

COUNCIL OF THE CITY OF COVENTRY

18th September 2012

PRESENT

Lord Mayor (Councillor Sawdon)

Deputy Lord Mayor (Councillor Crookes)

Councillor Mrs Abbott	Councillor Lakha
Councillor Akhtar	Councillor Lancaster
Councillor Ali	Councillor Mrs Lepoidevin
Councillor Andrews	Councillor Mrs Lucas
Councillor Auluck	Councillor McNicholas
Councillor Bains	Councillor Maton
Councillor Mrs Bigham	Councillor Mrs Miks
Councillor Blundell	Councillor Mulhall
Councillor Caan	Councillor J. Mutton
Councillor Chater	Councillor Mrs M. Mutton
Councillor Clifford	Councillor Noonan
Councillor Duggins	Councillor O'Boyle
Councillor Mrs Fletcher	Councillor Ruane
Councillor Foster	Councillor Sandy
Councillor Galliers	Councillor Sehmi
Councillor Gannon	Councillor Singh
Councillor Gingell	Councillor Skinner
Councillor Hammon	Councillor Skipper
Councillor Harvard	Councillor Mrs Sweet
Councillor Hetherton	Councillor Taylor
Councillor Howells	Councillor Thay
Councillor Innes	Councillor Thomas
Councillor Kelly	Councillor Townshend
Councillor Kershaw	Councillor Walsh
Councillor A. Khan	Councillor Welsh

Apologies: Councillor Williams

Public Business

47. Minutes

The minutes of the meeting held on 24th July 2012, were signed as a true record.

48. Coventry Good Citizen Award – Mrs Dorothy Senior

On behalf of the Council, the Lord Mayor and his Honour, Judge Griffith-Jones, Honorary Recorder, presented Mrs Dorothy Senior with the Coventry Good Citizen Award. Her citation read:

“Dorothy Senior arrived in England from Jamaica in 1961 and moved to Coventry a year later. She worked at the GEC for 20 years before getting a job in the Education Department at the Council in 1986 until her retirement in 2003.

Dorothy's volunteering spirit is really something to be admired. She has been involved in numerous organisations and events in Hillfields for over 25 years – being a founder member of WATCH aka - Working Actively to Change Hillfields - and the Police Liaison Group. She has been a driving force in the Hillfields Environmental Group, Health Action Group, Hillfields Core Working Group and is also a governor at Hillfields Children's Centre.

She has been recognised for her community work by the High Commissioner of Jamaica (2000), the Coventry Telegraph (2001) and the Home Office (2005).

She attends as many events as she can – being there at the opening of the Sidney Stringer Academy or the City of Coventry Health Centre. Dorothy will man stalls and put a shift in when Hillfields puts on its Summer Fair in Primrose Hill Park or its Christmas celebrations in the village square.

Dorothy is well known for her dedication, her tireless hard work, her public spirit and easy-going nature. She will always take time to support anybody – no matter where they come from. Dorothy is incredibly proud of Hillfields and its people and has seen so many changes over the 50 years she has lived in the area. Even when times were tough she did not give up on wanting to help improve the area. She even gave up her home to make way for the new City College now on the site of her old flat!

She always has a kind word for those that need it and is not afraid to offer advice and constructive criticism particularly to her local Councillors where it will help move things forward!

To many people Dorothy really is 'Lady Hillfields.' She can now also add the well-deserved accolade of Coventry Good Citizen!"

49. Presentation of Paralympic Lantern

Coventry was one of 36 cities to take part in hosting Paralympic flame celebrations across the country. Rita Thompson, Coventry's Paralympic Ambassador and the Lord Mayor, Councillor Sawdon, had travelled down to Trafalgar Square to collect the Paralympic Lantern which was lighted from a 'splinter' of the Paralympic torch flame and brought it back for the celebrations in Coventry on the 25th August 2012.

Mrs Thompson had been invited to the meeting to formally present the Lantern as a parting gift to the City of Coventry of the London 2012 Paralympic games and display it for Coventry citizens indefinitely.

50. Officer Retirement

The Lord Mayor referred to the forthcoming retirement of Jos Parry, Assistant Chief Executive.

Jos was first appointed to the Council in 1990 following an early career as a post-doctoral Research Fellow in the School of Bio-Chemistry at Birmingham University. Jos joined the Council as a Research Officer in Environmental Services and remained in Housing and Environmental Services until 1998, progressing to Head of Policy Support.

In 1998 she transferred to Education, re-designated Children Learning and Young People' Directorate (CLYP) in 2006. Her first post in Education was Policy Development Co-ordinator, subsequently being appointed as Head of Policy and Operational Co-ordination and then Head of Children's Policy and Performance. During her time in CLYP Jos contributed to the role of Acting Director of CLYP jointly with other colleagues for two extended periods in 2002/3 and 2005/6 while the post was vacant. Jos was appointed Assistant Chief Executive in October 2007 a post she has retained until now.

