

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

Held on 24th June 2014, in the Council House, Coventry

PRESENT

Lord Mayor (Councillor Noonan)
Deputy Lord Mayor (Councillor Hammon)

| | |
|-----------------------|-----------------------|
| Councillor Abbott | Councillor A Khan |
| Councillor Akhtar | Councillor Lakha |
| Councillor Andrews | Councillor Lepoidevin |
| Councillor Bailey | Councillor Mrs Lucas |
| Councillor Bains | Councillor McNicholas |
| Councillor Mrs Bigham | Councillor Maton |
| Councillor Birdi | Councillor Mrs Miks |
| Councillor Blundell | Councillor J Mutton |
| Councillor Caan | Councillor M Mutton |
| Councillor Chater | Councillor O'Boyle |
| Councillor Clifford | Councillor Ruane |
| Councillor Crookes | Councillor Sandy |
| Councillor Duggins | Councillor Sawdon |
| Councillor Fletcher | Councillor Singh |
| Councillor Galliers | Councillor Skinner |
| Councillor Gannon | Councillor Skipper |
| Councillor Gingell | Councillor Mrs Sweet |
| Councillor Harvard | Councillor Taylor |
| Councillor Hetherton | Councillor Thay |
| Councillor Howells | Councillor Thomas |
| Councillor Innes | Councillor Townshend |
| Councillor Kelly | Councillor Walsh |
| Councillor Kershaw | Councillor Welsh |

Honorary Alderman

Present:

Mr J Gazey
Mrs J Wright

Apologies: Councillor Ali
Councillor Auluck
Councillor Brown
Councillor T Khan
Councillor Lancaster
Councillor Mulhall

Public Business

16. Minutes

The minutes of the Annual Meeting held on 5th June 2014 were signed as a true record.

17. Exclusion of Press and Public

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the item of business indicated below on the grounds that it 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 Paragraph(s) of Part 1 of Schedule 12A |
|-----------|--|---|
| 35 | European Regional Development Fund (ERDF) Open Call for Projects | 3 |

18. Coventry Good Citizen Award – Mr David Shortland

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

“David Shortland has made his mark on the city and its landscape having dedicated countless hours of his time to the regeneration and development of Coventry.

A Chartered Surveyor with nearly 40 years development experience, he has carved out a name for himself as a high profile business leader in the city. The Good Citizen Award recognises a great range of attributes and characteristics and of note is David’s drive and desire to make a difference to the landscape of this city.

As an advisor on many leading development schemes including Belgrade Plaza, Priory Place and Electric Wharf, and many other locations across Warwickshire David has a fantastic CV to reflect on.

He founded Shortland Horne in 1995 and is now Chair of Shortland Horne, Shortland, Penn and Moore, and Bluemark Projects Limited. David recently retired from being Chairman of the Belgrade Theatre and having been a Director since 2002 is now Honorary Ambassador to the Belgrade Theatre and remains as Director of Belgrade Production Services. His many roles on boards for Coventry University Business School, the Place Board for Coventry and Warwickshire Champions and Chairman of the Associate Directors Group at

Coventry City Football Club set him apart. David is a man with boundless energy and commitment to the city and is a fitting recipient of the Coventry Good Citizen Award. David has made a significant, personal financial contribution to the Belgrade Theatre”

19. **Birthday Honours**

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

- **MBE:** Amrik Singh Bhabra, Managing Director of ADECS and former President of Coventry & Warwickshire Chamber of Commerce, for his services to business and the community.
- **CBE:** Professor Nicholas Crafts, lecturer at the University of Warwick, for his services to economic policy.

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

20. **Congratulations on Awards**

The Lord Mayor referred to two awards won at the Royal Town Planning Institute (RTPI) West Midlands Centenary Ball on 13th June, attended by Councillor Sweet, Chair of Planning Committee.

Coventry Cathedral was awarded the Centenary Project Award as a clear example of a building which has a symbolic role for the city and the nation.

Ben Simm was awarded RTPI West Midlands Young Planner of the Year and considered an excellent role model.

In addition, Friargate was highly commended for the Regional Award for Planning Excellence losing out to the New Birmingham Library.

Congratulations were conveyed to all recipients.

