



Coventry City Council

SUMMARY OF CABINET/CABINET MEMBER DECISIONS

WEEK COMMENCING 23 JANUARY 2017

**CALL IN FOR THESE DECISIONS ENDS
9.00 A.M. ON Friday 3 February 2017**

27 January 2017

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.
- Split recommendations. Please see note at foot of item for details of the recommendations that are not subject to call-in.

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

Cabinet – Tuesday 23 January 2017

Report 4 Consultation on proposals to create a Regional Adoption Agency

Councillor Ruane

Recommendations:

1. Approve a period of detailed co design leading to consultation on a preferred model of ACE RAA delivery via a shared service arrangement alongside Solihull Metropolitan Council, Warwickshire County Council and Worcestershire County Council.
2. Note that further work will be undertaken to determine the host authority to facilitate the operational delivery of ACE

The above Recommendations were approved.

Report 5 Local assurance on the effective discharge of the functions of the Director of Children Services (DCS), Director of Adult Services (DAS) and the Lead Members for these service areas.

Councillor Duggins

Recommendations:

Cabinet are recommended to approve the revised Assurance Document (Appendix 1).

The above Recommendation was approved.

◆ Report 6 Education Service Redesign

Councillor Maton

Recommendations:

Cabinet is recommended to:

1. Consider any additional recommendations or comments from the Scrutiny Co-ordination Committee.
2. Note the collaborative approach with schools to develop this new Education Service model
3. Approve the implementation of the proposed new Education Service model.
4. Delegate authority to the Director Education, Libraries & Adult Learning in consultation with the Cabinet Member for Education and the Schools Forum, to identify and approve the usage of any over delivery in Dedicated Schools Grant savings pending the outcome of the current Dedicated Schools Grant funding consultation.

The above Recommendations were approved, along with the following additional recommendations from the Scrutiny Co-ordination Committee:

5. That scrutiny be kept updated of any further changes as a result of evaluation, especially those services traded with schools.
6. That thanks and appreciation be conveyed to the Director of Education, Libraries and Adult Education and all the team involved in the successful consultation process which informed the development of the new Education Service model.

Report 7 Coventry Station Masterplan Update

Councillor O'Boyle

Recommendations:

Subject to the outcome of ongoing commercial negotiations with Friargate LLP, Cabinet is requested to:-

1. Approve the revised cost plan as detailed in section 5.1, and authority to submit a funding bid through the WMCA Devolution Deal. Delegate authority to the Executive Director for Place to become the accountable body, and authority to the S151 Officer to enter into the appropriate funding agreements with the Coventry & Warwickshire Local Enterprise Partnership, West Midlands Combined Authority and Department for Transport;
2. Approve the preferred option designs for Phase 2 of the Coventry Station Masterplan shown in appendix 2, option B to take forward to detailed design for the remaining elements including the bus interchange, second station building and multi-storey car park at Coventry Station and the completion of technical, legal and regulatory industry approvals for these remaining scheme elements;
3. Approve the enhanced footbridge scheme and associated canopy extensions design as shown in appendix 4 option B as the City Council's preferred option;
4. Approve the addition of an enhanced highway scope that includes western and eastern highway works as shown in appendix 4;
5. Delegate to the Executive Director for Place [after consultation with Cabinet Member for Jobs and Regeneration] authority to survey land and to negotiate the acquisition of all land interests necessary to deliver all aspects of the Masterplan proposals;
6. Approve the submission of the necessary planning applications to deliver the bus interchange and highway infrastructure as shown in appendix 2 and 4 respectively;
7. Approve that NUCKLE 1.2 funding be packaged with the Coventry Station Masterplan and any funding shortfall can be made up with Devolution Deal funding, subject to approval via the WMCA Assurance Framework;
8. Approve to proceed the procurement for the design and construction of the footbridge and canopies, detailed design for the wider scheme

and procurement of a Rail Advisors Framework to provide external rail expertise for this project and future requirements;

9. Note that a further cabinet report will be tabled before awarding construction contracts for the scheme for Member approval;
10. Delegate authority to the Executive Director for Place, to
 - a. Contract with suppliers for the delivery of the design at Coventry Station;
 - b. Negotiate and enter into on behalf of the Council all associated agreements that support construction and completion of design, including but not limited to Asset Protection Agreements with Network Rail and agreements with rail industry parties to facilitate investment in the station;
 - c. Negotiate and contract with Network Rail and other land owners for the necessary land access and rights in order to construct the Coventry Station Masterplan and NUCKLE 1.2 proposals;
 - d. Negotiate and enter into an agreement with the Department for Transport for the City Council to fund and enter into ownership of the multi-storey car park;
 - e. Agree award of contracts following competitive tender procedures for the detailed design for the wider scheme and procurement of a Rail Advisors Framework.
 - f. To become the accountable body for Local Growth Deal 3 if successful.

