



Coventry City Council

SUMMARY OF CABINET/CABINET MEMBER DECISIONS

**WEEK COMMENCING 2 SEPTEMBER
2013**

**CALL IN FOR THESE DECISIONS ENDS
9.00 A.M. ON FRIDAY 13 SEPTEMBER
2013**

6 SEPTEMBER 2013

Public Business

- Denotes items that have been referred to Audit and Procurement Committee.
- # Denotes items that are to be referred to Council. Accordingly Call-in does not apply.
- ◆ Denotes a matter where the associated report has already been considered by the Scrutiny Co-ordination Committee or a Scrutiny Board. Where this body has endorsed the recommendations or made recommendations that have been accepted by the Cabinet/Cabinet Member Call-in does not apply.
- * Denotes other items that have been referred to, or considered by, the Scrutiny Co-ordination Committee or a specific Scrutiny Board.

Note: The Limitations on Call-in are set out at the end of this sheet.

Cabinet Member (Public Services) – 3rd September, 2013

Report 4 **Petition – Request for Prioritisation of Remedial Work at the A45 / Broad Lane Junction**

Recommendations

The Cabinet Member (Public Services) is recommended to:

- i. note the concerns of the petitioners and that there are plans for a junction improvement here, funded through Section 106 contributions associated with the Bannerbrook estate development on Banner Lane; and
- ii. approve that the Urban Traffic Management and Control team investigate whether an additional stage can be introduced into the traffic signal sequence to assist vehicles turning right from Broad Lane (inbound) to the A45 Fletchampstead Highway.

The above recommendations were approved.

Report 5 Petition – Flood Protection Proposals for Butt Lane and Washbrook Lane, Allesley

Recommendations

The Cabinet Member is recommended to:

1. Note the concerns of the petitioners.
2. Endorse the work of officers from the Flood Risk Management team and of colleagues from the Environment Agency in respect of this petition.

The above recommendations were approved.

Report 6 Petition - Lighting in Eagle Street

Recommendations

The Cabinet Member (Public Services) is recommended not to take any further action **on the request for the retention of the lamppost outside the church on Eagle Street.**

The above recommendation was amended as indicated in bold and approved, together with the following additional recommendation:

The Cabinet Member (Public Services) requests officers to work with West Midlands Police and the Community Safety Team to install a camera on one of the lighting columns in Eagle Street.

Report 7 Petition – Request for Traffic Calming Measures on Harnall Lane East

Recommendations

The Cabinet Member (Public Services) is recommended to approve that:

- (i) the section of Harnall Lane East from Cambridge Street to Swan Lane is added to the Local Safety Scheme list for funding from a future year's Transportation and Maintenance Capital Programme;
- (ii) the request for a 20 mph limit be considered in the light of the recommendations of the Public Services, Energy and Environment Scrutiny Board (4) when these become available.

The above recommendations were approved.

Report 8 Petition – Condition of Pavements in Larch Tree Avenue

Recommendations

The Cabinet Member is asked to note that Officers have inspected the length of footways in Larch Tree Avenue and recommend that they are considered for inclusion in the Highways Capital Programme Forward Programme for footway reconstruction works.

The Cabinet Member is further asked to note that the surface treatment works to Larch Tree Avenue were required to be delivered as part of the 13/14 Highways Capital Maintenance Programme and that it was not possible, or necessary, to repair the footways at the same time.

The above recommendations were approved.

Report 9 Petition: Emerson Road & Wordsworth Road – Request for Traffic Calming

Recommendations

The Cabinet Member (Public Services) is recommended to:

- i) note the concerns of the petitioners
- ii) approve that speed/traffic counts be undertaken on Emerson Road with a further report in six months time detailing the results

The above recommendations were approved.

Report 10 Representation Against Proposed Toucan Crossing on Broad Lane

Recommendations

The Cabinet Member is recommended to:

- 1. Consider the response to the Notice of Intent;
- 2. Approve the change of controlled crossing type (from a pelican to a toucan) on Broad Lane in the vicinity of Woodlands School.

The above recommendations were approved.

Report 11 Outstanding Issues

Recommendations

The Cabinet Member (Public Services) is requested to consider the list of outstanding issues and to ask the Member of the Management Board or appropriate officer to explain the current position on those which should have been discharged at this meeting or an earlier meeting.

The above recommendation was approved.

