

Coventry City Council
Minutes of the Meeting of Council held at 2.00 pm on Tuesday, 18 October 2022

Present:

Members: Councillor K Maton (Chair)

Councillor F Abbott	Councillor T Khan
Councillor S Agboola	Councillor AS Khan
Councillor P Akhtar	Councillor R Lakha
Councillor M Ali	Councillor R Lancaster
Councillor R Auluck	Councillor M Lapsa
Councillor R Bailey	Councillor G Lloyd
Councillor L Bigham	Councillor P Male
Councillor J Birdi	Councillor J McNicholas
Councillor J Blundell	Councillor C Miks
Councillor R Brown	Councillor B Mosterman
Councillor K Caan	Councillor M Mutton
Councillor J Clifford	Councillor S Nazir
Councillor G Duggins	Councillor J O'Boyle
Councillor J Gardiner	Councillor G Ridley
Councillor B Gittins	Councillor K Sandhu
Councillor S Gray	Councillor T Sawdon
Councillor L Harvard	Councillor P Seaman
Councillor G Hayre	Councillor R Simpson
Councillor M Heaven	Councillor B Singh
Councillor P Hetherington	Councillor R Thay
Councillor A Hopkins	Councillor CE Thomas
Councillor J Innes	Councillor A Tucker
Councillor A Jobbar	Councillor D Welsh
Councillor S Keough	

Honorary Alderman D Batten, D Chater, H Fitzpatrick, M Hammon

Apologies: Councillor N Akhtar, T Jandu, J Lepoidevin, A Masih, E Ruane and R Singh

Public Business

58. Minutes of the Meeting held on 6 September 2022 and the Special Meeting held on 13 September 2022

The minutes of the meeting held on 6 September 2022 and the Special Meeting held on 13 September 2022 were agreed and signed as a true record.

59. Return of Councillor Jackie Gardiner, elected as Conservative Councillor for Sherbourne Ward in the City, on 22 September 2022, for a term of office expiring in 2026

The City Council noted the return of Jackie Gardiner, elected as a Conservative Councillor for Sherbourne Ward in the City, on 22 September 2022, for a term of office expiring in 2026.

60. Exclusion of the Press and Public

RESOLVED that the City Council 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 72 below headed ‘Loan for Material Recycling Facility’ 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.

61. Notice Without Motion

In accordance with the Constitution, it was moved by Councillor M Mutton, seconded by Councillor G Lloyd, and agreed that the agenda be re-ordered so that item 71 below relating to “Statements” be taken before item 70 relating to “Question Time”.

62. Coventry Good Citizen Award

On behalf of the City Council, the Lord Mayor presented Rene Whitlock with the Good Citizen Award. Her citation read:

“Rene has been Chairperson of Coventry Spires U3A for the last 9 years. U3A stands for University of the Third Age and the organisation’s aim is to encourage older, retired people with spare time to share knowledge, skills and experience with each other. There is a wide scope of groups including walking, bridge, gardening, geography and more, several of the groups are run by Rene.

Rene works tirelessly in her role, and even organises day trips and holidays for the group members. Rene has invested so much time and effort to engage with older people and make them feel part of a caring, supportive community, her commitment is unwavering and what she does is extremely valued by so many people.

Members feel very looked after by Rene and it is clear she goes beyond the call of duty in her role. She is tremendously selfless, always putting the members first and ensuring they are having a good experience in whatever activity they are taking part in. Her attitude is always very positive, cheerful and caring, which creates a very welcoming atmosphere for members. She has been referred to as a breath of fresh air who lifts spirits. This dedication and person-centred approach has been vital throughout recent difficult times resulting from the pandemic.

Rene does not expect thanks, but the members of Coventry Spires U3A are incredibly grateful for what she does and the kind and thoughtful way she conducts her work. Therefore, we are delighted to be able to acknowledge her efforts and feel she is certainly worthy of receiving a Good Citizen Award”.

63. **Correspondence and Announcements of the Lord Mayor**

(a) Death of Alison Quigley

The Lord Mayor referred to the death of Alison Quigley who sadly passed away on 28 August 2022.

Alison was a valued member of the Horizon Team, working with them since 2018 as a Harm Reduction and Victim Support Worker, however Alison's work history with the Council dates back much further than this.

