

Coventry City Council
Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 12 July 2022

Present:	Councillor G Duggins (Chair)
Members:	Councillor AS Khan (Deputy Chair) Councillor R Brown Councillor K Caan Councillor P Hetherton Councillor M Mutton Councillor J O'Boyle Councillor P Seaman Councillor D Welsh
Non-Voting Deputy Cabinet Members:	Councillor P Akhtar Councillor G Hayre Councillor G Lloyd Councillor S Nazir
Non-Voting Opposition Member:	Councillor P Male Councillor G Ridley
Employees (by Service):	
Chief Executive	M Reeves (Chief Executive)
Adult Services and Housing	S Caren
Education and Skills	J Essex
Finance	B Hastie (Chief Operating Officer), P Jennings
Law and Governance	J Newman (Chief Legal Officer), S Bennett
Property Services and Development	A Hunt, A Walimia
Public Health and Wellbeing	R Chapman, J Ross
Transportation and Highways	C Knight (Director), S Evans
Apologies:	Councillor K Sandhu Councillor R Singh

Public Business

1. **Declarations of Interest**

There were no disclosable pecuniary interests.

2. **Minutes**

The Minutes of the meeting held on 12 April, 2022 were agreed and signed as a true record. There were no matters arising.

3. **Exclusion of Press and Public**

RESOLVED that the Cabinet agrees to exclude the press and public under Sections 100(A)(4) of the Local Government Act 1972 relating to the private report in Minute 13 below headed 'Land Disposal at Parkside, Paradise Street' on the grounds that the report involves the likely disclosure of information as defined in Paragraph 3 of Schedule 12A of the Act, as it contains information relating to the financial affairs of a particular person (including the authority holding that information) and in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

4. **Revenue and Capital Outturn 2021-22**

The Cabinet considered a report of the Chief Operating Officer which outlined the final revenue and capital outturn position for 2021/22 and which reviewed treasury management activity and 2021/22 Prudential Indicators reported under the Prudential Code for Capital Finance.

The report indicated that the 2021/22 financial year has once again been affected by a range of organisational and financial impacts resulting from the COVID-19 pandemic. These impacts were somewhat reduced compared with the previous year and were subsiding markedly by the year end. By any usual measure however, the impact of Covid still features significantly in this outturn report.

The Council has managed its response to the pandemic such that it has been able to stay within the resource allocation provided by Government. For the most part this reflects an approach to setting the 2021/22 Budget (in February 2021) when the Council budgeted for continued Covid impacts on its costs and income.

The overall financial position includes the following headline items:

- A balanced revenue position.
- Capital Programme expenditure of £189.5m
- An increase in the level of available Council revenue reserves from £123m to £140m including Covid funding and the net underspend contribution.

Further detail in the includes:

- A net underspend of £4.7m within central budgets including additional unbudgeted dividends and a surplus from the Coventry and Warwickshire Business Rates Pool.
- A revenue underspend of £2.5m within Housing and Homelessness due in large part to the number of households living in temporary accommodation being lower than anticipated.
- An overspend of £4.3m within Streetscene and Regulatory Services including net costs of £2.2m resulting from the ongoing refuse drivers dispute.
- An overspend of £2.4m within Children's Services reflecting high numbers of children and high placement costs.
- Covid related costs within services estimated at £8.9m which have been funded from Government Covid resources and netted out from the outturn positions quoted.
- A contribution of £1.2m to strengthen the Council's reserve which protects against volatility within its commercial interests.

The underlying revenue position has improved by £2.5m since Quarter 3 when an overspend of £2.5m was forecast. In particular the improved position relates to improvements within Contingency and Central budgets and Housing and Transformation which are set out in the report. The position is an indication of the prudent management of the Council's financial position through the Covid crisis although Covid has become far less prominent in recent months as a fundamental threat to the Council's financial position. The cost of living crisis and growing levels of inflation have not had any clear impact on this financial outturn, reported up to 31st March 2022 but these give strong cause to be cautious about the financial position of local government in the short-term. It is likely that these factors will present a stern test to the robust financial position that the Council has maintained in terms of its ability to continue to manage within its budgeted position and the extent to which it is able to fund any emergency policy responses.

