

---

# **SUMMARY OF CABINET / CABINET MEMBER DECISIONS**

**WEEK COMMENCING 10 January 2022**

**CALL IN FOR THESE DECISION ENDS  
9.00 A.M. ON FRIDAY 21 January 2022**

**14 January 2022**

# 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 11 January 2022

### Report 5      The 2022/23 Council Tax Base Report

Councillor R Brown

Recommendations:

- 1) Approve that the Council Tax collection rate for 2022/23 be set at 97.9%
- 2) That, in accordance with the Local Authorities (Calculation of Tax Base) Regulations 2012, the amounts calculated by the City Council for 2022/23 shall be:

a net tax base of 84,264.3 for the whole of the City Council area made up as follows:

Allesley Parish	356.9
Finham Parish	1,524.6
Keresley Parish	237.0
All Other Coventry City Council Wards	<u>82,145.8</u>
<b>TOTAL</b>	<b>84,264.3</b>

- 3) That the following grant payments should be made to parish councils to reflect the impact in 2022/23 of Council Tax reductions on their tax bases.

Allesley Parish	£2,135
Finham Parish	£3,060
Keresley Parish	<u>£1,313</u>
<b>TOTAL</b>	<b>£6,508</b>

**The above recommendations were approved**

**Report 6 Approval of Rough Sleeper Drug and Alcohol Treatment Grant**

Councillor K Caan

Recommendation:

- 1) Cabinet is recommended to note the approval to receive the Rough Sleeper Drug and Alcohol Treatment Grant.

**The above recommendation was approved**

**Report 7 Outcomes of the Fair Funding Consultation 2022-23**

Councillor Dr K Sandhu

Recommendations:

- 1) Approve the recommended changes to the Fair Funding Formula and Fair Funding Scheme of Delegation, which are summarised in Section 3 of the report.
- 2) Delegate authority to the Director of Education and Skills, following consultation with the Cabinet Member for Education and Skills, to make any necessary amendments to the final detail of these recommended changes, in order to comply with the School Finance (England) Regulations 2021 once full detail of the schools funding settlement has been published by the Department for Education for 2022/23. Any changes will be made following discussion with the Schools Forum as appropriate.

**The above recommendations were approved**

**#Report 8 External Auditor Appointment from April 2023**

Councillor R Brown

Recommendation:

- 1) Recommend that Council approves Option 2, as described in this report, which is to accept Public Sector Audit Appointments' (PSAA) invitation to 'opt in' to the sector led option for the appointment of external auditors for the five financial years commencing 1 April 2023

**The above recommendation was approved**

## **Report 9**

**Homes for Disabled Children- acceptance of a capital grant, further capital borrowing and future homes for children with a disability.**

Councillor P Seaman

Recommendations:

- 1) Approve the acceptance of a DfE grant if awarded and the proposal to spend the grant award for the commissioning and provision of an additional children's home.
- 2) Approve capital expenditure of £0.5m to be met from prudential borrowing. In the absence of the DfE grant award, the full £1m to be met from prudential borrowing.
- 3) Delegate authority to Director of Finance, following consultation with the Director of Law and Governance, City Solicitor and Monitoring Officer, to negotiate final terms and approve entry into the grant funding agreement to secure the DfE funding with the City Council acting as the Accountable Body for the funding and any other agreements as required for further borrowing and future homes.
- 4) Task officers to scope out the potential for a second new build property that can be used for the purpose of a children's home.

**The above recommendations were approved**

## **Report 10**

**Disposal of Land at Allard Way**

Councillor J O'Boyle

Recommendations:

- 1) Approve the disposal of the Site at Allard Way.

- 2) Delegate authority to the Director of Property Services and Development, following consultation with the Cabinet Member for Jobs, Regeneration and Climate Change and the Director of Law and Governance, for any subsequent variation in terms.
- 3) Delegate authority to the Director of Property Services and Development, following consultation with the Director of Law and Governance Services and the Cabinet Member for Jobs, Regeneration and Climate Change, to:
  - negotiate, agree and complete all the necessary documentation for the freehold transfers of the Site and
  - take such necessary or ancillary steps or decisions to bring into effect the recommendations set out in this report.

**The above recommendations were approved**

**Report 11      City Centre South Land Acquisition and Compulsory Purchase Order**

Councillor J O'Boyle

Recommendations:

- 1) Resolve to make a Compulsory Purchase Order (CPO) pursuant to powers under Section 226(1)(a) Town and Country Planning Act 1990 and Section 13 Local Government (Miscellaneous Provisions) Act 1976), in accordance with the procedures in the Acquisition of Land Act 1981, for the acquisition of interests in the land coloured pink and for the creation and acquisition of new rights over the land coloured blue on the draft CPO map attached at Appendix 1 to the report (the proposed Order Land) in order to facilitate the delivery of the City Centre South Scheme (the Scheme).
- 2) Resolve to appropriate for planning purposes the land owned by the Council within the proposed redevelopment site shown on the plan at Appendix 9 pursuant to section 122 Local Government Act 1972 in order to facilitate the Scheme.
- 3) Authorise the Director of Property Services and Development, following consultation with the Director of Law and Governance, the Chief Operating Officer and the Cabinet Member for Jobs, Regeneration and Climate Change:
  - a) To continue to negotiate terms to seek to acquire all the necessary interests and rights in the Order Land by agreement alongside progressing the CPO;