Alison was a Councillor in the Sherbourne Ward from 1987-1995, spending four years as the Chair of the Environmental Services Committee. She was also the Lead Member on the Community Action Against Crime Policy Team and worked tirelessly to bring safety and harm reduction to the residents of Coventry.

The Lord Mayor indicated that Alison's contribution to the service and the lives of those she touched will always be remembered.

Members paid tribute to Alison and the work she did.

The City Council noted that a letter of condolence had been sent to Alison's family from the Lord Mayor and the Leader on behalf of the City Council.

64. **Petitions**

RESOLVED that the following petitions be referred to the appropriate City Council bodies:

- (a) **Residents of Hen Lane, Roland Avenue and surrounding area request a traffic volume and speed survey in a minimum of two locations on these roads with a view to introducing traffic calming measure - 54 signatures presented by Cllr R Lancaster**
- (b) **Petition requesting the Council to investigate which road safety measures could be introduced to calm traffic on Evenlode Crescent – 74 signatures presented by Councillor J Gardiner**
- (c) **Petition requesting the Council to support 20mph zones by the Primary Schools in Allesley Park and Whoberley – 140 signatures, presented by Councillor P Akhtar**
- (d) **Petition requesting the Council to support a 20mph zone by All Saints School in Chapelfields – 47 signatures, presented by Councillor P Akhtar**
- (e) **Petition requesting the Council to reconsider the proposed location of a 5G phone mast on Nod Rise – 80 signatures, presented by Councillor P Male**

- (f) **Petition requesting the Council to reconsider the proposed location of a 5G phone mast on Sutton Avenue, Eastern Green – 366 signatures, presented by Councillor P Male**
- (g) **Petition requesting the Council to consider traffic calming measures on Alderminster Road – 172 signatures, presented by Councillor P Male**
- (h) **Petition requesting a Pegasus Crossing on the Coundon Wedge Road – 269 signatures, presented by Councillor B Singh**
- (i) **Petition requesting traffic calming measures on Lawrence Saunders Road, between Poole Road and Coundon Library to prevent speeding and accidents at junction of Crampers Field and Lawrence Saunders Road – 65 signatures, presented by Councillor M Ali**
- (j) **Residents of Wasperton Close do not want Citizen Housing to convert the Wasperton Garages to houses as it will have a massive impact on parking – 24 signatures, presented by Councillor S Agboola**
- (k) **Petition requesting the City Council and Citizen Housing to erect and make safe from illegal encampments the land off Nickson Road and the land strips between Tile Hill Lane and Bramston Crescent/Gravel Hill – 22 signatures, presented by Councillor M Lapsa**
- (l) **Petition requesting the City Council to install double yellow lines opposite the electric charging bays on Beech Tree Avenue – 87 signatures, presented by Councillor M Lapsa**

65. Declarations of Interest

There were no declarations of interest.

66. Coventry's Youth Justice Strategy and Plan - 2021-23 (Update 2022) (Youth Justice Plan)

Further to Minute 33 of the Cabinet, the City Council considered a report of the Director of Children's Services which sought endorsement to the Youth Justice Plan.

The Crime and Disorder Act also imposed a duty to complete and submit a Youth Justice Plan each year. The Plan provides an update against the 2021-23 strategy. For the first time this year, the Youth Justice Board (YJB) mandated a template for the plan as part of their grant agreements with Youth Justice Services and thus the plan was presented in this format.

The plan demonstrates, in line with the Youth Justice Board (YJB) grant requirement, the continued delivery of statutory responsibilities as described in the Crime and Disorder Act 1998 part 111 (section 38). CYJS has submitted the plan in line with the mandated YJB structure. The plan demonstrates the delivery of the Service's statutory functions and the methods for achieving this in line with the grant requirement. This plan provides an updated picture on how the vision is being realized, priorities addressed, and provides a Service analysis and overview.

It further outlined: how we engage/work collaboratively with children, families, and victims of crime; governance arrangements; partnership resourcing into the Service; our performance against key priorities; current challenges and risks; our emerging evidence base of best practice; and, how we continue to build on the developmental activities across the city in 2022/23.