As indicated above, the financial impact of Covid on the budgeted Outturn position has been estimated at £8.9m. This compares with a figure of £31m in 2020/21. As previously this is not a definitive figure because in many cases the Covid impact is difficult to disentangle from other trends. Government funding provided through 2021/22 funded all of this cost although this doesn't take account of the loss in Business Rates and Council Tax income and other losses budgeted for by the Council when it set its budget in February 2021.

The Council will carry forward c£2.4m of general Covid grant provided by Government within 2021/22. If no further significant Covid outbreaks occur, the tactical approach will be for any further budgetary variations to be treated as 'business as usual' and managed within the Council's bottom line.

The following adjustments to figures in the report were reported orally at the meeting:-

- The revenue budget figure in paragraph 1.1 should be £243.8m (not £238.8m)
- The figures in Table 3 are amended as follows:
 - The Private Finance Initiatives balance is £9.626m (not £9.904m)
 - The Usable Capital Receipts balance is £31.187m (not £37.158m)

- The relevant sub-total and totals are amended to reflect these changes.

It was noted that the report will be considered by Audit and Procurement Committee at their meeting on 25 July and that the report would be amended to reflect these adjustments.

RESOLVED that Cabinet approves:-

- 1) **The final balanced revenue outturn position.**
- 2) **The final capital expenditure and resourcing position (section 2.3 and Appendix 2), incorporating expenditure of £189.5m against a final budget of £223.9m; £33.9m expenditure rescheduled into 2022/23 and a net underspend £0.5m.**
- 3) **The outturn Prudential Indicators position in section 2.4.4 and Appendix 3.**

5. **Government Green Paper Consultation: 'SEND and AP Review: Right Support, Right Place, Right Time'**

The Cabinet were informed at the meeting that in 2015, following a four-year period of consultation and testing through regional pathfinder programmes, the Government implemented substantial statutory changes to the Education, Health and Care system for identifying, assessing and making suitable provision for children and young people aged 0 to 25. The changes were set out in Parts 3 of the Children and Families Act (2014), supporting regulations and a revised SEND Code of Practice.

Seven years on, it is widely recognised that the reforms have failed to deliver the intended outcomes and a further radical review is required. In 2019, the House of Commons Education Select Committee conducted an in-depth system enquiry. The Committee in its report, concluded that “the 2014 SEND reforms were the right ones, but implementation had gone badly, avoidably wrong” The implementation programme was complex and placed significant additional burdens on LAs, which were not fully funded.

The Government has subsequently completed a review and published a consultation of the SEND and Alternative Provision system in England. The review sits within a context of systemic national failure. The Green paper ‘Right help, right place, right time’, is open to public consultation until 22nd July 2022. The proposals based on high level aspirations, are far reaching. If implemented they will have significant implications for local authority infrastructures, operational delivery, partnerships and accountabilities. The DfE confirms that the consultation response will influence the programme of change moving forward.

The Government within its Green Paper sets out the rationale for change, identifying the following three key challenges:

- Outcomes for children and young people with SEN or in alternative provision are poor

- Navigating the SEND system and alternative provision is not a positive experience for children, young people and their families
- Despite unprecedented investment, the system is not delivering value for money for children, young people and families

Whilst the Green Paper does not provide any detail on how the proposals will be realised, it does offer some recognition that changes will be delivered sensitively and in partnership.

The consultation sets out a series of proposals, some of which (but not all) are included in the 22 consultation questions.

Cabinet noted that a report on this matter would be circulated and Cabinet were invited to make any comments on the proposed response as set out in Appendix 1 to the report to the Leader.

