

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

Held on 15th July 2014, in the Council House, Coventry

PRESENT

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

Councillor Abbott	Councillor T Khan
Councillor Akhtar	Councillor Lakha
Councillor Bains	Councillor Lepoidevin
Councillor Mrs Bigham	Councillor Mrs Lucas
Councillor Birdi	Councillor McNicholas
Councillor Blundell	Councillor Maton
Councillor Brown	Councillor Mrs Miks
Councillor Caan	Councillor O'Boyle
Councillor Chater	Councillor Ruane
Councillor Clifford	Councillor Sandy
Councillor Crookes	Councillor Sawdon
Councillor Duggins	Councillor Singh
Councillor Fletcher	Councillor Skinner
Councillor Galliers	Councillor Skipper
Councillor Gannon	Councillor Mrs Sweet
Councillor Gingell	Councillor Taylor
Councillor Harvard	Councillor Thay
Councillor Hetherton	Councillor Thomas
Councillor Howells	Councillor Townshend
Councillor Innes	Councillor Walsh
Councillor Kelly	Councillor Welsh
Councillor Kershaw	

Honorary Alderman

Present:

Mr D Batten
Mr J Gazey

Apologies: Councillor Ali
Councillor Andrews
Councillor Auluck
Councillor Bailey
Councillor A Khan
Councillor Lancaster
Councillor Mulhall
Councillor J Mutton
Councillor M Mutton

Public Business

36. Minutes

The minutes of the Meeting held on 24th June 2014 were signed as a true record.

37. Coventry Good Citizen Award – Mr Gavin Kibble

On behalf of the Council, the Lord Mayor and Judge Griffith-Jones presented Mr Gavin Kibble with the Coventry Good Citizen Award. His citation read:

“Gavin Kibble has worked tirelessly for the city and its people in order to ensure that those most in need are able to access sufficient good, nutritional and balanced food at times of crisis. He has led Coventry food bank since its inception in 2012 and worked across the voluntary, faith and commercial sectors, ensuring that access is effective and that people can maintain their dignity when accessing support.

Gavin has ensured that the food bank has sufficient resources to meet the increasing need by working with funders and food suppliers to support the growing needs of the city. He also ensures that all food bank users are able to access other services and support.

Gavin has worked diligently to ensure that all partners and colleagues across the city are actively involved at all times. Between April 2013 and March 2014 just over 18,000 people were fed by Coventry food bank, almost all of which is delivered by volunteers.

Gavin works in many other guises in the city, supporting and leading groups, movements and likeminded people in caring for and supporting those most in need across our city, never tiring, always searching for new and better ways to help others, and for this reason, Gavin is a fitting recipient of the Coventry Good Citizen Award.”

38. Death of Bob Jones, West Midlands Police and Crime Commissioner

The Lord Mayor referred to the recent death of Mr Bob Jones, the West Midlands Police and Crime Commissioner, a post he was appointed to in November 2012.

Mr Jones had served as a Labour Councillor for Wolverhampton City Council for 33 years and was a member of West Midlands Police Authority from 1986 to 2012. He received a CBE for ‘Services to Policing’ in 2010.

Members of the City Council paid tribute to Mr Jones and noted that a letter expressing the Council’s sincere condolences would be sent to his family.

39. Petitions

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

- (1) **Request to retain the 50m Swimming Pool – 7,156 signatures – supported by Councillor Andrews and presented by Councillor Skinner in his absence.**
- (2) **Request to retain the 50m Swimming Pool (e-petition) – 3,963 signatures – supported by Councillor Andrews and presented by Councillor Skinner in his absence.**
- (3) **Request to address traffic concerns in Beake Avenue – 104 signatures – presented by Councillor Birdi.**

40. **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 50 below (Warwick District Council New Local Plan – Publication Draft). She withdrew from the meeting during consideration and voting on this matter. The Deputy Lord Mayor, Councillor Hammon, took the Chair for this item.

41. **Youth Justice Plan – Requirement under the Crime and Disorder**

Further to Minute 3/14 of the Joint Cabinet Members Meeting (Children and Young People and (Policing and Equalities), the City Council considered a report of the Executive Director, People, which indicated that Youth Offending Teams were established under the Crime and Disorder Act 1998. The functions assigned to the Youth Offending Service include the duty upon the local authority under the Children Act 1989 to take all reasonable steps to encourage children not to commit offences. The Act imposed a duty on each local Authority, acting in co-operation with statutory partners (Police, Health and probation) to ensure that all youth justice services are available in their area to such an extent as is appropriate.