21. **Petitions**

RESOLVED that the following petitions be referred to the appropriate City Council body:

- (1) **Request for additional safety measures on Swan Lane – 429 signatures – presented by Councillor Welsh.**
- (2) **Request for parking dispensation permits for householders in Aldrin Way – 9 signatures – presented by Councillor Blundell.**
- (3) **Request for a residents only parking permit scheme in Ellys Road – 29 signatures – presented by Councillor M Mutton.**

- (4) **Request to tidy up former car park on corner of Hill Street and Bond Street – 229 signatures – presented by Councillor O’Boyle.**
- (5) **Request for action be prevent illegal biking along Thompsons Road – 7 signatures – presented by Councillor Galliers.**
- (6) **Request the Council to look into missed refuse collections on Seymour Close – 42 signatures – presented by Councillor Bailey.**

22. Declarations of Interest

The Lord Mayor, Councillor Noonan declared an interest (under the category of “Other Relevant Interest”) in the matter referred to in Minute 26 below (Coventry and Warwickshire Gateway – Section 106 Planning Agreement). She withdrew from the meeting during consideration and voting on this matter. The Deputy Lord Mayor, Councillor Hammon, took the Chair for this item.

23. Local Government Pension Scheme - Statement of Policy

Further to Minute 173/13 of the Cabinet, the City Council considered a report of the Executive Director, Resources, which sought approval of the Council’s statement of policy on the discretions contained within the Local Government Pension Scheme Regulations.

Due to changes within the Local Government Pension Scheme Regulations 2013, the Council was required to formulate and publish a Statement of Policy in respect or the Local Government Pension Scheme. The report stated that particular attention needed to be drawn to the discretionary elements available to the Council.

The Policy Statement had been revised to reflect the changes to the Regulations. The main changes to the policy were set out in the report and, in summary, related to the following clauses:

- Clause 1 (Regulation 30)
- Clause 2 (TP Regulations 1(1) of Schedule 2)
- Clause 3 (Regulation 31)
- Clause 4 (Regulations 16(2)e and 16(4)d)
- Clause 6 (Regulation 17)
- Clause 7 (Regulation 16)
- Clause 9 (Regulation 100)
- Clause 10 (Regulation 9(3))
- Clause 11 (Regulations 91-95)
- Clause 12 (Regulation 72)

The Local Government Pension Scheme Regulations Statement of Policy would be effective from 1st July 2014.

RESOLVED that the City Council approve the Local Government Pension Scheme Regulations Statement of Policy attached at Appendix 1 of the report.

24. Pay Policy Statement 2014/15

Further to Minute 172/13 of the Cabinet, the City Council considered a report of the Executive Director, Resources, which set out the Council's annual Pay Policy Statement.

Local authorities were required by sections 38 and 39 of the Localism Act 2011 to produce an annual Pay Policy Statement, which must articulate the Council's policies towards a range of issues relation to the pay of the workforce, particularly the most senior staff (or chief officers) and the relationship of their pay to the lowest paid employees. The proposed annual Pay Policy Statement for 2014/15 was attached as an appendix to the report submitted.

RESOLVED that the City Council approve the 2014/15 Pay Policy Statement attached at Appendix 1 of the report.

25. 2013/14 Revenue and Capital Financial Outturn

Further to Minute 4/14 of the Cabinet, the City Council considered a report of the Executive Director, Resources, which set out the final revenue and capital outturn position for 2013/14, reviewed the treasury management activity during the year and set out the final 2013/14 Prudential Indicators reported under the Prudential Code for Capital Finance.

The balanced revenue position incorporated a £4m dividend from the Council's investment in Birmingham Airport plus and underlying underspend of £7.2m across all service areas. It was proposed that this £11.2m be set aside to apply to fund proposals coming out of the Council's recent Ofstead report and a range of other proposals that would increase the long-term resilience of the Council's financial position.

There had been two broad headline areas of overspending in 2013/14 in relation to looked after children and adult social care budgets.

In addition to the proposed contributions proposed, the outturn position also included a previously budgeted contribution of £4m into reserves in relation to Business Rates. This would help protect the Council from future Business Rate volatility and enable the release of ongoing revenue expenditure budgets in this area. In total, reserve balances would increase from £74m to £83m.

At their meeting, Cabinet had approved

- a) The final revenue outturn position balanced to budget.
- b) The final capital expenditure and resourcing position, incorporating expenditure of £54.5m against a final budget of £64.7m, reflecting £10.2m expenditure rescheduled into 2014/15 as set out in section 2.5 and Appendix 5 of the report.
- c) The outturn Prudential Indicators position as set out in section 2.6 and Appendix 6 of the report.

RESOLVED that the City Council approve the proposed contributions of £11.2m into reserves and to fund capital expenditure incorporated within this position as outlined in Section 2.3 of the report.

26. **Coventry & Warwickshire Gateway - Section 106 Planning Agreement**

Further to Minute 6/14 of the Cabinet, the City Council considered a report of the Executive Director, Place, which sought approval to enter into a Section 106 Planning Agreement in respect of the Coventry Gateway development.