The Cabinet also noted that the Cabinet Member for Education and Skills, Councillor K Sandhu, following an oral question, had provided a comprehensive response in relation to the proposed consultation at the Council meeting on 21 June, 2022. In addition, the Shadow Cabinet Member had been briefed on the proposed response.

RESOLVED that, following circulation of the report, authority be delegated to the Director of Education and Skills, following consultation with the Leader of the Council, to endorse the Council’s proposed response as detailed in Appendix 1 of the report and approve submission.

6. **Electric Vehicle Charging Infrastructure - Procurement**

The Cabinet considered a report of the Director of Transportation and Highways which sought approval to make three separate bid submissions to the Office for Zero Emission Vehicles (OZEV) for up to £5.5m from the Local Electric Vehicle Infrastructure (LEVI) fund and the Onstreet Residential Chargepoint Scheme (ORCS). If successful, these bids could deliver a further 500 on street residential chargepoints along with 2 charging hubs that will include rapid chargers, solar panels and battery storage. The LEVI Pilot project proposals were attached as Appendix 1 to the report.

The report indicated that this investment will enable the City to significantly enhance charging facilities in the City and maintain our position as the best city in the UK in which to own an electric vehicle. The Council has already successfully received £2.8 million funding from the Office for Zero Emission Vehicles (OZEV) between 2019 and 2022 under the Onstreet Residential Chargepoint Scheme title leading to a network of 403 chargers, operational to date with 308 being operational by December 2022, which will take the total to 711 chargers with 949 charging bays, the largest of any city outside of London.

The promotion of electric vehicles is a key element of the Council’s strategy to decarbonise transport to tackle the causes of climate change and to improve air quality. The City is also home to many cutting-edge automotive companies and innovative organisations like the UK Battery Industrialisation Centre; therefore, the promotion of electrification of transport will support economic growth.

Approval was also sought to procure a further electric vehicle charge point supplier who will provide higher rated charge points, solar panels, and battery storage services as well as additional on street chargers given the Council's current contracts have reached their maximum expenditure.

Cabinet welcomed the proposals detailed in the report.

RESOLVED that Cabinet:-

- 1) Delegates authority to the Director of Transportation and Highways, following consultation with the Cabinet Member for City Services and the Cabinet Member for Jobs, Regeneration and Climate Change, to submit a bid to OZEV for up to £2m LEVI Pilot funding and if successful become the accountable body and enter into relevant funding and legal agreements;**
- 2) Delegates authority to the Director of Transportation and Highways, following consultation with the Cabinet Member for City Services and the Cabinet Member for Jobs, Regeneration and Climate Change, to submit a bid to OZEV for up to £2m LEVI full funding and if successful become the accountable body and enter into relevant funding and legal agreements;**
- 3) Delegates authority to the Director of Transportation and Highways and Director of Law and Governance, following consultation with the Cabinet Member for City Services and the Cabinet Member for Jobs, Regeneration and Climate Change, to submit a bid to OZEV for up to £1.5m ORCS funding and if successful become the accountable body and enter into relevant funding and legal agreements;**
- 4) Delegates authority to the Director Transport and Highways, following consultation with the Cabinet Member for City Services and the Cabinet Member for Jobs, Regeneration and Climate Change to approve charging point locations across the City;**
- 5) Delegates authority to the Director of Transportation and Highways, following consultation with the Cabinet Member for City Services and the Cabinet Member for Jobs, Regeneration and Climate Change, to procure a contract over a potential contract term of up to 25 year period, which includes mechanism regarding revenue sharing between the two parties;**
- 6) Authorises the City Solicitor to undertake the necessary due diligence and entry into the contract(s) with the successful service provider/private consortium;**
- 7) If the Bids are successful, agrees that the schemes are added into the 5-year capital programme through the quarterly financial monitoring cycle**

7. **Housing Assistance Policy - Disabled Facilities Grant**

Cabinet considered a report of the Director of Adult Services and Housing which indicated that Disabled Facilities Grants (DFG's) are available to disabled people when works to adapt their home are judged necessary and appropriate to meet their needs and when it is reasonable and practicable to carry them out having regard to the age and condition of the dwelling. The report sought to update and supersede the City Council Housing Assistance Policy, which focused on discretionary support for those in fuel poverty to include more flexible use of DFGs.

