations are not put in place there is a risk that there be grant claw in whole or in part if the grant obligations imposed upon the Council are not achieved, as is the case with all government grant funding. The Council will endeavour to have social clauses in its legal agreements with other parties for funding to require job creation as a condition of the funding.

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)?

6.1.1 The Council's Jobs Strategy highlights the importance of creating jobs which the City needs. The Regional Growth Fund Programmes will unlock major development sites and provide jobs across the City and sub-region. Coventry's Sustainable Community Strategy sets out the ambitions for "a prosperous Coventry with a good choice of jobs and business opportunities for all the City's residents".

6.2 How is risk being managed?

6.2.1 The Council has well established procedures for handling grants in a way that allows the applicants to achieving their aims whilst minimising the risk to the Council. The approaches used to reduce risk in awarding these grants include:

- (i) A comprehensive scoring process for applications which means that only feasible projects which produce real employment benefits are selected for funding;
- (ii) Detailed financial checks by the Council's Business Investment Team before applications are processed. For grants over £100,000 more detailed checks are completed by accountants from the Resource Directorate, who are independent from the Project Team and have no contact with the applicant business;
- (iii) Cash is only paid to businesses in arrears on receipt of adequate evidence that funds have been used legitimately under the terms of the grant and is connected to job creation activities; and

- (iv) Legal Services have approved the contracting procedures used to award these grants, and are involved in drafting individual contracts for larger grants.

6.2.2 The financial risks in all RGF projects sits with the Council but is predicated on the creation of jobs in the private sector through the provision of grants. The grant conditions associated with the creation of jobs will be passed onto successful applicants for the funds.

6.2.3 Government holds a “*general power of variation*” over our RGF funding, as they do with all other government funding. This gives them the right to reduce funding or cease a programme completely and seek repayment of grants already paid if external funding is not being managed to the correct standards, or it does not appear that the employment outcomes will be met.

6.2.4 This risk of claw back will be mitigated by the implementation of strict procedures for the programme management of RGF-funded work, which have been externally audited. Close liaison with our RGF Monitoring Officer within DCLG is also present.

6.2.5 The Accountable Body Group (established as part of the previous report to Cabinet and Council in February 2013) will oversee the management of risk of RGF4 alongside RGF3 and Growing Places.

6.3 What is the impact on the organisation?

6.3.1 To ensure successful delivery of the RGF4 programme and the Council’s ability to provide an adequate accountable body function, under the programme management and delivery costs of the RGF, additional staff resources are required. A recruitment exercise has now taken place in line with the Council’s recruitment procedure to recruit additional staff required to the Place Directorate to deliver the programme management, accountable body function and any direct delivery for both RGF3 and RGF4. New posts are funded 100% through the RGF grant money.

6.4 Equalities / EIA

6.4.1 Although the RGF Programmes focus on business and infrastructure, close attention has been paid to equality and diversity principles. The expectation is that those businesses assisted will generate significant employment opportunities. The crucial issue, therefore, is applying equality and diversity principles to these opportunities. As part of this process the City Council’s Employment Services will engage with businesses as part of the recruitment process.

6.5 Implications for (or impact on) the environment

6.5.1 The investment in businesses and large scale infrastructure will have an impact on the environment as new road infrastructure is put in place. All business are now very conscious of energy costs. At the point of making investments in plant and machinery or indeed property the opportunity to reduce energy consumption per unit of output is invariably taken.

6.6 Implications for partner organisations?

6.6.1 The LEP is a partnership and is the strategic body with responsibility for the development and use of these funds. The key local partners of the LEP are the Chamber of Commerce and Warwickshire County Council who are delivery partners and are committed to the Programmes.

6.6.2 This fund will also complement and support the Coventry & Warwickshire City Deal proposals, enabling it to capitalise on the growth opportunities within the sub- region and support the growth of new and existing businesses within advanced manufacturing and engineering.

