

Coventry City Council
Minutes of the Meeting of Cabinet Member for Jobs, Regeneration and Climate
Change held at 3.00 pm on Monday, 13 May 2024

Present:

Members: Councillor J O'Boyle (Cabinet Member)

Other Members: Councillor N Akhtar, Chair of Scrutiny Co-ordination Committee

Councillor M Lapsa and G Lewis (Westwood Ward Councillors)

Employees (by Service Area)

Law and Governance O Aremu, S Bennett, J Redfern

Property Services and Development R Moon (Director) P Beesley

Public Business

25. Declarations of Interest

There were no disclosable pecuniary interests.

26. Minutes

The Minutes of the meeting held on 12 March, 2024 were agreed and signed as a true record.

There were no matters arising.

27. Exclusion of the Press and Public

RESOLVED that approval be given to exclude the press and public under Section 100(A) 4 of the Local Government Act 1972 for the consideration of the private matter referred to in Minute 31 below relating to "Progress House, Westwood Way, Westwood Business Park, Coventry" on the grounds that that item involves the likely disclosure of exempt information, as defined in Paragraph 3 of Schedule 12 A of that Act as it contains information relating to the financial and business affairs of an organisation and the amount of expenditure incurred.

28. **Progress House, Westwood Way Westwood Business Park Coventry - Lease Re- gear**

The Cabinet Member for Jobs, Regeneration and Climate Change considered a report of the Director of Property Services and Development which sought approval to the surrender of the current lease on Progress House, Westwood Way, and to the regrant of a new lease. This would enable the demolition of the existing building to be replaced with purpose built student accommodation and ancillary commercial accommodation.

A corresponding private report detailing confidential financial and business matters was also submitted for consideration (Minute 31 below refers).

The report indicated that regeneration across the City continues to be a key priority of the Council. Westwood Business Park and its continued success as an evolving commercial asset for the Council, enabling economic opportunities for the City and delivering significant financial returns to support the delivery of services to the people of Coventry is strategically important.

Purpose built student accommodation supports the University of Warwick as a leading place of learning and research in the UK, providing businesses an opportunity to recruit its future skilled workforce and strengthen the wider City's economy.

A paper and an e petition, bearing a total of 405 signatures seeking assurances that the Council, acting as landowner, would not allow the demolition of Progress House "until a planning application for reasonable restoration of the site has been approved" had been received earlier in the year. At the time of the receipt of the petition, a planning application, seeking approval to redevelop the site for student housing, had been refused by the Planning Committee. The applicants had appealed the decision and were awaiting a determination by the Planning Inspectorate.

Whilst waiting for the outcome of the appeal, Council officers had met representatives of the petitioners, including the petition sponsor, Councillor M Lapsa, and confirmed the Council's position that, under the terms of the lease the Council had written to the tenant advising that they would not give approval to the demolition of buildings on the site prior to a planning consent having been obtained.

The planning appeal against refusal had subsequently been allowed. A copy of the appeal decision, dated 8 March, 2024, was appended to the report. The appeal decision grants planning for the demolition of the existing office building and erection of new building comprising student accommodation and commercial, business and service accommodation.

In accordance with the Constitution, Councillor N Akhtar, Chair of the Scrutiny Co-ordination Committee attended the meeting for this item of business, and the corresponding private report detailed in Minute 31, below to consider the need for urgency such that the decisions in relation to this matter are not subject to call-in. The need for urgency is that that, in order to meet the construction programme and complete the new development for the occupation by students before

commencement of the academic year in September 2026, the legal agreement and commitment was required to be completed by the 20th May 2024. If this timescale is not achieved, then a delay of a further 12 months would be incurred, which would mean that the improved income for the Council is also delayed by a year.

A further petition, bearing 17 signatures, had been submitted following publication of the agenda for the meeting, requesting “that that the re-gearing of the lease of Progress House, Westwood Way is not agreed at the Council Meeting on Monday 13th May 2024 until full and appropriate due diligence has been undertaken and satisfied. The Council must fully consider the impact on the residents it is elected to represent on this very controversial issue and must not be pressurised by the developers into making a rash and irresponsible decision without all the facts being publicly presented”

The petition sponsor, Councillor M Lapsa, a Westwood Ward Councillor, attended the meeting and spoke on behalf of the petitioners and a statement from the Lead Petitioner was read out in their absence. At the Cabinet Member’s discretion, Councillor G Lewis, a Westwood Ward Councillor, also spoke on behalf of residents.