The report indicated that by updating the policy, the areas where discretionary funding can be provided will be expanded and will enable more flexible arrangements that are currently not possible under a mandatory Disabled Facilities Grant and will enable the City Council to support more people in more flexible ways and will further support the Council's policy objective of enabling people to remain at home through promoting independence.

The discretionary ability that adopting this policy allows include:

- Removal of financial assessment where the grant does not exceed £6000
- The ability to 'top-up' the grant where the value exceeds £30000
- Assistance to meet the client's assessed contribution
- The provision of at home safely scheme
- Discretionary use of DFG for heating and insulation
- Assistance to move to a more suitable home
- Funding for respite care while work required to provide an adaptation is carried out

The application of the above will be on a case-by-case basis but adopting the updated Housing Assistance Policy enables a greater level of flexibility to use DFGs to support people to remain in their own homes or move to a more suitable home.

The Cabinet welcomed the proposals in the report.

RESOLVED that Cabinet:-

- 1) **Approves the adoption of the draft Housing Assistance Policy - Disabled Facilities Grant attached at Appendix 1 of this report.**
- 2) **Approves that minor revisions to the Housing Assistance Policy attached at Appendix 1 of this report, including any amendments to the financial limits which are capable of being funded from within existing corporate resources, can be made by the Director of Adult Services and Housing, following consultation with the Cabinet Member for Adult Services, from time to time when needed.**

8. **Approval of Accommodation-based support Grant 2022-2024: Part 4 Duties of the Domestic Abuse Act 2021**

Cabinet considered a report of the Director of Public Health and Wellbeing which indicated that the Domestic Abuse Act 2021 received royal assent on 29 April 2021. The Act introduced several new duties and a range of implications for local authorities, including safe accommodation strategic planning, safe accommodation provision and support for victims, and the prioritisation of domestic abuse victims within homelessness applications.

Coventry City Council has been provided a grant of £852,283 in 2022/23 to continue to fulfil the functions of the new statutory duty on tier 1 local authorities relating to the provision of support to victims of domestic abuse and their children residing within safe accommodation and further grant funding is due 2023/24.

Due to the time required for the acceptance of the grant award expiring prior to the date of this meeting, the Council's Constitution in Paragraph 2.3.2 (c) of Part 3F permits the relevant Director (in this case being the Director of Public Health and Wellbeing) in consultation with the relevant Cabinet Member and Scrutiny Chair to accept the grant and thereafter to be reported to Cabinet retrospectively

The report indicated that it is proposed that the grant continues to fund services detailed in the report and to extend the eligibility of these services to households that are homeless as a result of being a victim of domestic abuse and who are provided temporary accommodation until the housing duty can be discharged through provision of settled accommodation. To support this, it is proposed that the grant also funds an Independent Domestic Violence Advisors (IDVA) to work within the Council's Housing function, an extension of the WISH provision for children and young people and part-funds a specialist post within Change Grow Live (CGL) for victims requiring support with substance misuse issues. Appropriate contract monitoring and evaluation will be developed to assess the effectiveness of the new provision.