Cabinet Member (Health and Adult Services) – 3rd September, 2013

Report 4 Supported Living Services Provided at Axholme House

Cabinet Member is recommended to:

- (1) Approve a formal consultation with existing residents, their families and Midland Heart regarding a move to improved accommodation and ceasing the provision of services at Axholme House.
- (2) Accept a further report to a joint Cabinet Member Meeting with the Cabinet Member (Business, Enterprise and Employment) concerning the outcome of the formal consultation and subsequent recommendations.

The above recommendations were approved.

Cabinet – 3rd September, 2013

○ Report 5 2013/14 Quarter 1 Revenue and Capital Monitoring and Treasury Management Report (to June 2013)

Councillor Gannon

Recommendations

Cabinet is recommended to:

1. Note the projected revenue overspend and endorse the proposed actions to balance the budgetary position by year-end.
2. Approve the revised capital estimated outturn position for the year of £77.9m incorporating:
 - (i) £11.3m increase in spending relating to approved/technical changes, (see Appendix 2),
 - (ii) £5.5m net rescheduling of expenditure into 2013/14, (see Appendix 4).
 - (iii) £0.1m net underspending on the programme.

The above recommendations were approved.

*** Report 6 Coventry's Alcohol Strategy 2013-2016**

Councillor Gingell

Recommendations

The Cabinet is requested to:

Approve Coventry's Alcohol Strategy, 2013-2016.

The above recommendation was approved.

**#Report 7 Consultation on Refreshing the Mandate to NHS England: 2014-2015–
Consultation Response**

Councillor Gingell

Recommendations

Cabinet are requested to:

- 1) Recommend that Council approve the consultation response.

The above recommendation was approved.

#Report 8 Coombe Abbey Park Hotel

Councillor Kelly

Recommendations

Cabinet is asked to recommend that the Council:

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

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

- (3) Delegate authority to the Director of Finance and Legal Services and the Council Solicitor to agree detailed terms of the transaction.
- (4) Delegate authority to the Director of Finance and Legal Services and the Council Solicitor as appropriate, in consultation with the Cabinet Member (Business, Enterprise and Employment) and Cabinet Member (Strategic Finance and Resources), to make variations or new requirements to give effect to the proposals that are deemed necessary.

- (5) Delegate authority to the Director of Finance and Legal Services and the Council Solicitor as appropriate, in consultation with the Cabinet Member (Business, Enterprise and Employment), Cabinet Member (Strategic Finance and Resources) and Cabinet Member (Community Safety and Equalities), to sign the loan agreement and an amended Shareholders Agreement and such other ancillary documentation as is necessary to complete the refinancing transaction, based on the proposals detailed in the private report.

The above recommendations were approved.

Report 9 Authority for Attendance at Conference

Recommendations

To give approval for the attendance of Councillor Gingell and Brian Walsh, Executive Director, People Directorate, at the National Children and Adult Services Annual Conference, Harrogate to be held from 16th to 18th October, 2013.

The above recommendation was approved.

Report 10 Outstanding Issues

Recommendations

The Cabinet are recommended to consider the list of outstanding items as set out below and to ask the Member of the Management Board concerned to explain the current position on those which should have been discharged at this meeting or an earlier meeting.

The above recommendation was approved.

Cabinet Member (Children and Young People) – 4th September, 2013

◆Report 4 Update on Progress of Troubled Families Programme

The Cabinet Member (Children and Young People) is recommended to:

- 1) Consider any recommendations made by the Education and Children's Services Scrutiny Board (2).
- 2) Endorse the progress achieved to date on the Department of Communities and Local Government (DCLG) Troubled Families Programme within Coventry known locally as the Children & Family First Intensive Family Support Programme and acknowledge the challenges faced.

The above recommendations were approved.

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

Report 4 **Licensing Policy - Late Night Levy and Early Morning Restriction Orders**

Recommendations

That Cabinet Member is requested to:

- (1) **Defer** the implementation of either a Late Night Levy or Early Morning Restriction Order and, in conjunction with the police, officers be requested to continue to review whether such measures are needed for Coventry.
- (2) Agree that if evidence becomes available to support the need for a Late Night Levy or Early Morning Restriction Order, officers bring a report to a future Cabinet Member Meeting.