- b) To take all necessary steps to secure the making, confirmation and implementation of the CPO including in relation to making continued satisfactory progress in regards the funding of the Scheme, the publication and service of all notices and the promotion of the Council's case at any public inquiry, including but not limited to the steps in (c) to (m) below;
- c) To make any necessary amendments to the draft CPO Map (within the boundaries of the pink and the blue land on Appendix 1) and/or draft schedules to the CPO so as to include and describe all interests in the land and new rights required to facilitate the carrying out of the Scheme;
- d) To finalise and seal the CPO Map and the Order and finalise the draft Statement of Reasons, certificates and other supporting documents, to publicise the making of the CPO and to submit the CPO (with supporting documents) to the Secretary of State for confirmation and thereafter to produce (and where appropriate publish and/or serve) all other documents required in connection with the CPO;
- e) To acquire interests and new rights in the Order Land either by agreement or compulsorily (including pursuant to any blight notices as appropriate) including conduct of negotiations, making provision for the payment of compensation and, where appropriate, provision for temporary and/or permanent relocation of affected parties and/or for cases of exceptional hardship;
- f) To negotiate, agree terms and enter into other agreements with interested parties including agreements for the withdrawal of blight notices and/or the withdrawal of objections to the CPO and/or undertakings not to enforce the CPO on specified terms, including where appropriate seeking the exclusion of land or rights from the CPO, making provision for the payment of compensation and/or for relocation;
- f) To authorise entry onto land to undertake surveys under s172 Housing and Planning Act 2016 and/or other relevant powers;(h) In the event that the CPO is confirmed by the Secretary of State (or the Council is authorised by the Secretary of State to confirm the CPO), to advertise and give notice of confirmation and thereafter to take all steps to implement the CPO and to secure possession of the Order Land including execution of General Vesting Declarations and/or service of Notices to Treat and Notices of Entry in respect of interests and rights in the Order Land and,

where necessary, the appointment of High Court Enforcement Officers;

- h) In the event that the CPO is confirmed by the Secretary of State (or the Council is authorised by the Secretary of State to confirm the CPO), to advertise and give notice of confirmation and thereafter to take all steps to implement the CPO and to secure possession of the Order Land including execution of General Vesting Declarations and/or service of Notices to Treat and Notices of Entry in respect of interests and rights in the Order Land and, where necessary, the appointment of High Court Enforcement Officers;
- i) To settle claims for compensation under s204 Housing and Planning Act 2016 in respect of rights, interests or restrictions which are overridden and/or to reach agreement for the release of any such rights etc. by affected third parties;
- j) To take all steps in relation to any legal proceedings relating to the CPO including defending or settling claims referred to the Lands Tribunal (Lands Chamber of the Upper Tribunal) and/or applications made to the courts and any appeals;
- k) To retain and/or appoint external professional advisers and consultants to assist in facilitating the promotion, confirmation and implementation of the CPO, the settlement of compensation and any other claims or disputes;
- l) To place statutory advertisements as required by section 122(2A) Local Government Act 1972 and section 233(4) Town and Country Planning Act 1990 of the Council's intention to appropriate for planning purposes and thereafter to dispose of the open space land in the Council's freehold ownership shown on the plan at Appendix 11 to the report; and
- m) To consider any objections received in response to the statutory advertisements referred to in paragraph (l) above and to decide whether any such land should be appropriated for planning purposes and disposed of to facilitate the Scheme; and
- n) At the appropriate time, subject to (m) above, to complete disposal of land within the redevelopment site to the developer, pursuant to power under section 233 Town and Country Planning Act 1990, in accordance with the terms of the development agreement.

- 4) Delegate authority to the Director of Transportation and Highways to:
  - a) Make an application under s.247 of the Town and Country Planning Act 1990 to stop up areas of highway necessary to implement the proposals; and
  - b) If required to facilitate the delivery of the Scheme, to take all necessary steps to commence the process of closure of Barracks Way and Market Way Car Parks and their removal from the Off-Street Parking Places Order 2005
- 5) Resolve, where necessary in the absence of agreement, to exercise powers under ss 271 and 272 Town and Country Planning Act 1990 in relation to the extinguishment of rights of statutory undertakers and electronic communications code network operators.
- 6) Resolve, where necessary, to request the Secretary of State to exercise powers under s251 Town and Country Planning Act 1990 (in accordance with regulation 15 of the Town and Country Planning Regulations 1992) to authorise the extinguishment of any public rights of way over land to be acquired or appropriated for the purposes of the Scheme
- 7) Delegate authority to the Director of Property Services and Development, following consultation with the Director of Law and Governance, the Chief Operating Officer and the Cabinet Member for Jobs, Regeneration and Climate Change, to take all necessary, incidental or ancillary steps for the carrying into effect any of the recommendations set out in this report.

**The above recommendations were approved**

## 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) – i.e. 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.