The Crime and Disorder Act also imposed a duty on each Youth Offending Team to complete and submit a Youth Justice Plan each year. The Plan, which was attached as an appendix to the report, provided an overview of the Coventry Youth Offending Service, achievements against key indicators, plans and targets, and identified the key strategic actions for the next 12 months.

The Youth Justice Plan had been agreed and signed off by the statutory partners – Police, Health, Probation and the Local Authority, represented by the Deputy Director, Early Intervention and Social Care, People Directorate.

RESOLVED that the City Council endorse the Youth Justice Plan, as appended to the report submitted, the Plan then to be submitted to the Parliamentary Library in line with the requirements of the Crime and Disorder Act, 1998.

42. **Re-order of Agenda**

In accordance with (Paragraph 10.1(c)) of the Constitution, it was proposed by Councillor Mrs Lucas and seconded by Councillor Blundell that the agenda be re-ordered so that the item of business entitled “Warwick District Council New Local Plan – Publication

Draft” be taken immediately following the debates.

43. Coventry and Solihull Waste Disposal Company – Revised Articles of Association and Memorandum of Understanding

Further to Minute 28/14 of the Cabinet, the City Council considered a report of the Executive Director, Place, which detailed changes to the Articles of Association and the Memorandum of Understanding in respect of the Coventry and Solihull Waste Disposal Company.

Coventry City Council and Solihull Metropolitan Borough Council jointly own Coventry and Solihull Waste Disposal Company Limited (CSWDC). Shareholding was split in a ratio of 66 Coventry Shares and 33 Solihull Shares. CSWDC had successfully operated the Energy from Waste Plant in Coventry since 1994, although the original plant dates from 1975. Over the last three years, the operation had returned significant dividends to both shareholders.

As well as providing the primary waste treatment capacity for Coventry and Solihull, CSWDC also obtained considerable revenues from the sale of electricity, heat and waste treatment capacity to other local authorities.

One of the challenges for CSWDC was securing a mixture of long term and short term waste contracts to fill the waste treatment capacity not used by Coventry and Solihull. One of the single biggest contributors of waste to CSWDC after Coventry, was Warwickshire County Council, who’s current contract was due to expire in 2016.

Given the already existing close links between Coventry, Solihull and Warwickshire, as well as the need to explore joint service delivery models to deliver greater efficiency, officers of all three authorities have been exploring closer arrangements for waste disposal and treatment.

The Cabinet had approved that, to make joint working on waste disposal become a reality, Warwickshire County Council be made a ‘C’ class shareholder in CWDC in exchange for a guaranteed tonnage input for the next twenty-five years. The ‘C’ class share would have no dividend rights for the holder, no liabilities and limited voting rights at the shareholders panel and board on specific matters relating to the control of the Company. In addition, the ‘C’ class share would also not have the ability to appoint its own director to the CSWDC board, unlike the existing primary shareholders. However, as board appointments are made by a joint elected member panel, the holder of the ‘C’ class share would have a right to be a member on this appointment panel.

Coventry’s appointed non-executive board member, David Wilson, had been in post since 1994 and received an annual salary plus travel expenses. With the introduction of Warwickshire as a ‘C’ class shareholder and recognising the post holders 20 years of service, it had been mutually agreed that he would step down at a convenient point during the summer 2014. The appointment of the Coventry non-executive board member was at the discretion of the City Council. It was proposed that, in order to bring the CSWDC board membership in line with other City Council owned arm’s length companies and to realise a saving, a new non-executive board member be appointed on the following basis:

- i) That a senior officer from the Resources Directorate is appointed to the non-executive director post for a fixed term of two years from the retirement of the existing post holder.
- ii) That the above appointment was made without the existing remuneration or expenses package, saving CSWDC c£20k per annum, which should then be passed back to the City Council through an increased dividend.
- iii) That the above arrangement be reviewed after the fixed term of office.

The City Council paid tribute David Wilson for his work for the Council and the Company and wished him a long and happy retirement.

RESOLVED that the City Council note the retirement of David Wilson as Coventry City Council's non-executive director on the board of the Coventry and Solihull Waste Disposal Company, and approve the appointment of the Director of Resources (or his nominated substitute) as his replacement on a fixed term of two years and with no remuneration.

44. Establishment of Cabinet Committee – Children's Services

Further to Minute 26/14 of the Cabinet, the City Council considered a report of the Executive Director, Resources, which detailed the establishment of a Cabinet Committee – Children's Services.