Report author(s):

Name and job title:

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Directorate:

Place

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Andy Williams	Resources & New Projects Manager	Place	23/8/13	23/8/13
Michelle Salmon	Governance Services Officer	Resources	4/09/13	4/09/13
Helen Williamson	Business Partner	Resources	23/8/13	2/9/13
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Clarissa Evans	Commercial Team Manager, Legal Services	Resources	20/8/13	4/9/13
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Nigel Clews	Acting Executive Director, Place	Place	23/8/13	10/9/13
Councillor Kelly	Cabinet Member (Business, Enterprise and Employment)	-	9/9/13	10/9/13

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Council

22nd October 2013

Name of Cabinet Member:

Cabinet Member (Housing and Heritage) – Cllr Ruane

Director Approving Submission of the report:

Executive Director, Place

Ward(s) affected:

All

Title:

Nomination of Elected Members for the Board of Culture Coventry

Is this a key decision?

No.

Executive Summary:

In 2012, Coventry City Council engaged in a review of the city's cultural trusts, in partnership with Coventry Heritage and Arts Trust (CHAT), Coventry Transport Museum (CTM) and the Belgrade Theatre Trust.

In October 2012, Council approved recommendations arising from the above review, including the recommended establishment of a new company limited by guarantee to take over the existing premises, employees, assets, liabilities and contracts of CHAT and CTM. In January 2013, Culture Coventry was formed as this new company. In July 2013, the Interim Board of Culture Coventry approved the planned TUPE transfer of staff from CHAT and CTM to Culture Coventry on 1st August 2013 and assumed responsibility from this date for the operations of facilities previously managed by CHAT and CTM.

In May 2013, the Council approved the appointment of Elected Members to the Boards of CHAT and CTM. This report seeks approval for the appointment of five Elected Members to the new Board of Culture Coventry.

Recommendations:

Council is recommended to appoint the following Elected Members to the Board of Culture Coventry for the remainder of the Municipal Year 2013/14:

Councillor Gannon
Councillor Hetheron
Councillor McNicholas
Councillor Sawdon
Councillor Skipper

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 – 22nd October 2013.

Report title: Nomination of Elected Members for the Board of Culture Coventry

1. Context (or background)

- 1.1 In 2012, Coventry City Council engaged in a review of the city's cultural trusts, in partnership with Coventry Heritage and Arts Trust (CHAT), Coventry Transport Museum (CTM) and the Belgrade Theatre Trust. The economic climate and public spending cuts arising from the Comprehensive Spending Review (CSR) meant that savings to the Council from the grants and service fees to all three Trusts needed to be found.
- 1.2 In October 2012, Council approved recommendations arising from the above review, including the recommended establishment of a new company limited by guarantee to take over the existing premises, employees, assets, liabilities and contracts of CHAT and CTM. In January 2013, Culture Coventry was formed as this new company. In July 2013, the Interim Board of Culture Coventry approved the planned TUPE transfer of staff from CHAT and CTM to Culture Coventry on 1st August 2013 and assumed responsibility from this date for the operations of facilities and management of collections previously managed by CHAT and CTM.

2. Options considered and recommended proposal

- 2.1 Two governance options have been considered:
- (a) No Elected Members are to be appointed to the Board of Culture Coventry
 - (b) Elected Members are to be appointed to the Board of Culture Coventry
- 2.2 Option A - No Elected Members are to be appointed to the Board of Culture Coventry
- 2.2.1 Culture Coventry is a company limited by guarantee, with charitable status. The Chief Executive currently reports to an Interim Board of Trustees, pending the recruitment of a Full Board (anticipated in January 2014). Following the Cultural Trust Review undertaken in 2012, Coventry City Council awarded transitional grant funding for 2013/14 of over £1.7m and grant for 2014-2017 of over £2.7m per annum to the organisation (now Culture Coventry) formed to manage the combined functions of CHAT and CTM. Coventry City Council is therefore both a major investor in Culture Coventry and the owner of the vast majority of the collections managed by the organisation. By not appointing Elected Members to the Board of Culture Coventry, the management of the City's investment and collections on loan to the museums would be conducted completely at arm's length, with no formal governance links between the bodies at the most senior level.
- 2.3 Option B - Elected Members are to be appointed to the Board of Culture Coventry (Recommended)
- 2.4.1 As outlined in Option A above, Coventry City Council is both a major investor in Culture Coventry and the owner of the vast majority of the collections managed by the organisation. By appointing Elected Members to the Board of Culture Coventry and through the appointment of the Chair of the Business, Enterprise and Economy Scrutiny Board (3) as Deputy Chair of Culture Coventry, the management of the Council's investment and collections on loan to the museums would be supported through direct input from Elected Members to the Board. This option secures governance links between the bodies at the most senior level and is therefore the recommended option.