Following issues raised at the meeting, officers provided Constitutional clarification in relation to executive decision making by Cabinet Members, Councillor Akhtar’s attendance and role at the meeting in his capacity as Chair of the Scrutiny Co-ordination Committee, and the Scrutiny Procedures Rules in relation to call-in and the provision for urgent decisions. Clarification was also provided in relation to matters which are the subject of Planning Committee consideration and the matter before the Cabinet Member for consideration which related to the City Council’s interest as landowner.

Councillor Akhtar, having considered both the public and private report, agreed the need for urgency and therefore the decisions in relation to this matter are not subject to call in.

RESOLVED that the Cabinet Member for Jobs, Regeneration and Climate Change:-

- 1. Notes the petition requesting that the Council does not allow the demolition of the building known as Progress House “until a planning application for reasonable restoration of the site has been approved”.**
- 2. Notes the petition presented at the meeting requesting that “the re-gearing of the lease of Progress House, Westwood Way is not agreed at the Council Meeting on Monday 13th May 2024 until full and appropriate due diligence has been undertaken and satisfied.”**
- 3. Accepts the surrender of the existing lease across the former Progress House site at Westwood Business Park and grant a new 150 year lease to Barnwell Gate Limited or their nominated investment fund or investor, to facilitate the development of up to 544 bed Purpose Built Student Accommodation with a minimum initial ground rent as outlined in the private version of this report.**

4. **Delegates authority to the Director of Property Services and Development, following consultation with the Director of Finance and Resources and the Director of Law and Governance, to negotiate and finalise the terms of the grant of the new lease, to undertake the necessary due diligence and complete all necessary legal documentation to facilitate the completion of the transaction.**
5. **Delegates authority to the Director of Property Services and Development, following consultation with the Cabinet Members for Jobs, Regeneration and Climate Change and the Cabinet Member for Strategic Finance and Resources, for any subsequent variation in terms.**

29. **Outstanding Issues**

There were no outstanding issues.

30. **Any Other Items of Urgent Public Business**

There were no other items of urgent public business.

Private Business

31. **Progress House, Westwood Way Westwood Business Park Coventry - Lease Re- gear**

Further to Minute 28 above, the Cabinet Member for Jobs, Regeneration and Climate Change considered a private report of the Director of Property Services and Development which detailed confidential financial and business matters relating to the surrender of the current lease on Progress House, Westwood Way, and to the regrant of a new lease.

As indicated in Minute 28 above, Councillor Akhtar, Chair of the Scrutiny Co-ordination Committee, having considered both the public and private report agreed the need for urgency and therefore the decisions in relation to this matter are not subject to call in.

RESOLVED that the Cabinet Member for Jobs, Regeneration and Climate Change:-

1. **Notes the petition requesting that the Council does not allow the demolition of the building known as Progress House “until a planning application for reasonable restoration of the site has been approved”.**
2. **Notes the petition presented at the meeting requesting that “the re-gearing of the lease of Progress House, Westwood Way is not agreed at the Council Meeting on Monday 13th May 2024 until full and appropriate due diligence has been undertaken and satisfied.”**
3. **Accepts the surrender of the existing lease across the former Progress House site at Westwood Business Park and grant a new 150**

year lease to Barnwell Gate Limited or their nominated investment fund or investor, to facilitate the development of up to 544 bed Purpose Built Student Accommodation with a minimum initial ground rent as outlined in the report.

4. Delegates authority to the Director of Property Services and Development, following consultation with the Director of Finance and Resources and the Director of Law and Governance, to negotiate and finalise the terms of the grant of the new lease, to undertake the necessary due diligence and complete all necessary legal documentation to facilitate the completion of the transaction.
5. Delegates authority to the Director of Property Services and Development, following consultation with the Cabinet Members for Jobs, Regeneration and Climate Change and the Cabinet Member for Strategic Finance and Resources, for any subsequent variation in terms.

32. **Any Other Items of Urgent Private Business**

There were no other items of urgent private business.

(Meeting closed at 3.40pm)