Recommendation (1) above was amended as indicated in bold and approved, and Recommendation (2) was amended and approved as per the following:

- (2) Direct that evidential analysis to support or otherwise the need for a Late Night Levy or Early Morning Restriction Order be brought in an all encompassing report to be submitted to the Cabinet Member (Community Safety and Equalities) meeting scheduled for 27th March 2014.

Report 5 **Face to Face Fundraising Agreement**

Recommendations

That Cabinet Member is recommended to:

- (1) Approve the adoption of a formal Site Management Agreement for regulating face to face fundraising in the City Centre, **but exclude High Street, Coventry, but be prepared to consider an alternative site.**
- (2) Delegate authority to the Head of Regulatory Services, in conjunction with the Cabinet Member (**Community Safety and Equalities**), to administer the formal Site Management Agreement with the Public Fundraising Regulatory Association.

- (3) **Directs** that the Licensing Team acts as the single point of contact with the Public Fundraising Regulatory Association on proposed fundraising activities in the city centre and **direct that it** monitors compliance **with the policy**.

The above recommendations were amended as indicated in bold and approved.

#Report 6 Scrap Metal Dealers Act 2013

Recommendations

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

The above recommendations were approved.

○Report 7 Annual Compliance Report - Regulatory & Investigatory Powers Act (RIPA) & Revised RIPA Policy for Covert Surveillance & Covert Human Intelligence Sources (CHIS)

Recommendation

The Cabinet Member is recommended to:

- (1) **Approve** the submission of the Annual Compliance Report to the Audit and Procurement Committee for formal acceptance
- (2) Requests the Audit and Procurement Committee to approve the revised policy.

Recommendation (2) was approved. Recommendation (1) was amended as indicated in bold and approved together with the following additional recommendation:

- (3) Direct that a separate report be presented to a Cabinet Member (Community Safety and Equalities) meeting no later than the

meeting scheduled for 19th December 2013, in relation to similar powers under the Data Protection Act in relation to employees, sub-contractors and associated third parties.

◆Report 8 Equality Strategy – Performance Report 2012/13

Recommendations

Cabinet Member (Community Safety & Equalities) is requested to:

- (1) **Approve and endorse** any recommendations made by Scrutiny Co-ordination Committee
- (2) Consider the progress made on the equality measures set in the Council Plan **and commend officers for the work undertaken and endorse the preliminary targets that have been discussed for incorporation into future plans.**
- (3) Agree that the current equality objectives and measures should be reviewed as part of the revision of the Council Plan.

Recommendation (3) was approved. Recommendations (1) and (2) were amended as indicated in bold and approved together with the following additional recommendation:

- (4) Further report to be submitted to the Cabinet Member (Community Safety and Equalities) in relation to these issues in order to monitor progress on or before the Cabinet Member meeting scheduled for 1st May 2014.

Report 9 Equalities in Employment

Recommendations

The Cabinet Member is requested to **consider the following recommendation made by the Scrutiny Co-ordination Committee:**

- (1) That Cabinet Member (Community Safety and Equalities) considers the proposals for the BME Coaching and Mentoring Programme pilot to be extended to include other protected groups, such as female employees, lesbian, gay, bisexual and transgender employees and disabled employees.

- (2) The Cabinet Member having considered the above recommendation directs that the recommendation of Scrutiny Co-ordination Committee as set out above be adopted on a phased timetable.
- (3) The Cabinet member requested that an updated report as to progress on equalities in employment be submitted to the Cabinet Member meeting scheduled for 1st May, 2014.

Report 10 The Establishment of a Cabinet Member (Community Safety and Equalities) Advisory Panel - The Good Citizen Award

Recommendations

The Cabinet Member (Community Safety and Equalities) is recommended to give approval for the establishment of an Advisory Panel for the Good Citizen Award to advise the Cabinet Member on possible recipients of the Award, **for the Cabinet Member to promote to full Council.**

The above recommendation was amended as indicated in bold and approved.

Report 11 Outstanding Issues

Recommendations

The Cabinet Member (Community Safety and Equalities) is requested to consider the list of outstanding issues and to ask the Member of the Management Board or appropriate officer to explain the current position on those which should have been discharged at this meeting or an earlier meeting.

The above recommendation was approved.