RESOLVED that the Council endorses the Coventry's Youth Justice Strategy and Plan 2021-23 (Update 2022).

67. Family Hub and Start for Life Programme

Further to Minute 37 of the Cabinet, the City Council considered a report of the Director of Children's Services which set out proposals for the Family Hub and Start for Life Programmes and the Trailblazer programmes and sought approval to accept grant funding.

The Council currently operated 8 Family Hubs to deliver place-based integrated offer to families across the city. They bring together services to improve access, build connections between families, practitioners, services and providers and put relationships at the heart of family support. Family hubs offer universal and targeted support to families with children of all ages up to 19 years and should provide support to families with young people with SEND up to 25 years. A comprehensive and effective Start for Life offer (0-2 years) should be at the core of the offer.

Coventry City Council has been selected to apply to join the national Family Hub and Start for Life Programme (first 1001 days), with financial investment to strengthen its offer to babies, children and families building on the achievements to date. This programme would attract between £4.06m - £4.25m grant funding across the 3 years 2022/23 to 2024/25 to deliver the programme objectives.

In addition to this the Council could bid for additional trailblazer funding of £183k during 2022/23 allowing Coventry to be one of the first 15 Local Authorities to lead the way in delivering the programme. Trailblazers would be expected to make the quickest, most ambitious and innovative progress in delivering the Family Hubs and Start for Life programme. This would include going faster and harder in delivering new or improved services for at least one of the following areas funded: perinatal mental health and parent-infant relationships; infant feeding; and parenting support. Whilst trailblazers may be selected if applying for just one or two programmes, priority will be given to trailblazers that are ambitious and innovative across all three areas. It was therefore proposed that Coventry apply for all three aspects of the funding.

The report included an overview of the Family Hub and Start for Life Programme and the funding that the Council would be eligible for. It also included a description of key service priorities, including a focus on community outreach and engagement with communities to ensure the coproduction of the maturity and expansion of family support services.

RESOLVED that the City Council:

1. **Accepts the grant funding for the purposes outlined in the report in respect of the Family Hub and Start for Life programme and the Trailblazer programme, in the event that that the City Council is successful in its grant bid the City Council.**
2. **Delegates authority to Director of Children's Services, following consultation with the Chief Operating Officer and Chief Legal Officer, to agree and sign any grant agreement.**
3. **Agrees that the Director of Children's Services is named as the Single Accountable leader for the Start for Life Offer.**
4. **Agrees that future reports on this grant and the Family Hub and Start for Life programme are received by the Cabinet Member with responsibility for Children Services**

68. **Loan for Material Recycling Facility**

Further to Minute 41 of the Cabinet, the City Council considered a joint report of the Managing Director of Coventry Municipal Holdings Limited and the Chief Operating Officer, which set out preferred options to finance the development of the material recycling facility (MRF) by seeking funding to Tom White via a commercial loan.

A corresponding private report detailing confidential financial matters was also submitted for consideration (Minute 74 below refers).

The Business Plan for Tom White (TW) for 2022/23 was approved by the Shareholder Committee in March 2022 which supported Tom White business growth and ongoing development.

The business plan outlined proposals to redevelop the Tom White recycling infrastructure at Longford Road site. Once completed, the redevelopment would improve the environmental performance of Tom White, dramatically increase the recycling rates for commercial waste and help to increase the financial dividend payable from Tom White back to the Shareholder (the Council).

The recycling facility redevelopment was core to these growth objectives, and the diagram at Appendix C showed how the new MRF sits in the context of overall waste management and recycling in Coventry and the sub-region.

The current recycling plant and equipment used by Tom White has historically suffered from lack of planned maintenance under previous ownership and was now experiencing significant breakdowns, with plant availability reducing considerably. During April to December 2021, the facility experienced 72 days of plant downtime. The impact of this was an increased cost of maintenance (plant and vehicle repairs and spares) and increased plant hire in the financial year 2021/22. There was also an increased cost of disposal due to more material going to landfill due to the plant not being available to sort material for an alternative, cheaper and environmentally sustainable disposal route as a fuel source for onward processing.