During 2013/14, the Council and its partners received a report into the Safeguarding Service which identified a number of areas where improvements were required. In addition, the Council was subject to an Ofsted inspection which highlighted a number of additional areas of concern with Children's Services.

To help address the issues raised in the Safeguarding and Ofsted reports, when setting its budget for 2014/15, the Council identified additional funding for the People Directorate to support the improvements within Children's Services.

When considering the budget proposals, the need for the close monitoring of spending against this additional funding by the Leader, Deputy Leader and relevant Cabinet Members was highlighted. In order to provide that monitoring and to enable any further specific recommendations arising from the monitoring position to be made, Cabinet had endorsed the establishment of a Cabinet Committee – Children's Services.

Appendix 1 of the report submitted set out the terms of reference and the membership for the Cabinet Committee – Children's Services.

Under the provisions of the Council's Constitution, the Leader must report any alterations to arrangements for the allocation of executive functions to the next available meeting of full Council. On that basis, the report was to be submitted to the Council meeting for information.

RESOLVED that the City Council notes the establishment of the Children's Services Cabinet Committee, as required under the Council's Constitution and as outlined in Paragraph 5.2 of the report submitted.

45. Ricoh Arena Judicial Review

The City Council considered a report of the Assistant Director Legal and Democratic Services and Monitoring Officer, which referred to the Judicial Review brought by Sky Blues Sports & Leisure Limited (and others) against the City Council and Arena Coventry Limited and the Alan Edwards Higgs Charity (as interested parties) and which was heard in the High Court in Birmingham between 10 and 12 June 2014. Mr Justice Hickinbottom handed down his judgment on 30 June 2014, dismissing the Claimant's application in its entirety and a copy of that judgement was appended to the report.

The Claimants had indicated that they would seek permission to appeal the decision. The report sought authorisation for Officers to defend an appeal in the event permission is granted.

RESOLVED that the City Council authorise the Assistant Director for Legal and Democratic Services and Monitoring Officer, and Assistant Director Financial Management and Section 151 Officer to:

- (1) Defend on behalf of the City Council any application submitted to Mr Justice Hickinbottom of the High Court for permission to appeal to the Court of Appeal**
- (2) Defend on behalf of the City Council any application to the Court of Appeal for permission to appeal if leave to appeal is refused by Mr Justice Hickinbottom**
- (3) Defend the appeal on behalf of the Council if permission to appeal to the Court of Appeal is granted**
- (4) Make any consequential applications considered necessary as a result of recommendations (1), (2) and (3)**
- (5) Update the ACL Shareholder Panel as appropriate on developments as to any appeal and estimates on future costs to be incurred**

46. 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 Innes	Councillor Kershaw	Improved Ofsted Inspection results
2	Councillor Birdi	Councillor Maton	Building on the Green Belt

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| 3 | Councillor Lepoidevin | Councillor Ruane | Request to receive copies of relevant documentation in her role as Shadow Cabinet Member |
| 4. | Councillor Howells | Councillor Kershaw | Cabinet Reshuffle - Education Secretary |

47. **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 “The City’s Progress”.

Councillor Blundell responded to the statement.

48. **Debate – Local Plan**

Councillor Birdi moved the following Motion, which was seconded by Councillor Sawdon:

“When determining strategic housing needs and before publishing its local plan, Coventry City Council will:

- i) Consult with and take into consideration the views of all interested parties.
- ii) Engage with and give material consideration to Residents' Groups and local Parish Councils to ensure that their views are fairly represented in the plan.
- iii) Continue the principle of developing appropriate Brownfield sites before any urban sprawl into the Greenbelt.
- iv) Appreciate the significant difference between urban, semi-rural and rural living and have a differential policy regarding housing densities depending on their designation.
- v) Ensure that executive and aspirational housing developments (houses in the higher tax bands) are given priority because of the shortage of such housing stock in the City
- vi) Introduce a policy to support an Article 4 Direction to control on an area by area basis the number of Houses in Multiple Occupation (HIMOs)”

The following amendment was moved by Councillor Maton and seconded by Councillor Abbott and carried:

The amendment now to read:

“This Council notes that:

When determining strategic housing needs and before publishing its local plan, Coventry City Council will:

- i) Consult with and take into consideration the views of all interested parties.
- ii) Engage with all relevant groups to ensure that their views are fairly represented in the local plan.
- iii) Continue the principle of developing appropriate Brownfield sites wherever possible as an initial priority.
- iv) Ensure that there is a policy of housing for all because of the shortage of housing in the city.
- v) Explore the introduction of a policy to support an Article 4 direction on an area by area basis the number of HIMOs.

