

Coventry City Council
Minutes of the Meeting of Cabinet Member for Policing and Equalities held at 1.00
pm on Monday, 8 March 2021

Present:

Members: Councillor AS Khan (Chair)
Councillor P Akhtar (Deputy Cabinet Member)

Other Members: Councillor G Ridley (for Minute 20 below)

Employees Present:

C Bradford, Law and Governance
D Cahalin-Heath, Streetscene and Regulatory Services
G Carter, Law and Governance
G Hood, Streetscene and Regulatory Services
J Newman, Director of Law and Governance
U Patel, Law and Governance
C Sinclair, Law and Governance

Public Business

18. Declarations of Interest

There were no declarations of interest.

19. Minutes

The minutes of the meeting held on 3 December 2020 were agreed as a true record. There were no matters arising.

20. Response to a petition requesting the Council improve defences on the Brookstray to prevent unauthorised access by travellers

The Cabinet Member considered a report of the Director of Streetscene and Regulatory Services which responded to a petition bearing 484 signatures which was submitted to Coventry City Council in August 2020. The petition was organised by Councillor Ridley a Woodlands Ward Councillor and requested that the Council improve defences on the Brookstray to prevent unauthorised access onto the site by travellers.

The Cabinet Member had considered the petition prior to this meeting and requested that the petition be dealt with by way of a determination letter rather than a formal report being submitted to a meeting, to be able to deal with the matter more efficiently.

The determination letter and the report stated that in the past 3 months, there had been several incidents of unauthorised access by travellers on a number of sites off the Guphill Brookstray. Furthermore, the Council had received reports of attempts being made by travellers trying to gain access to Eastern Green Recreation Ground.

In response to these incidents and in an attempt to make it more difficult to gain unauthorised access the Council has carried out extensive works to secure sites along the Guphill Brookstray since receipt of the petition at a cost of approximately £13,153. This included the following:

- Land off Alderminster Road & Land off Nod Rise.

Bollards & gate installed at Dunchurch Highway

Bund created at Shottery Close.

Bollards & gate installed at Nod Rise (bollards on both sides)

Bund created at Nod Rise

Bollards installed at Honeybourne Close

Bollards installed at Pebworth Close

Bollards installed at Cantlow Close

Bollards installed at Aynho Close (two entrances)

Bollards installed at Beausale Croft

Gate & bollards installed at Alderminster Road (bollards on both sides)

Bund created at Alderminster Road

Bollards installed at Hardwick Close

New bunds were installed where practical as this could be achieved at minimal cost by diverting staff from other work.

Bollards were also installed to secure land off Buckingham Rise, which is outside of Woodlands Ward.

- Bollards and a gate were installed to prevent unauthorised vehicular access to the land off Farcroft Avenue and bollards were also installed at the end of the cul-de-sac in Stonebury Avenue (between 198 and 200 Stonebury Avenue).
- A new lockbox was welded to existing gate on Church Lane Eastern Green Recreation Ground to prevent unauthorised vehicular access to the Eastern Green Recreation Ground
- In respect of private land, Officers were still looking into the ownership of the open space at Sutton Avenue and its future security against unauthorised encampments. Unfortunately, the land is not registered, and the owner was proving difficult to identify. As the City Council has maintained the land for over 12 years, a case for adverse possession and ownership was currently being complied.

Officers were also looking into the future management of other privately owned land space alongside the Guphill Brook.

The Flood Risk Team and the Parks Service team were working together on an external funding bid to Severn Trent Water's community fund (and/or other grants) to improve the Guphill Brookstray. Works being considered included repairs to the

unadopted footpath, riverbank stabilisation and providing natural play and other recreational opportunities alongside the stream.

Officers would continue to monitor the defences at the Brookstray and respond to any future incursions as effectively as possible within the resources available. However, it was important to note that unfortunately it was not possible to completely protect open space from determined effort to gain unauthorised access.

Councillor G Ridley, the petition organiser, was present at the meeting, thanked Officers for the comprehensive work undertaken to improve defences on the Brookstray to prevent any unauthorised access.

RESOLVED that, the Cabinet Member for Policing and Equalities:

- 1. Having considered the content of the report, notes the concerns of the petitioners.**
- 2. Notes the extensive works undertaken to secure sites along the Brookstray.**
- 3. Notes that the cost of undertaking the defence works have been estimated at approximately £13,153.**
- 4. Endorses and supports Officers to continue to maintain and implement defences on public open space subject to traveller incursions within existing resources.**
- 5. Notes that Council Officers will continue to investigate how the unregistered land at Sutton Avenue could be better secured.**

21. New Code of Conduct for Elected and Co-opted Members

The Cabinet Member considered a report of the Director of Law and Governance which sought approval to the revised Model Code of Conduct and to recommend to Council to adopt the revised Model Code of Conduct.

The Local Government Association (LGA), following a consultation held in summer of 2020, published a new Model Code of Conduct for Members. The new Model Code of Conduct was produced on the recommendation of the Committee on Standards in Public Life in its report on local authority standards published in January 2019. The Ethics Committee made representations to the LGA on the wording of the proposed Code.

Ethics Committee considered the new Model Code of Conduct at its meeting on 21 January 2021. Its comments and observations were summarised in the report. On 17 February 2021, the Constitutional Advisory Panel considered a revised Code which incorporated the changes suggested by the Ethics Committee. The Panel resolved to recommend to the Cabinet Member that he recommend to full Council the adoption of the revised Code set out in the appendix to the report.