The existing plant performance was causing significant cost pressures in Tom White, such that month to month the business is currently operating at about 'break even'. Accordingly, the new plant solution would remove the cost pressures that undermine profitability and allow the business to get back on track for profit and dividend availability.

In the short term the Tom White management team have hired new resilient mobile equipment to compensate for the poor performance of the plant. This meant that the old unreliable plant did not need to be operated, thereby cutting significantly the maintenance costs and subsequent impacts. However, this was not a long term solution for the volume of waste processed through the facility, nor would it provide the opportunity to enhance recycling rates and improve financial returns to the shareholder.

The management team at Tom White have been working with its preferred supplier to design the new facility to move away from waste disposal but focus on treating commercial waste as a commodity from which the maximum environmental and economic benefit should be extracted. Therefore the solution was focused on creating zero waste to landfill.

The business plan would increase economic stability with the business case for the recycling facility increasing financial stability of Tom White each year.

The approval of the business plan by the Coventry Shareholder Committee was subject to funding. The report put forward the preferred options to finance the development of the material recycling facility by seeking funding to Tom White via a commercial loan for the sum, as detailed in the corresponding private report to enable delivery of the recycling infrastructure.

RESOLVED that the City Council:

- 1) Approves a loan up to the value detailed in the Private Report on commercial market terms for the purposes of delivering the recycling infrastructure.**
- 2) Approves the addition of up to the value detailed in the Private Report to the Councils approved capital programme for the purposes of entering into the loan.**
- 3) Approves the increase in the Commercial Investment Strategy limit for 2022/23 for investment in service loans as detailed in the Private Report.**
- 4) Delegates authority to the Chief Operating Officer (S151 Officer) and the Chief Legal Officer, following consultation with the Cabinet Member for Strategic Finance and Resources, to finalise and agree the detailed terms of the transaction with Tom White. The authority under this delegation shall also include the power to enter into the necessary legal agreements and subsequently the power to negotiate and agree any such variations as is deemed necessary to the terms of the loan facility and ancillary documents.**

69. Amendments to Appointments

The City Council considered a report of the Director of Law and Governance which sought to make changes to appointments to Council bodies in accordance with the political balance calculation.

At the Annual Meeting on 19 May, 2022, the City Council noted the allocation of seats to Political Groups in accordance with the political balance rules and made appointments to Council bodies accordingly.

Following by-elections and the self- suspension of two Councillors, the political balance of the Council has changed which needs to be reflected in the allocation of seats to the Political Groups.

RESOLVED that, the City Council:

- 1) Notes the allocation of seats to Political Groups in accordance with the political balance rules, as detailed in Appendix 1 to the report**
- 2) Approves the following appointments in accordance with the revised political balance calculation: -**

Councillor J Clifford as Acting Chair of the Licensing and Regulatory Committee

Councillor L Bigham as Acting Deputy Chair of the Licensing and Regulatory Committee

Councillor A Hopkins to the Licensing and Regulatory Committee

Councillor N Akhtar as Acting Deputy Chair of the Planning Committee

Councillor L Bigham to the Ethics Committee

Councillor J Gardiner to the Communities and Neighbourhoods Scrutiny Board (4) in place of Councillor T Khan

Councillor J Gardiner to the Health and Social Care Scrutiny Board (5)

Councillor J Gardiner to the Joint Health Overview and Scrutiny Committee in place of Councillor A Jobbar

Councillor J Gardiner to the Planning Committee in place of Councillor M Heaven

Councillor F Abbott as Acting Chair of the Cabinet Member for Policing and Equalities – Disability Equality Action Partnership – Advisory Panel

- 3) **Delegates authority to the Director of Law and Governance, following consultation with the appropriate Group Leader, to make any further amendments required to the appointments to Council bodies arising from 1) and 2) above.**

70. Question Time

Councillor R Brown provided a written answer to the question set out in the Questions Booklet.