Cabinet is requested to recommend that Council:

11. Subject to the outcome of ongoing commercial negotiations with Friargate LLP:-
 - a. Approve the revised cost plan as detailed in section 5.1, give authority for prudential borrowing of £10.9m subject to final approval by the Department for Transport and authority to submit a funding bid through the WMCA Devolution Deal.
 - b. Delegate authority to the Executive Director for Place to become the accountable body if successful and authorise the Executive Director for Resources to enter into the appropriate funding agreements with the Coventry & Warwickshire Local Enterprise Partnership and West Midlands Combined Authority.

- c. Delegate authority to the Executive Director for Place following consultation with the Cabinet Member for Jobs and Regeneration and Cabinet Member for Strategic Finance and Resources to effect any draw down resources from the programme contingency budget referred to in section 5.1, table 1.

The above Recommendations were approved, along with the additional recommendations from Scrutiny Co-ordination Committee:

12. That scrutiny be included in the reporting process relating to the Coventry Station Masterplan.
13. That the finances of the Masterplan are carefully monitored, including any additional proposed income streams.

Report 8 Connecting Coventry - Strategic Transport Investment Programme

Councillor O'Boyle

Recommendations:

Cabinet is asked to recommend to Council:

1. To approve the outline Strategic Transport Investment Programme 'Connecting Coventry' as indicated in this report and endorse that officers, following consultation with the Cabinet Member for Jobs and Regeneration, progress the development of the relevant work packages;
2. Authorise submission of the bids to the West Midlands Combined Authority to secure the devolution deal funding required to deliver the Connecting Coventry packages contained in this report;
3. Authorise procurement of resources to assist with submission of the bids through the Shared Professional Services Contract which are to be funded from this programme;
4. Delegate authority to the Executive Director Place and Executive Director Resources, following consultation with the Cabinet Member for Jobs and Regeneration, to:
 - Determine the final content of the relevant Business Cases required to submit the bids;
 - Submit the relevant Strategic Outline Business Cases to the West Midlands Combined Authority in relation to the work packages within the Connecting Coventry Programme;

- Progress the Business Cases to the final stage in accordance with the Combined Authority's Assurance Framework;
 - Agree the bid for allocation of the HS2 connectivity package funding, subject to approval through the Combined Authority's Assurance Framework.
5. Should the bids be successful; that Coventry City Council enters into the necessary legal documentations to secure the funding required to deliver the Connecting Coventry Programme;
 6. Delegate authority to the Executive Director for Place to become the accountable body, and authority to the S151 Officer to enter into the appropriate funding agreements with the Coventry & Warwickshire Local Enterprise Partnership, West Midlands Combined Authority and Department for Transport;

The above Recommendations were approved, along with the additional recommendations from the Scrutiny Co-ordination Committee as amended in bold:

7. The following aspiration for the city is included in the report: 'That a light rail link be provided to the UK Central HS2 hub as soon as possible and that links be developed to the other major destinations in the city including the hospital', ***whilst noting that the Cabinet believed there was no point having a very light rail service unless it linked to HS2.***
8. Scrutiny be included in the reporting process relating to Connecting Coventry – Strategic Transport Investment Plan.

■ **Report 9 Business Case for the construction of multi-storey car parks in Coventry City Centre**

Councillor J Innes

Recommendations:

Cabinet is requested to:

1. Approve in principle the construction of a new multi-storey car park at Salt Lane subject to planning permission, in order to help redress the under provision of parking in the south of the city centre.
2. Recommend to Council that it approves the addition of £10.7million to the capital programme funded from corporate capital resources for 2017/18 and 2018/19 for the development of a new MSCP on the site of the existing Salt Lane surface car park within Coventry city centre.

3. Approve that the corporate capital resources expended on the works are funded from income growth within the Place Directorate over the life of the asset.
4. Delegate authority to the Executive Director of Place and the Executive Director of Resources in consultation with the relevant Cabinet Members, to approve the detailed design of the proposed scheme and the associated professional appointments for the development and construction of the new multi-storey car park at Salt Lane.
5. Approve the principle of developing a linked business case for the construction of a new multi-storey car park on the site of the existing New Union Street and Cheylesmore car parks as a second phase development.

The above Recommendations were approved.

Note: Recommendation 2 was referred to Council for considered. As a result recommendation 2 is not open to call-in.