RESOLVED that the amended Motion as outlined above, be adopted.

34. Debate – Yes to Homes

Councillor Maton moved the following Motion which was seconded by Councillor Abbott:

“This Council notes that:

By supporting the Yes to Homes campaign we show that we are committed in Coventry to building more of the right type of homes, in the right place, at the right price to meet the increasing demand and need for our growing City.

It is vitally important we create more homes for local people to buy or rent. The city is facing a housing crisis, we have low wages and high house prices, 14,000 people on the waiting list, the population is growing faster than anywhere outside of London, and the cost of living is going up. People are finding it incredibly difficult to get on the housing ladder. We need to build more affordable homes, in particular so younger people can afford to move out of their parents' houses and live in a flat or house in their own city”.

An amendment was moved by Councillor Blundell and seconded by Councillor Sawdon, and, in accordance with the Constitution, accepted by Councillor Maton that the

following sentence be added as the last sentence of the motion: "In addition we all recognise the need for aspirational housing." The Motion now to read:

"This Council notes that:

By supporting the Yes to Homes campaign we show that we are committed in Coventry to building more of the right type of homes, in the right place, at the right price to meet the increasing demand and need for our growing City.

It is vitally important we create more homes for local people to buy or rent. The city is facing a housing crisis, we have low wages and high house prices, 14,000 people on the waiting list, the population is growing faster than anywhere outside of London, and the cost of living is going up. People are finding it incredibly difficult to get on the housing ladder. We need to build more affordable homes, in particular so younger people can afford to move out of their parents' houses and live in a flat or house in their own city. In addition we all recognise the need for aspirational housing."

RESOLVED that the Motion be unanimously adopted.

50. Warwick District Council Local Plan – Publication Draft

Further to Minute 24 of the Cabinet, the City Council considered a report of the Executive Director, Place, which set out a proposed response on behalf of the Council to Warwick District Council's new local plan.

Warwick District Council (WDC) published their local plan for a period of representations on the 15th May 2014. This ran for 6 weeks until 27th June 2014 in accordance with national Regulations relating to the submission of local plans. Given the timescales involved, officers had submitted an officer representation to WDC to ensure initial comments were provided. This representation was appended to the report submitted for endorsement.

The local plan set out the intended development proposals for Warwick district to 2029. Subject to the received representations, WDC intended to submit the plan to the Secretary of State later in the year.

The response had been prepared on behalf of the Council in its role as Local Planning Authority. It was noted that the development of the WDC local plan would have a knock on effect for Coventry's local plan, given the shared interest around the Coventry and Warwickshire Gateway, the University of Warwick and the Council's relationships in terms of the Local Enterprise Partnership, Strategic Economic Plan and City Deal. The key points proposed as part of the report submitted related to:

- i) Coventry's continued commitment to fulfilling the Duty to Co-operate and the Council's support for the proposed policy DS20, which commits WDC to supporting Coventry City Council in relation to meeting its housing needs should such a situation arise;

- ii) Support for WDC's plans to accommodate its objectively assessed housing needs within its own boundaries in accordance with the Coventry and Warwickshire Strategic Housing Market Assessment;
- iii) Continued support for the Coventry and Warwickshire Gateway proposals;
- iv) Continued support of the expansion plans at the University of Warwick; and
- v) Clarification of the Council's position with regards the proposed housing site at Howes Lane, east of Finham.

It was noted that, should the continued progression of the new Coventry Local Plan show that Coventry were unable to accommodate its own development needs within its own boundary then the City will require support from its neighbours to help deliver its needs, highlighting the importance of i) above.

Points iii) to v) above identified areas where development opportunities would be allocated or facilitated through policy adjacent to the City's southern boundary. As such, there was likely to be environmental impacts resulting from the development of Greenfield and Green Belt land, and additional pressures on Coventry's services with no additional income to the Council to pay for it. In contrast however, the Council would expect many of the increased demands its services, and associated implications, to be mitigated through improved infrastructure delivery. The Council also expected to see positive impacts in terms of job creation, growth in economic output and housing provision.

RESOLVED that the City Council endorse the officer representations to Warwick District Council's New Local Plan – Publication Draft, as set out in appendix 1 of the report submitted.

(Meeting closed at 4.45 pm)