The following Members answered oral questions put to them by other Members as set out below, together with supplementary questions on the same matters:

No	Questions asked by	Question put to	Subject matter
1	Councillor J Blundell	Councillor G Duggins	Transparency of the Coventry Shareholders Panel and other businesses owned by the City Council
2	Councillor P Male	Councillor P Akhtar	Freeze on bus fares and cancellation of school buses by TfWM
3	Councillor S Gray	Councillor P Akhtar	Threat to bus services in Coventry
4	Councillor J O'Boyle	Councillor P Akhtar	Work being done to franchise bus routes and buses in West Midlands
5	Councillor G Ridley	Councillor G Duggins	Current financial situation with CBS Arena
6	Councillor G Ridley	Councillor G Duggins	Uncertainty over the future of Coventry City Football matches being played at the CBS Arena
7	Councillor G Riley	Councillor G Duggins	Request for consideration to be given to having an all member seminar to brief all Members on the

			current situation at the CBS Arena
8	Councillor G Ridley	Councillor G Duggins	Party political status of Councillors CE Thomas and T Khan and their appointment to membership of Committees
9	Councillor S Gray	Councillor J O'Boyle	Progress of draft Climate Change Strategy
10	Councillor P Male	Councillor J O'Boyle	Amazon and promise of skilled jobs
11	Councillor P Male	Councillor AS Khan	Stabbings in Foleshill and Broadgate and safety of residents
12	Councillor CE Thomas	Councillor AS Khan	Lack of police resources
13	Councillor P Male	Councillor R Brown	Funding for City of Culture Trust
14	Councillor P Male	Councillor J O'Boyle	Justification of extra £0.5m given to JLR and the prospect of additional jobs for the city
15	Councillor M Heaven	Councillor P Hetherton	The number of bin lorry drivers who took early/voluntary retirement
16	Councillor M Heaven	Councillor AS Khan	Support for the Iranian community in Coventry
17	Councillor J Blundell	Councillor G Duggins	Consideration of items of private business on agendas
18	Councillor T Sawdon	Councillor G Duggins	Membership and make up of Coventry Shareholders Committee
19	Councillor S Keough	Councillor G Duggins	Association of Ukrainians 75 th Anniversary and the formation of a

			Coventry branch
20	Councillor S Keough	Councillor AS Khan	Progress on twinning with Ukraine and Ukrainian flag outside Council House
21	Councillor M Lapsa	Councillor AS Khan	Test purchases undertaken on the sale of illegal vapes and the number of prosecutions. If was evidence supplied, would premises be prosecuted?

71. Statements (if any)

The Leader, Councillor G Duggins, made a Statement in respect of the current situation at the Coventry Building Society Arena and the recent news regarding Wasps Rugby Club going into administration.

Councillor G Ridley responded to the statement.

72. Debate - Sale of Farmland East of Browns Lane for Development

The following debate was moved by Councillor R Simpson and seconded by Councillor J Gardiner:

“This Council believes that the farmland east of Brown's Lane, owned by this Council and which has always been known as Coundon Wedge, should not be sold for development.”

RESOLVED that, the Motion as set out above, be not adopted.

Note: A recorded vote was taken, in accordance with the Constitution, in respect of the Motion.

The Councillors voting for and against the Motion were as follows:

<u>For</u>	<u>Against</u>	<u>Abstain</u>
Councillor R Bailey	Councillor S Agboola	
Councillor J Birdi	Councillor P Akhtar	
Councillor J Blundell	Councillor M Ali	
Councillor J Gardiner	Councillor R Auluck	
Councillor S Gray	Councillor L Bigham	
Councillor M Heaven	Councillor R Brown	

Councillor S Keough	Councillor K Caan	
Councillor M Lapsa	Councillor J Clifford	
Councillor P Male	Councillor G Duggins	
Councillor B Mosterman	Councillor B Gittins	
Councillor G Ridley	Councillor L Harvard	
Councillor T Sawdon	Councillor G Hayre	
Councillor R Simpson	Councillor P Hetherton	
	Councillor A Hopkins	
	Councillor J Innes	
	Councillor A Jobbar	
	Councillor AS Khan	
	Councillor R Lakha	
	Councillor R Lancaster	
	Councillor G Lloyd	
	Councillor J McNicholas	
	Councillor M Mutton	
	Councillor S Nazir	
	Councillor J O'Boyle	
	Councillor K Sandhu	
	Councillor P Seaman	
	Councillor B Singh	
	Councillor R Thay	
	Councillor CE Thomas	
	Councillor A Tucker	
	Councillor D Welsh	
	Lord Mayor	

Result: Lost
For: 13
Against: 32
Abstentions: 0

73. Debate: Targeted Funding Support for People and Small Business that Need it Most

The following Motion was moved by Councillor AS Khan and seconded by Councillor P Akhtar:

“This Council believes that this Government is on a crash course to another period of austerity.