RESOLVED that Cabinet:-

- 1) **Notes the acceptance of the grant of £852,283 in 2022/2023 from the Ministry of Housing, Communities and Local Government to fulfil the functions of the new statutory duty on Tier 1 Local Authorities relating to the provision of support to victims of domestic abuse and their children residing within safe accommodation: and**
- 2) **Delegates authority to the Director of Public Health and Wellbeing, following consultation with the Cabinet Member for Policing and Equalities, to approve further grant due for 2023/24 up to a maximum of £2.5 million**

9. **Supplemental Substance Misuse Treatment and Recovery Grant (SSMTRG)**

The Cabinet considered a report of the Director of Public Health and Wellbeing which indicated that the Government's new 10-year Drug and Alcohol Strategy 'From Harm to Hope' sets out an ambition to address substance misuse by breaking drug supply chains, delivering a world-class treatment and recovery

system and achieving a generational shift in demand for drugs. A new Supplemental Substance Misuse Treatment and Recovery Grant (SSMTRG) is being issued to Local Authorities to enhance the delivery of treatment and recovery systems.

The City Council has been notified that it will be awarded a grant of up to £505,000 for 2022-23, with an indicative increase in the grant for 2023-24, and 2024-25.

Due to the time required for the acceptance of the grant award expiring prior to the date of this meeting, the Council Constitution in Paragraph 2.3.2 (c) of Part 3F permits the relevant Director (in this case being the Director of Public Health and Wellbeing) in consultation with the relevant Cabinet Member and Scrutiny Chair to accept the grant and thereafter to be reported to Cabinet retrospectively.

The SSMTRG provides the funding to support and deliver on the following priorities:

- Improved system coordination and commissioning
- Enhanced harm reduction provision
- Increased treatment capacity
- Increased integration and improved care pathways between the criminal justice settings, and drug treatment
- Enhancing treatment quality
- Residential rehabilitation and inpatient detoxification
- Better and more integrated responses to physical and mental health issues
- Enhanced recovery support
- Other interventions which meet the aims and targets set in the drug strategy
- Expanding the competency and size of the workforce

In 2021/22, Public Health England (now the Office for Health Inequalities and Disparities) issued local areas with a one-off grant -- the Universal Drug Treatment Grant – to invest in local treatment and recovery systems. The priorities for investment of this grant were to reduce drug related deaths and reduce drug-related offending. Coventry's allocation was invested in various projects including:

- Creating a dedicated criminal justice team within CGL (Coventry's commissioned adult drug and alcohol treatment service) and employing a substance misuse worker embedded in the Caludon Centre
- Employing an additional worker within Positive Choices (Coventry's commissioned Young People's risky behaviour service) to focus on supporting individuals engaged in County Lines activity
- Employing a worker within the Housing and Homelessness team of the City Council to coordinate the multiagency Vulnerable Persons Forum
- Introducing the use of long-acting opiate substitute therapy
- Distributing additional naloxone (an intervention to reverse the effects of opiate overdose)
- Providing additional residential rehabilitation placements

It is intended that the initial priorities for the SSMTRG award in 2022/23 are used to:

- Continue and expand activity initially funded by the Universal Drug Treatment grant in 2021/22, with minor amendments
- Increase quality within drug treatment services by reducing caseloads and increasing capacity for specific interventions such as groupwork and additional support for people affected by domestic violence and drug or alcohol misuse

In 2023/4 and 2024/5 it is anticipated that investment will increasingly focus on increasing the number of treatment places for people misusing drugs or alcohol.

RESOLVED that Cabinet:-

- 1) **Notes the acceptance of the Supplemental Substance Misuse Treatment and Recovery Grant in the sum of £505,210 in 2022-23; and**
- 2) **Delegates authority to the Director of Public Health and Wellbeing, following consultation with Cabinet Member for Public Health and Sport, to approve subsequent annual awards in financial years of 2023-24 and 2024-25 up to a maximum of £2.5 million pound in each financial year.**

10. **Land Disposal at Parkside, Paradise Street**

The Cabinet considered a report of the Director of Property Services and Development which indicated that in June 2020, the Cabinet Member for Jobs, Regeneration and Climate Change approved the grant of a long leasehold interest of Parkside Paradise Street to Rainier Developments Ltd (RDL), together with the re-provision of Newgate Court industrial units. The report outlined proposed changes required to the development and lease terms to facilitate the revised scheme on land at Parkside / Paradise Street.