3. Results of consultation undertaken

- 3.1 Discussions considering the appointment of Elected Members to the Board of Culture Coventry have been held with Cabinet Member (Housing and Heritage), the Deputy Leader of the Council, the Leader of the Opposition, the Chief Executive of Culture Coventry, the Board of Culture Coventry and senior Council officers.
- 3.2 As the recommended appointment of Elected Members to the Board is reflective of previous appointments to Outside Bodies (specifically to CHAT and CTM), no wider consultation has been undertaken.

4. Timetable for implementing this decision

- 4.1 If the recommendation is approved, Elected Members would be formally appointed to the Board of Culture Coventry at the first Board meeting to follow that of the Council (anticipated Thursday 24th October 2013).

5. Comments from Executive Director, Resources

5.1 Financial implications

There are no financial implications of the recommendations in this report.

5.2 Legal implications

None.

6. Other implications

None

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 recommended proposal will provide Elected Members on to the Board of Culture Coventry. It will contribute to the Council's core aims to:

- *Make Coventry an attractive and enjoyable place to be* – by sustaining and joining up the current cultural offer for the City, maintaining access to the City's collections, heritage and programmes and building on momentum from Coventry as a co-host city for the London 2012 Games.
- *Ensuring that children and young people are safe, achieve and make a positive contribution* – through the ongoing educational and community cultural offers of the Trust.
- *Encouraging a creative, active and vibrant city* – by sustaining access to the collections, services and expertise of the current offer, and through sustaining and further developing partnerships with wider arts and heritage partners.
- *Developing a more equal city with cohesive communities and neighbourhoods* – cultural experiences and events are widely recognised to positively bring communities together and to contribute to developing and defining a sense of place. Sustaining the cultural offer secures the positive benefits to communities presented by the uniqueness of the offer.

In addition to the above contributions to the Council's core aims, it is anticipated that Culture Coventry will contribute to the achievement of wider Council objectives through providing better customer service, greater efficiency and sustainable delivery.

6.2 How is risk being managed?

If the recommendation is approved, the management of the Council's investment and collections on loan to the museums would be supported through direct input from Elected Members to the Board. In the period prior to the formal appointment of Elected Members to the Board, the Chief Executive of the Council will remain as a Director on the Interim Culture Coventry Board and Elected Members will attend meetings of the Board of Culture Coventry by the standing invitation of the Chair. Quarterly review meetings will also be held between Council officers and the management team of Culture Coventry, and the Cultural Trust Review Project Group will continue to meet on a regular (minimum fortnightly) basis.

6.3 What is the impact on the organisation?

The proposal will require Elected Members appointed to the Board of Culture Coventry to attend regular Board meetings in their capacity as Trustees of the organisation.

6.4 Equalities / EIA

A key goal of the Cultural Trust Review was to protect the cultural offer for visitors and customers of the city's museums and cultural destinations. The recommendation within this report relates to the governance arrangements for the implementation of the review outcomes and does not present any equalities considerations further to those already considered in the review.

6.5 Implications for (or impact on) the environment

None.

6.6 Implications for partner organisations?

A key goal of the Cultural Trust Review was to protect the cultural offer for visitors and customers of the City's museums and cultural destinations. The recommendation within this report relates to the governance arrangements for the implementation of the review outcomes, specifically the appointment of Elected Members to the Board of Culture Coventry as the operations of the museums and management of the City's collections are passed from CHAT and CTM to the new Trust. The Interim Board will therefore move to a Full Board with Elected Member representatives (as previously appointed to CHAT and CTM).

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

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Directorate:

Place Directorate

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Executive Director: Martin Yardley	Executive Director	Place	11.10.13	11.10.13
Member: Councillor Ruane	Cabinet Member (Housing and Heritage)		11.10.13	11.10.13

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