Their policies yet again favour those that have and, as usual, ignore those that have not.

This winter the brunt of those fiscal policies will be borne not just by the most vulnerable, the old, the young and the disabled, but also by ordinary hard-working families. Record numbers of people using foodbanks and record numbers falling into fuel poverty. All this in a so-called advanced society.

This Council urges the Government to do the right thing and ensure that funding is targeted to those people and small businesses that need it and not to those companies and individuals that clearly do not”.

RESOLVED that, the Motion, as set out above, be adopted.

PRIVATE BUSINESS

74. Loan for Material Recycling Facility

Further to Minute 68 above, the City Council considered a private report of the Managing Director for Coventry Municipal Holdings Limited and the Chief Operating Officer, which set out the commercially confidential matters relating to a loan for a material recycling facility.

RESOLVED that the City Council:

- 1) Approves a loan up to the sum indicated within the report on commercial market terms for the purposes of delivering the recycling infrastructure.**
- 2) Approves the addition of up to the sum indicated within the report to the Councils approved capital programme for the purposes of entering into the loan.**
- 3) Approves the increase in the Commercial Investment Strategy limit for investment in service loans as indicated within the report for 2022/23.**
- 4) Delegates authority to the Chief Operating Officer (S151 Officer) and the Chief Legal Officer, following consultation with the Cabinet Member for Strategic Finance and Resources, to finalise and agree the detailed terms of the transaction with Tom White. The authority under this delegation shall also include the power to enter into the necessary legal agreements and subsequently the power to negotiate and agree any such variations as is deemed necessary to the terms of the loan facility and ancillary documents.**

(Meeting closed at 7.00 pm)

APPENDIX
(Council Minute 75/22, 6 December 2022 refers)

From: Peter Wiseman
Sent: 24 November 2022 12:18
To: Newman, Julie <Julie.Newman@coventry.gov.uk>
Subject: Re: Code of conduct initial review - private and confidential

Dear Julie,

I have considered Cllr. Duggins' complaint and reviewed the following:

1. Letter Cllr. Duggins to Cllr. Ridley 18 October 2022
2. The statement of Cllr. Duggins made to the Council at its meeting on 18 October 2022 and his replies to questions from Cllr. Ridley in the Q&A session
3. Recordings of a BBC CWR item and a Twitter post in which the Council's CEO was being questioned by a journalist
4. The draft initial assessment prepared following Ms. Claire Ward's consideration of the issues.

I have been unable to open *The Times* article but the salient features to emerge from it are referred to elsewhere and I do not think that I am inhibited in forming a view on the complaint because of this.

I conclude that the Council, through its senior officer(s) was in close contact with the events concerning Wasps and ACL at the material time. This included Hottinger and possible other interested third parties. There is nothing to support the suggestion that a support package from the Council was in the course of being contemplated or prepared.

I have no doubt that Cllr. Duggins would have been receiving reports on developments on such a vitally important issue. There is no evidence that he became directly involved in any of the moves or discussions. I am satisfied that in his letter to Cllr. Ridley and in his statement and responses in the Q&A session, he was being truthful. It follows that there is no prima facie evidence to support an allegation of dishonesty. I do not believe that there are any further inquiries to be made nor for there to be an investigation under Stage 2 of the Council's complaints procedure.

Please do not hesitate to contact me if there is anything you wish to discuss.

Kind regards,

Peter

Tel:
Sent from my iPad

Initial Assessment of Member Code of Conduct Complaint

Complaint Reference []

Parties

- Complainant: Cllr Duggins
- Subject Cllr: Duggins

Independent Person

- Peter Wiseman

Initial Assessment of Complaint

On 16 November the Monitoring Officer commissioned Claire Ward (Anthony Collins Solicitors) to undertake an assessment of a complaint, from Cllr Duggins concerning his own conduct as a member of Coventry City Council, at stage 1.