The Council's current Code of Conduct for Elected and Co-opted Members was adopted by the Council in 2012. While there have been some amendments to it, it has remained largely the same since then. The publication of the new Model Code provided an ideal opportunity to consider moving from its current Code to the new one.

The report provided further information and outlined what the main points of the Model Code of Conduct were.

Ethics Committee was asked to consider the Model Code of Conduct and whether they wished to recommend its adoption by the Council, either as drafted or with modifications. The Committee made a number of comments in relation to the Model Code and in its adoption by the City Council, in particular: -

- The Committee welcomed that the term “treating others with respect” was favoured rather than “with civility”, together with the definitions provided in the Model Code
- That the threshold for the registration of gifts and hospitality should be set at £50 in line with the national threshold
- That the Council should extend the obligation to declare membership of outside bodies to include those which currently must be declared
- That appropriate training to new and existing Members should be provided following the adoption of the new Code
- That the Member Complaints Protocol should be strengthened and updated to reflect any new changes to the Code
- That the Model Code should be amended to be more user friendly and easier to reference, to include using the second person, to remove unnecessary preamble, to be numbered, and to include the Nolan Principles at the forefront of the document, rather than as an Appendix.

The revised Code of Conduct was attached as an Appendix to the report and took into account the points made by the Ethics Committee. The revised Code of Conduct was endorsed by the Constitutional Advisory Panel on 17 February 2021.

RESOLVED that, the Cabinet Member for Policing and Equalities, having considered the recommendations from Ethics Committee and the Constitutional Advisory Panel, recommends that Council adopts the revised Model Code of Conduct for Elected and Co-opted Members.

22. **Proposed Changes to the Constitution**

The Cabinet Member for Policing and Equalities considered a report of the Director of Law and Governance which sought approval to proposed changes to the Constitution.

On 17 February 2021, the Constitutional Advisory Panel considered a number of proposed changes to the Constitution. These were:

- (a) The Contract Procedure Rules: Part 3G
- (b) A proposed new Employee Code of Conduct: Part 4B
- (c) The terms of reference of Planning Committee and consequential change to the scheme of delegation: Part 2G

- (d) A review of Code of Good Planning Practice for Members and Employees Dealing with Planning matters: Part 4C

The changes to the Contract Procedure Rules and the Code of Conduct for Employees were detailed in Appendices 1 and 2 of the report, including the required tracked changes to the Constitution.

The Constitutional Advisory Panel resolved to recommend to the Cabinet Member that he recommends to full Council the adoption of changes which were detailed in the report.

RESOLVED that the Cabinet Member for Policing and Equalities recommends that Council:

- 1. Approves the proposed changes to the Contract Procedure Rules shown in Appendix 1 to the report;**
- 2. Approves the revised Code of Conduct for Employees set out in Appendix 2 to the report;**
- 3. Approves the changes to the Terms of Reference of Planning Committee and the Scheme of Delegation to Employees set out in paragraphs 2.10 to 2.12 of the report.**
- 4. Approves the proposal that once the Planning Committee has approved the new Planning Code, that the new Planning Code is appended to the Constitution and made available on the Council's website, in accordance with the Constitution.**

23. Licensing Act 2003 - Revised Statement of Licensing Policy 2021-2026

Further to Minute 8/20 of the meeting held on 5 October, 2020, the Cabinet Member considered a report of the Director of Streetscene and Regulatory Services which provided an update on the outcome of the 8-week consultation undertaken on the review of the Council's Statement of Licensing Policy for the Licensing Act 2003 and sought approval to the revised policy for the period 2021 – 2026.

The Licensing Act requires each licensing authority to prepare and publish a Statement of Licensing Policy. The policy statement sets out how the authority intends to approach its licensing responsibilities and in particular how it intends to promote the four licensing objectives. This policy must be renewed every five years and be subject to a full consultation process.

The current Statement of Licensing Policy came into effect on 6th January 2016, to cover a period up to January 2021. However, due to the pandemic, and on the advice of the Local Government Association (LGA), the Cabinet Member for Policing and Equalities approved the decision to delay the consultation on the draft Statement of Licensing Policy 2021 – 2026, and that the existing Statement of Licensing Policy be extended past the 6th January 2021, until the draft policy had been consulted on and approved.

This report outlined the comments received and proposed amendments to the Council's draft Statement of Licensing Policy.

This is the fourth Statement of Licensing Policy produced by the Licensing Authority under the Licensing Act 2003. The general principles of the Licensing Policy remain the same and the document is centred around the Licensing Act's four licensing objectives, namely, the prevention of crime and disorder; ensuring public safety; the prevention of public nuisance; and the protection of children from harm.

The policy had been reviewed throughout to ensure consistency with the latest changes in legislation, regulations and guidance issued by the Secretary of State.

Following public consultation, the revised draft Statement of Licensing Policy was now ready to be recommended for adoption to take effect from 16th March 2021 as attached at Appendix A of the report.

RESOLVED that the Cabinet Member for Policing and Equalities recommends that Council adopts the revised Statement of Licensing Policy 2021-2026 attached as Appendix A of the report.

24. **Outstanding Issues**

There were no outstanding issues.

25. **Any Other Business**

There were no other items of business.

(Meeting closed at 1.25 pm)