■ Report 10 City Centre South Development

Councillor O'Boyle & Councillor J Mutton

Recommendations:

Cabinet is recommended to:

1. Accept the bid and award the contract to Bidder A as the Preferred Bidder for the delivery of the City Centre South scheme, subject to the detailed information contained in the associated private report.
2. Delegate authority to the Executive Director for Place and Executive Director for Resources following consultation with the Cabinet Member for Jobs and Regeneration and Cabinet Member for Strategic Finance and Resources to undertake the necessary due diligence, finalise and complete the process of entering into the contract with the Preferred Bidder, subject to the detailed information contained in the associated private report.
3. Approve in principle to use its Compulsory Purchase powers pursuant to sections 226 and /or 227 of the Town and Country Planning Act 1990 (as amended) and/or section 203 of the Housing and Planning Act 2016 for the acquisition as necessary of the land outlined in red on the indicative plan at Appendix 1 ("the Land") for planning

purposes in order to enable the development of the City Centre South scheme, subject to the detailed information contained in the associated private report.

4. Authorise the Executive Director for Place to grant written authority to officers to enter onto the Land or other land for the purposes of carrying out surveys pursuant to section 172 of the Housing and Planning Act 2016.
5. Authorise the Executive Director for Place to issue notices requisitioning information from persons in relation to the Land or other land pursuant to section 16 of the Local Government (Miscellaneous Provisions) Act 1976.
6. Delegate authority to the Executive Director for Place, after consultation with the Legal Services Manager (Place & Regulatory) (or their nominee), to complete and settle the land referencing exercise to identify all owners, tenants, occupiers and others with a legal interest affected and which may be included in any future Compulsory Purchase Order and/or become eligible for compensation under section 203 of the Housing and Planning Act 2016, subject to the detailed information contained in the associated private report.
7. Note that a detailed report in relation to the proposed Compulsory Purchase Order setting out the justification and a statement of reasons will be presented to Cabinet in due course.
8. Note that a full Equalities Impact Assessment will be undertaken into the potential impact of the proposed Compulsory Purchase Order to meet with the Council's Public Sector Equality Duty.

Cabinet is asked to recommend to Full Council:

9. To approve the grant funding in the sum of £98.8 million pounds from the West Midlands Combined Authority and delegate to the Executive Director for Place and Executive Director for Resources in consultation with the Cabinet Member for Jobs and Regeneration and Cabinet Member for Strategic Finance and Resources, the authority enter into the necessary grant funding agreement to secure the funding, subject to the detailed information contained in the associated private report.

10. To approve that £98.8 million is added to the Council's capital programme, all funded from the West Midlands Combined Authority.

The above Recommendations were approved.

(NOTE: Pursuant to Part 3e, Paragraph 19, of the City Council's Constitution, the Chair of the Scrutiny Co-ordination Committee attend the meeting for the consideration of this matter and agreed the need for urgency such that call-in arrangements will not apply to those recommendations not referred to Council. The reason for urgency being, that the decision has already been delayed pending resolution of Combined Authority funding. If the project is to complete by 2022 work needs to commence as soon as possible.)

Report 11 Friargate Update Report

Councillor O'Boyle

Recommendations:

Cabinet is asked to recommend that Council:

1. Agree to amend the approved Kickstart strategy to co-locate staff to Friargate, by retaining existing operational buildings to house some of those staff and invest in these buildings in the event that the Council agrees to grant a sub-lease to the RICS
2. Approve that officers be mandated to negotiate terms with the RICS to allow the Council to grant a sub-lease to the RICS to occupy space within its building at Friargate on terms as broadly outlined in this report and delegate authority to the Executive Director of Place and Executive Director Resources in conjunction with the Cabinet members for Finance and Jobs & Regeneration to conclude terms, make minor amendments or corrections and complete the necessary legal documentation.
3. Delegate authority to the Executive Director Place and Executive Director Resources , in consultation with Cabinet Member for Jobs and Regeneration, to enter negotiations with the WMCA in order to secure a grant of up to £50m to secure further Friargate related development and to negotiate a new delivery framework with Friargate LLP subject to the terms of any such agreements being the subject of a subsequent formal report to Cabinet.
4. Delegate authority to the Executive Director for Place and Executive Director for Resources in consultation with the Cabinet Member for Jobs and Regeneration and Cabinet Member for Finance and

Strategic Resources to negotiate and make any necessary amendments or variation to the Collaboration Agreement and associated document between the Council and Friargate LLP only to the extent required to achieve the sub-leasing of parts of the building to the RICS.

5. Approve the Council grant a lease extension to the RICS on their current premises at Westwood Business Park subject to a deal for the occupation of Friargate being finalised.
6. Request officers to bring back a further report on buildings to be retained and investment to maintain them in use for operational purposes and any other mitigation measures.
7. Authorise officers to negotiate a variation of the building contract to split a floor between the Council and RICS and to minimise any non-recoverable costs from not taking two and half floors

The above Recommendations were approved, along with the following additional recommendation from the Scrutiny Co-ordination Committee:

8. That Scrutiny Co-ordination Committee be included in the reporting process relating to Friargate.

Limitations on Call-in

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

1. It falls within paragraph 18 of the Scrutiny rules (Part 3E 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 and Procurement 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.



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