Members expressed their thanks to Jos for her services to the Council and wished her a long and happy retirement.

51. Local Democracy Week

Members noted that Local Democracy Week this year would run from 15 – 19 October and the Council would be hosting a programme of events aimed at encouraging greater democratic engagement, especially among younger people.

As part of Local Democracy Week, and in aid of the Lord Mayor's Charity Appeal, the Lord Mayor would be hosting a Quiz at Esquires Coffee Shop at the Coventry Transport Museum on Tuesday 16th October from 6.00pm.

The Quiz was being run with the Council's Youth Service, and Members were invited to join in with the teams to battle it out.

52. Petitions

RESOLVED that the following petitions be referred to the appropriate City Council body or external organisation:

- (a) Close off or gate the alleyway between Harnall Lane East and Berry Street – 39 signatures – presented by Councillor O'Boyle.**
- (b) Coventry Gateway: To reject elements of the scheme – 771 signatures – presented by Councillor Foster.**
- (c) Objections to the widening of Black Prince Avenue – 415 signatures – presented by Councillor Noonan**
- (d) Request for road and pavement repairs on Stonebury Avenue – 13 signatures – presented by Councillor Lepoidevin**
- (e) Request for a permanent commemoration of Massey Ferguson Factory on Banner Lane – 104 signatures – presented by Councillor Thomas**
- (f) Request that No 10 bus route revert to its former routing avoiding Sutton Avenue – 235 signatures – presented by Councillor Lepoidevin**
- (g) Requesting safety measures on Station Avenue – 10 signatures – presented by Councillor Foster on behalf of Councillor Skinner**

53. Declarations of Interest

There were no declarations of interest.

54. Protocol for Conferring the Title of Honorary Alderman or Alderwoman

Further to Minute 10/12 of the Joint Cabinet Member (Community Safety and Equalities) and (Policy, Leadership and Governance) meeting, the City Council considered a report of the Director of Finance and Legal Services which recommended changes to the Protocol for conferring the title of Honorary Alderman or Alderwoman.

The Council had approved a Protocol for conferring the title of Honorary Alderman or Alderwoman to former Councillors at its Annual Meeting on 19 May 2011 (their Minute 17/11 refers). Under the current Protocol, nominations for the title of Honorary Alderman/woman could only be made once a year, by the end of February, with the nominations being submitted to Council at its meeting in March. A special meeting to confer the honorary title would then take place immediately prior to the Annual Council Meeting in May.

However, the time periods in the Protocol were restrictive and it was proposed that a more flexible approach should be taken. It was recommended therefore that the Protocol be amended to allow the title to be conferred at any time of the year. The title of Honorary Alderman or Alderwoman would be conferred at a specially convened meeting of the Council by a resolution passed by not less than two thirds of members present and voting. Nominations may, in addition to this, be considered at a prior ordinary Council meeting, and the nomination approved in principle by a resolution comprising a majority vote. If nominations were considered at an ordinary meeting, it was proposed that the specially convened meeting may be held immediately after this ordinary meeting, or at a future meeting, subject to the appropriate notice of the special meeting having been given.

It was also proposed that the criteria for eligibility for the title of Honorary Alderman/woman which referred to the 15 years of service as an elected member may be continuous or non-continuous.

The Lord Mayor's Office would be managing the process for Honorary Aldermen/women, in conjunction with the Cabinet Member holding the portfolio for Democratic Services and the Lord Mayor of the City of Coventry. This included ensuring recipients were given a medal and certificate, and that their names were recorded in a special register or 'Roll'.

There would be limited costs for awarding recipients with a medal and certificate, and for a Register to record the names of Aldermen and Alderwomen. In 2012/13, there would be estimated one-off costs of £850 for purchasing 20 medals/certificates and a Register. The overall Democratic Services budgets would fund these expenses in 2012/13. In future years, the estimated costs of £200 per annum for medals and certificates would be met from the budget within the Lord Mayor's Office.

If these proposals were approved, Appendix 1 to Part 8 of the Constitution (Procedural Matters) would need to be amended to reflect these changes. The proposed changes to Part 8 were shown in the Appendix to the report. It was further proposed that the Protocol be renamed and relocated to Part 5 of the Constitution which specifically related to Codes and Protocols.

RESOLVED the City Council:

- (i) **Approve the changes to the Constitution, as set out in Section 2 of the report and detailed above.**
- (ii) **Approve the protocol for conferring the title of Honorary Aldermen and Alderwomen.**

55. Audit Committee Annual Report to Council 2011/12

Further to Minute 17/12 of the Audit Committee, the City Council considered the Annual Audit Committee Report 2011/12.