Summary of complaint

The councillor has made the referral due to content on social media suggesting that he had lied during a council meeting on 18 October 2022 and in his letter to the leader of the opposition party on the same date.

Potential breaches of the Code of Conduct identified

This complaint has been assessed considering the Seven Principles of Public Life (the Nolan Principles) and the general principles as set out in the Code of Conduct (“the Code”). The complaint involves the following principles:

- Act with integrity and honesty
- Lead by example and act in a way that secures public confidence in the role of councillor

Initial Assessment

In accordance with the Localism Act 2011 and section 4 of the complaints protocol, it is considered that this complaint does not merit formal investigation as the complaint does not disclose a potential breach of the Code.

1. The facts

Cllr Duggins wrote to the opposition leader on 18 October answering seven specific questions. At the full Council meeting on the same day Cllr Duggins made a statement and answered oral questions. An article in the Sunday Times on 11 November suggests that Cllr Duggins answers in the letter and orally in the Council meeting maybe untrue.

2. Official Capacity

Councillor Duggins was acting in his capacity as a member of Coventry City Council when answering the questions in writing and orally and as such was subject to the Council’s Code.

3. Analysis

The letter of 18th October to the opposition leader is an open letter replying to seven questions. They ask different questions but essentially ask whether cllr Duggins or anyone at the authority has done x or y in relation to the CBS Arena.

The Sunday Times article reports that Hottinger, a wealth management company, had been in positive negotiations with the council. A matter confirmed in the article by a statement from the Council's chief executive.

Question four in the letter of 18th October asks –

Have you, or anyone at the authority, entered into discussions with any other party in relation to the ownership of the stadium?

The answer given is -

Yes- we have been open to speaking to any party that wanted to discuss the current situation and our ambition to have a thriving arena as a catalyst for the continued regeneration of that part of the city.

At the Council meeting of the same date Cllr Duggins made a statement to the meeting making it clear that the Council *was never interested in staving off the administration of WASPS or bailing them out.*

The Council's standing orders provides at part 3 section 8.10 for oral questions to be made at ordinary council meetings by members to a cabinet member.

Cllr Duggins, as leader of the Council, received a number of oral questions at the meeting under item 13 on the agenda. The opposition leader Cllr Ridley asked questions about the arena, the pertinent question is number two which asks –

what conversations have you had about this council providing support to ACL?

Cllr Duggins answer is –

None and any support that would be suggested would be the ones which would be shared with the group...

ACL are the current leaseholders. Cllr Duggins was clear in his reply to the written questions that the council have been open to speaking to any party that wanted to discuss the current situation. He did not say he personally had been speaking to these parties. One of the parties was Hottinger, who did have a dialogue with senior officers. It was therefore correct in replying to the oral question asking him personally if he had had conversations that the answer was no. The question did not include as the written questions had asked about "or anyone at the authority". Although it may seem pedantic to make this distinction and to infer that the question was about conversations anyone in the council had had. That is not the language used. It is a direct question to the leader of the Council and is clearly seeking a personal response. In contrast the written questions from the same questioner days earlier seeking further information asking for "you, or anyone at the authority".

It is correct that persons interested in the arena would speak to officers not members in terms of any proposal and as Cllr Duggins referred to in the oral reply any support suggested to officers would be shared with members. Of course this would only occur when there was something to shared and consulted on.

Cllr Duggins confirms in the written answer to question four that the council have been open to speaking to any party that wanted to discuss the current situation. The chief executive did speak with Hottinger but their proposal was not at a stage to be consulted on with members which is why Cllr Duggins was correct to say none in reply to the oral question in Council.

There is no evidence that Cllr Duggin lied in the letter of 18th October or in the answer to questions at the full council meeting on the same date.

The complaint does not disclose a potential breach of the code.

Monitoring Officer Stage 1 decision

The Monitoring Officer in consultation with the Independent Person has concluded that in this case there is no basis to proceed, the complaint should be dismissed as being without merit.

What happens now?

The determination of the initial assessment will be reported to Cllr Duggins and the next ordinary meeting of the Ethics Committee of Coventry City Council for information.

There is no right of appeal to the Council against the assessment and determination of this complaint.