

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

Held on 10<sup>th</sup> 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 23<sup>rd</sup> 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 50<sup>th</sup> 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 1<sup>st</sup> 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 28<sup>th</sup> February 2013 and would be phased in between 1<sup>st</sup> September and 1<sup>st</sup> December 2013. The new Act would introduce a revised regulatory regime for the scrap metal dealing and vehicle dismantling industries.

On 31<sup>st</sup> 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:

<b>No</b>	<b>Question Asked By</b>	<b>Question Put To</b>	<b>Subject Matter</b>
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”.*  
*2<sup>nd</sup> 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)