Due diligence work commissioned by RDL prior to submission of a planning application included an archaeological evaluation of the site. This confirmed the extent of the City Wall, already known to run through the site but in addition has uncovered significant additional remains. These additional constraints and additional development costs have led RDL to redesign the scheme. This has resulted in fewer proposed residential units and no longer enables the reprovision of the Newgate Court industrial units.

To protect the Council's financial position, any land not proposed to be developed will be restricted to open space or surface car parking. Therefore, if in the future it becomes economic to develop these areas of land the Council will receive further value from the site.

A financial review of the revised scheme has also indicated to RDL that in order to assist with funding the delivery of the development, the investment funding market is seeking to remove the ground rent element payable to the Council of the original proposal and replace with an initial capital premium instead.

Subsequently as a result of these new findings RDL have advised that they are unable to progress on the previously agreed terms, however, they are prepared to proceed and deliver a scheme based on their revised offer outlined below:

- Two residential blocks totalling 335 units (25% allocated as affordable housing). This is a reduction from 494 units across three blocks.
- Premium payment for a new long ground lease with a peppercorn rent. New 4,000 sqft of ground floor retail space for a convenience store at the base of the residential tower block with the Council to retain income offsetting the loss from the industrial units. This is a change from the previous terms, moving from an annual ground rent to a 'one-off' capital premium payment.
- 999-year lease has been requested instead of the previous 250 years. (In response to proposed government legislations and funding requirements).

The revised scheme and proposed uses concur with the Parkside area policy of the City Centre Area Action Plan (AAP), which supports residential development in principle as part of the wider 'London Road Gateway'. The scheme will look to retain the historic findings within the new development to preserve and protect the medieval link and connection with Coventry as a city with deep historic history. Notwithstanding this, the final scheme that will be delivered will be subject to the Planning application and decision-making process. If this results in material scheme changes then the terms of the disposal may need to be revisited in due course to take these changes into account.

The report sought approval for the revised baseline terms enabling the long leasehold disposal of the land to RDL, subject to planning approval.

A corresponding private report detailing confidential financial matters was also submitted for consideration (Minute 13 below refers).

RESOLVED that Cabinet:-

- 1) Approves the grant of a long leasehold interest of Parkside Paradise Street on the terms outlined in this report and as shown shaded in Appendix 1 to the report to Rainier Developments Ltd.**
- 2) Delegates authority to the Director of Property Services and Development, following consultation with the Chief Operating Officer, the Director of Law and Governance and the Cabinet Member for Jobs, Regeneration and Climate Change, to agree the final terms of the lease, make any subsequent variations to these terms, enter into any necessary easements/wayleaves and complete the necessary legal documentation.**

11. Outstanding Issues

There were no outstanding issues.

12. Any Other Items of Urgent Public Business

There were no items of urgent public business.

Private Business

13. Land Disposal at Parkside, Paradise Street

Further to Minute 10 above, the Cabinet considered a private report of the Director of Property Services and Development setting out the commercially confidential matters relating to land disposal at Parkside, Paradise Street.

RESOLVED that Cabinet:-

- 1) Approves the grant of a long leasehold interest of Parkside Paradise Street on the terms outlined in this report and as shown shaded in Appendix 1 to the report to Rainier Developments Ltd.**
- 2) Delegates authority to the Director of Property Services and Development, following consultation with the Chief Operating Officer, the Director of Law and Governance and the Cabinet Member for Jobs, Regeneration and Climate Change, to agree the final terms of the lease, make any subsequent variations to these terms, enter into any necessary easements/wayleaves and complete the necessary legal documentation.**

14. Any Other Items of Urgent Private Business

There were no other items of urgent private business.

(Meeting closed at 3.00pm)