The report provided an overview of the Audit Committee's activity during 2011-12, including progress in terms of discharging its responsibilities to provide independent assurance on the adequacy of the Council's risk management framework and the associated control environment, and in providing robust scrutiny and challenge of the Council's financial performance.

The report detailed all routine reports considered by the Committee, based around the clearly defined expectations of the services and functions that report to the Committee, for example internal and external audit and financial management, together with all the ad hoc reports considered, which focused on either a specific concern raised by the Committee or developments that impact directly on the Committee.

The report indicated that the Council had made significant enhancements to its Audit Committee over the past few years and that areas still for development included ensuring that all Members of the Committee are provided with appropriate training to allow them to discharge their responsibilities and keeping abreast of national developments and the potential impact that these may have on the operation of the Committee.

In 2012-13, the Committee's initial focus would be on ensuring that effective action be taken in response to areas for improvement highlighted in the Annual Governance Statement for 2011-12. In addition, given the continued financial pressures facing the Council, the importance of an effective Audit Committee remained critical. The following planned changes over the next year would be a specific focus of the Committee to ensure that they do not have a detrimental impact on the effectiveness of the Council's governance arrangements:

- The implementation of the Council's new finance system
- The appointment of the Council's new external auditors, Grant Thornton
- The creation of the Single Fraud Investigation Service from the point of view of ensuring that this does not impact on the overall fraud arrangements within the Council.

RESOLVED that the City Council receive the Audit Committee Annual Report 2011/12 and note the priorities for 2012/13, as detailed in paragraph 1.4 of the report.

56. Department for Education Consultation - Replacing Local Authority Central Spend Equivalent Grant (LACSEG): Funding Academies and Local Authorities for the functions that devolve to Academies

Further to Minute 35/12 of the Cabinet, the City Council considered a joint report of the Director of Finance and Legal Services and the Director of Children, Learning and Young People, which set out a proposed response to the Department for Education consultation on proposals to replace Local Authority Central Spend Equivalent Grant (LACSEG) from 2013/14.

The Government was proposing to transfer funding for central education functions for maintained and academy schools from the Department for Communities and Local Government to the Department for Education. This would mean that the level of funding the Council received in Formula Grant would reduce and be replaced by a separate un-ringfenced grant payable to both local authorities and academies, proportionate to the number of pupils for which they were responsible. The consultation document contained a limited set of proposals for the distribution of the new grant and the proposed response to these proposals was appended to the report submitted.

RESOLVED that the City Council approve the proposed response to the school funding consultation set out in appendix A of the report, for submission the Department for Education by 24th September 2012.

57. Consultation Responses - Draft Care and Support Bill, New Safeguarding Power, Future of Independent Living Fund, draft guidance on Joint Strategic Needs Assessments and Joint Health and Wellbeing Strategies, and allocation options for the funding for Independent Mental Health Advocate Services and the treatment of Armed Forces' compensation in charging for social care

Further to Minute 36/12 of the Cabinet, the City Council considered a report of the Director of Community Services, which proposed responses to five separate Government consultations that related to adult social care and health, in particular:

- Draft Care and Support Bill
- New Safeguarding Power
- Future of the Independent Living Fund
- Draft Guidance on Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategies
- Allocation Option for the Funding of Independent Mental Health Advocate Services and the Treatment of Armed Forces' Compensation in Charging for Social Care.

The Department of Health published the White Paper 'Caring for our future: reforming care and support', in July 2012 (Care and Support White Paper). It was accompanied by a draft Care and Support Bill, which would provide the necessary legislation for adult social care reforms. The Bill would create a single framework for adult care and support, replacing more than a dozen pieces of outdated legislation. The Bill had been published for pre-legislative scrutiny and comments would feed directly into the process of parliamentary scrutiny. The Council was responding to the themes of the Bill rather than to each individual clause. This was not considered to be a formal consultation. It was proposed that the response should indicate that the Council would support the consolidation of legislation, but indicate that some areas of the Bill should be strengthened.

The draft Care and Support Bill included a proposed duty on local authorities to make

enquiries where there was a safeguarding concern. It stated that local authorities "must make (or cause to be made) whatever enquiries it thinks necessary to enable it to decide whether any action should be taken". The Department of Health launched a formal consultation as to whether it was necessary within the Bill to include specific power to support this duty. This could be in the form of a power of entry, enabling a local authority to speak to someone with mental capacity who they think could be at risk of abuse and neglect, in order to ascertain that they were making their decisions freely. It was proposed that the response should indicate that the Council were in support of this proposed separate power, but considered it should only be used in exceptional circumstances.