In October 2012, the Council approved the disposal of land around Coventry Airport to form part of a development scheme known as Coventry Gateway. A condition of the disposal required the developer to secure an acceptable planning consent for the proposed commercial development. An outline planning application for the proposed development was submitted by Coventry and Warwickshire Development Partnership LLP to Warwick District Council and Coventry City Council as the scheme covered both administrative areas. At their respective planning committees, both authorities resolved their intention to grant consent.

The Secretary of State for the Department for Communities and Local Government called in the application and a planning inspector was appointed to hold a public planning enquiry which commenced on the 21st April 2014 and was scheduled to last for 15 days. The evidence heard at the public inquiry is currently being considered by the inspector. As a number of significant impacts of the proposed development are mitigated by a section 106 planning agreement, a completed agreement would have a strong bearing on the Inspector's recommendation to the Secretary of State and on the Secretary of State's decision on the outline planning applications.

Planning requirements proposed by the local planning authority, sought to impose obligations on the landowners, of which Coventry City Council is one. These obligations would require certain relevant works to be carried out and financial payments to be made during the development and prior to occupation of the development. These obligations were to be secured and documented by way of a legally enforceable section 106 planning agreement.

The report submitted outlined the financial liability potentially being imposed on Coventry City Council and how the liability was intended to be indemnified by the Coventry & Warwickshire Development Partnership as developer for the scheme, underwritten by a bank guarantee and to be documented as part of the land agreement.

RESOLVED that the City Council:

- 1. Approve that the Council, acting as landowner, enter into the Coventry and Warwickshire Gateway Section 106 Planning Agreement with Warwickshire County Council and Warwick District Council, provided that all the financial liabilities imposed on the Council in that agreement are indemnified by the Developer in the land agreement and backed by a bank guarantee.**
- 2. Delegate authority to the Executive Director, Resources, and the Executive Director, Place, in consultation with Cabinet Member (Business Enterprise and Employment), to negotiate the final terms of the Section 106 Planning Agreement, the indemnity from the Developer and the Bank Guarantee and to conclude all necessary legal documents in relation to the Section 106 Planning Agreement.**

(Note: The Deputy Lord Mayor, Councillor Hammon, Chaired the meeting for consideration of this item).

27. European Regional Development Fund (ERDF) Open Call for Projects

Further to Minute 7/14 of the Cabinet, the City Council considered a report of the Executive Director, Resources, which set out proposals for the submission of a bid to the European Regional Development Fund (ERDF) Open Call for Projects.

A corresponding private report, detailing the confidential financial details of the proposal, was also submitted to the meeting for consideration (Minute 35 below refers).

Coventry and Warwickshire have been very successful in the current round of ERDF in attracting external funding to the area. Under the ERDF Sustainable Urban Development Programme, Coventry & Warwickshire received a notional allocation of £12.5m and over the course of the programme, through demonstrating a clear understanding of ERDF priorities and an ability to deliver on time, to budget and profile, the Council have doubled that allocation and now have circa £25million of ERDF money committed to the area. There was now an opportunity to bid for further funds, primarily aimed at existing projects.

The Coventry and Warwickshire Local Enterprise Partnership (CWLEP) partners had looked at the opportunity to bid for further funds and as a result the Council has submitted a number of proposals seeking ERDF funding.

It was anticipated that the bidding round would be highly competitive and the Council was entering the process knowing that it was unlikely that it will be successful with all its proposals. However, building on its previous success and the Council's extensive knowledge of ERDF gained over many years, the Council had positioned Coventry and Warwickshire with the Department for Communities and Local Government (DCLG) as a place that can deliver.

Decisions by DCLG on which projects and programmes across the West Midlands area have been successful in securing further funds will be made by 20th June 2014. Spend and delivery would need to have been made by 31st December 2015.

The report submitted was in advance of knowing the outcome of bids from DCLG, so that if the Council were successful in securing ERDF, it could quickly move to become the accountable body for the additional ERDF, contract and mobilise the workforce accordingly to ensure delivery by 31 December 2015. It was noted that any delay in the decision making process would jeopardise the Council's ability to deliver the schemes within the timeframes set.

RESOLVED that:

- 1. The City Council approve the following, noting that all decisions are subject to the Council being notified that it has been successful in securing additional ERDF:**
 - (i) Authorise the City Council to act as guarantor and delegate authority to the Executive Director, Place, in conjunction with the Executive Director,**

Resources, to enter into grant aid agreements with DCLG on ERDF terms and conditions for the following individual projects if they are successful in securing ERDF: Gosford Street/University and Canal Basin/Bishop Street as set out in appendix 4 of the report.