Joint Cabinet Members (Community Safety and Equalities) and (Housing and Heritage) – 5th September, 2013

Report 6 Report in Response to a Petition Regarding the Condition of an Empty Property in Holbrooks

Recommendations

The Cabinet Member is recommended to:

- 1.1 Approve the commencement of legal proceedings to compel the sale of the property with a view to recovering money that the Council has already spent, alleviate the nuisance caused to local residents, recover the debts owed to the City Council and bring the site back into use in the form of residential accommodation. Such legal proceedings to commence should the matter not be resolved within 56 days of the date of this report.
- 1.2 Approve that should the Council compel the sale of the property this should be with the condition that the purchaser will either refurbish or demolish and rebuild a new home within 12 months.

The above recommendations were amended and approved as per the following and together with the following additional recommendations:

1. Jointly direct the urgent commencement of all and any appropriate legal proceedings, firstly to convert any land charges secured against the property at 208 Masser Road, Coventry into legal charges to be secured at H.M. Land Registry against the title to the aforementioned property; for legal proceedings to be commenced against the appropriate defendants or respondents whether by the estate of the deceased owner of the property, or the administrator of that estate or such other individual as it may be appropriate to commence proceedings against for all and any outstanding debts due to Coventry City Council for whatever reason, from the estate of the owner of the property and/or the deceased owner, including such costs as may be incurred by the further recommendations within this report and, if appropriate, an application to be made to the Court within the course of those proceedings for summary judgement and upon judgement being secured, for proceedings to be taken to secure a legal charge against that property at 208 Masser Road, Coventry. All such proceedings identified in this recommendation to be undertaken in the most expedient manner, whilst protecting the Council's position in relation to any protocols arising from the Civil Procedure rules.

2. Jointly direct that upon all and any legal charges being secured against the property at H.M. Land Registry a separate application be made to the court seeking possession of the said property and an order for sale, with conduct of the sale being vested in the Assistant Director (Legal Services) or her designated nominee.
3. Upon an order for sale being secured, in consequence of actions in paragraphs 1 and 2 above, appropriate officers of the City Council prepare a tender document offering the property for sale on the open market at the best available price, with preference to a sale to a local individual or company if at all possible. But for any sale to be subject to a contractual term requiring either demolition or refurbishment or rebuilding a new home within 6 months of the date of completion of sale, and for there to be penalty clauses dealing with any default arising there from.
4. That this report and the recommendations from it be referred to the Cabinet Member (Public Services) for consideration of urgent action to address issues relating to drainage and sewage problems and issues of environmental pollution including but not limited to pest control, overgrowth and fly tipping.
5. That the Corporate Governance and Litigation Manager be responsible for the co-ordination and production of a confidential weekly briefing note as to progress in respect of all matters to be circulated to Councillors Ruane, Townshend, Andrews, Clifford, Lucas and Lancaster as to progress in respect of recommendations arising from this report and an explanation as to why any time constraints have not been complied with.
6. A further Joint Cabinet Members (Community Safety and Equalities) and (Housing and Heritage) meeting be arranged within eight weeks as to formal progress in respect of direct actions and legal actions identified in these recommendations. Shadow Cabinet Members and Holbrook Ward Councillors and the petition spokesperson to be invited to the meeting.

Limitations on Call-in

A call-in will normally be regarded as appropriate **UNLESS:-**

1. it falls within paragraph 4.5.26 of the Scrutiny rules (part 4 of the Constitution) – ie. it relates to:-
 - (i) a matter which is to be determined by the Council.
 - (ii) a decision of the Cabinet/Cabinet Member taken as a matter of urgency and the Chair of the Scrutiny Co-ordination Committee (or his/her nominee) had been invited to attend the meeting where the urgent decision had been taken or the Scrutiny Co-ordination Committee has previously agreed the need for urgency.
 - (iii) a decision made by an employee exercising delegated authority.
 - (iv) decisions of the Licensing and Regulatory Committee.
 - (v) decisions of the Planning Committee.
 - (vi) decisions of the Appeals and Appointments Panels.
 - (vii) decisions of the Audit Committee.
 - (viii) a matter where the associated report has already been considered by the Scrutiny Co-ordination Committee or a Scrutiny Board who have endorsed the recommendations or made recommendations that have been accepted by the Cabinet/Cabinet Member.
2. The call-in form is not completed correctly.
3. The call-in form is received after the specified time.
4. The reason for the call-in is unclear or does not relate directly to the decision specified on the call-in form.
5. The reason for the call-in is a question, the answer to which can be found in the report relating to the decision which is being called in.



Resources Directorate
Council House
Earl Street
COVENTRY CV1 5RR