The Department for Work and Pensions (DWP) was consulting on proposals that the Independent Living Fund (ILF) be devolved from an executive non-departmental public body, under the sponsorship of DWP to local government from April 2015. The original fund was created in 1988 and the aim of ILF monies was to provide a cash payment directly to disabled people, so that they could purchase care directly to support them to live independently in their communities rather than in residential care. The report indicated that the Council would support the transfer of funding to the local authority, but had concerns about the level of funding post 2015. It was proposed that the response should also indicate that the Council was concerned about the impact on people who currently receive ILF monies but were not currently receiving support from adult social care and who following assessment, may not meet the eligibility for care and support.

The Department of Health had published draft statutory guidance intended to support health and wellbeing boards and their partners in undertaking and contributing to Joint Strategic Needs Assessments (JSNA) and Joint Health and Wellbeing Strategies (JHWS). It was consulting on the clarity, effectiveness and potential impact the guidance would have on ensuring JSNAs and JHWSs improve the health and wellbeing on the local community and reduce health inequalities for all ages. The Council welcomed the guidance which it believed would support the Health and Wellbeing Board to discharge its duties in this area. However, the proposed response also indicated that the Council considered that the guidance could be further strengthened to provide clear drivers to reduce health inequalities.

In April 2013 the statutory duty for Independent Mental Health Advocate Services would transfer from the NHS to local authorities. Funding would come from a Department of Health grant and the Government was consulting on options for the allocation of funding. The proposed response indicated that the Council would support funding allocation based on the adult social care needs formulae.

It was noted that the Care and Support White Paper contained details of an amendment to social care regulation and charging guidance that meant that, from October 2012, Armed Forces' Guaranteed Income Payment (GIP) compensation would be exempted from the means test for social care. The Council supported this change and the report indicated that the Council already disregards the total sum of a veteran's war pension, including GIP in its policy for charging for non-residential social care. A change to the local policy for residential care would need to be made, however. Funding would be issued as a Department of Health grant and the Government was consulting on its option for distributing the funding.

RESOLVED that the City Council approve the proposed consultation responses.

58. Response to Consultation - Local Government Resources Review: Proposals for Business Rate Retention

Further to Minute 37/12 of the Cabinet, the City Council considered a report of the Director of Finance and Legal Services, which set out a proposed response to a Government consultation on Local Government Resources Review: Proposals for Business Rate Retention.

The Council approved a report on 18th October 2011 giving its response to the Local Government Resources Review: Proposals for Business Rates Retention scheme. The key impact of the scheme, set out within the current Local Government Finance Bill, would be that a proportion of future local increases or decreases in Business Rates would be retained or managed by local authorities. Currently these local movements in Business Rates were balanced within national funding arrangements.

As part of developing these proposals the Government had issued a technical consultation paper, setting out the detail of the way the scheme and the wider resource allocation system would operate. The scheme would entail a move away from a needs based resource allocation system, to one based in part on the level of business rates increase in an area. This raised the possibility that Coventry would suffer a reduction in funding over time.

It was proposed that main focus of the response to the consultation, should be that any new system should adequately take into account the assessment of need when allocating resources.

RESOLVED that the City Council approve the proposed consultation response.

59. Appointment to Outside Body

The City Council considered a report of the Director of Customer and Workforce Services which sought approval to appoint a replacement representative to the Coventry General Charities Trust. Following the resignation of former Councillor Mrs Johnson, there was one vacancy for a City Council representative on the Board of Trustees.

RESOLVED that Councillor Lakha be appointed as a City Council representative on the Coventry General Charities Trust.

60. Adjournment of Meeting

It was moved by Councillor Gannon and seconded by Councillor Hetherington and resolved that, in accordance with Paragraph 4.1.35.17 of the Constitution, the meeting now be adjourned. The adjournment was to facilitate the Extraordinary Meeting of Council which was scheduled to commence at 2.00 pm and which had been convened to confer the titles of Honorary Aldermen (referred to in Minute 52 above).

Note: The meeting re-convened at 3.20 pm and the Deputy Lord Mayor, Councillor Crookes, chaired the meeting in the Lord Mayor's absence.

61. **Question Time**

The appropriate Members provided a written response to all the questions set out in the Questions Booklet, together with an oral response to supplementary questions put to them at the meeting.

There were no further questions.

62. **Statement by the Leader of the Council**

There was no statement

63. **Debate – Olympics and Paralympics 2012**

Councillor Skinner moved the following motion which was seconded by Councillor Hammon:

“This Council warmly congratulates Olympic Team GB and Paralympics GB on their enormous successes during the recent Games.

The Council particularly welcomes the emphasis thus placed on the similarities between able-bodied and disabled people everywhere and hopes that this will help to promote ever greater mutual understanding and courtesy between them”.

RESOLVED that the motion, as set out, above be unanimously adopted.

Meeting closed at 4.40 pm