- (ii) Delegate authority to the Executive Directors, Resources & Place to agree the terms of contracts of the public realm works under recommendation (i) above.**
- (iii) Approve the addition of relevant schemes to the Capital Programmes for 14/15 and 15/16.**

28. Scrutiny Annual Report 2013/14

The City Council noted the Scrutiny Boards' Annual report to the City Council for 2013/14 which highlighted examples of the wide-ranging scrutiny work undertaken during the year across all the Scrutiny Boards and the Scrutiny Co-ordination Committee.

29. Community Governance Review

The City Council considered a report of the Executive Director, Resources, in respect of a petition, received by the Council on 3rd December 2013 and signed by 711 people, requesting the creation of a parish council in the Finham area of the City. In accordance with the Local Government and Public Involvement in Health Act 2007, the Council was now required to conduct a Community Governance review for this area.

RESOLVED that the City Council approve the terms of reference of the review and agree the required consultation process and timetable.

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

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

31. Serious Case Review into the Death of Daniel Pelka – Progress Report from the Education and Children’s Services Scrutiny Board

The City Council considered a progress report from the Education and Children’s Services Scrutiny Board in respect of Serious Case Review (SCR) report published on Tuesday 17th September 2013 on the death of Daniel Pelka.

In line with statutory guidance a SCR was commissioned to investigate and analyse the circumstances into Daniel’s abuse and death. A SCR is held whenever a vulnerable child dies or is seriously injured or impaired and abuse or neglect is known or suspected to have been a factor.

The SCR report made 15 recommendations to local partners, covering domestic abuse, referral and assessment processes, training of staff, practice in schools and health as well as the requirement to disseminate messages to the Children's Workforce.

The Extra-ordinary meeting of the Council which took place on 10th October 2013 passed a resolution requesting that it receive a 6 monthly update report from Education and Children's Services Scrutiny Board (2) on delivery against the multi-agency action plan agreed through the independent Local Safeguarding Children Board.

RESOLVED that the City Council note the work of the Education and Children's Services Scrutiny Board (2) carried out to date and endorse proposed future action.

32. 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 Blundell | Councillor Lucas | Consultation on the Local Development Plan |
| 2 | Councillor Skinner | Councillor A Khan | 50m Swimming Pool |
| 3 | Councillor Crookes | Councillor Maton | Development in the City |

33. Statements

(a) Statement by the Cabinet Member (Children and Young People)

The Cabinet Member (Children and Young People), Councillor Ruane, made a statement in respect of the "Children's Services Improvement Plan".

Councillor Lepoidevin responded to the statement.

(b) Statement by the Leader

The Leader of the Council, Councillor Lucas, made a statement in respect of her "Vision for the municipal year".

Councillor Blundell responded to the statement.

34. Debate – Foodbanks

Councillor Gannon moved the following Motion which was seconded by Councillor A Khan:

“This Council notes that:

1. The number of people using Foodbanks provided by the Trussell Trust alone has increased from 41,000 in 2010 to more than 500,000, of whom one third are children;
2. Over the last three years, prices have risen faster than wages;
3. The assessment of the Trussell Trust that the key factors in the increasing numbers of people resorting to Foodbanks are rising living costs and stagnant wages, as well as problems including delays to social security payments and the impact of the under-occupancy penalty

and Council calls on the Government to take action to reduce dependency on Foodbanks”

RESOLVED that the Motion be unanimously adopted.

35. European Regional Development Fund (ERDF) Open Call for Projects

Further to Minute 27 above and Minute 13/14 of the Cabinet, the City Council considered a private report detailing the confidential financial matters in relation to the proposals to submit a bid to the European Regional Development Fund (ERDF) Open Call for Projects.

RESOLVED that the City Council approve the following, noting that all decisions are subject to the Council being notified that it has been successful in securing additional ERDF:

- (i) **Authorise the City Council to act as guarantor and delegate authority to the Executive Director, Place in conjunction with the Executive Director, Resources to enter into grant aid agreements with DCLG on ERDF terms and conditions for the following individual projects if they are successful in securing ERDF: Gosford Street/University and Canal Basin/Bishop Street as set out in Appendix A.**
- (ii) **Authorise the City Council to enter into a joint working legal agreement with Coventry University to deliver the Gosford Street Scheme.**
- (iii) **Delegate authority to the Executive Director, Resources and Executive Director, Place to agree the terms of contracts of the public realm works under recommendation (ii) above.**
- (iv) **Approve the addition of relevant schemes to the Capital Programmes for 14/15 and 15/16.**

(Meeting closed at 4.10 pm)