

Coventry City Council

Minutes of the Meeting of Council held at 2.00 pm on Tuesday, 6 December 2022

Present:

Members: Councillor K Maton (Chair)

Councillor F Abbott
Councillor N Akhtar
Councillor P Akhtar
Councillor M Ali
Councillor R Auluck
Councillor R Bailey
Councillor L Bigham
Councillor J Birdi
Councillor J Blundell
Councillor R Brown
Councillor K Caan
Councillor J Clifford
Councillor G Duggins
Councillor J Gardiner
Councillor B Gittins
Councillor S Gray
Councillor L Harvard
Councillor M Heaven
Councillor P Hetherington
Councillor A Hopkins
Councillor J Innes
Councillor T Jandu
Councillor S Keough
Councillor AS Khan
Councillor R Lakha

Councillor R Lancaster
Councillor M Lapsa
Councillor J Lepoidevin
Councillor G Lloyd
Councillor P Male
Councillor A Masih
Councillor J McNicholas
Councillor C Miks
Councillor B Mosterman
Councillor M Mutton
Councillor S Nazir
Councillor J O'Boyle
Councillor G Ridley
Councillor E Ruane
Councillor K Sandhu
Councillor T Sawdon
Councillor P Seaman
Councillor R Simpson
Councillor B Singh
Councillor R Singh
Councillor CE Thomas
Councillor A Tucker
Councillor D Welsh

Honorary Alderman: K Taylor

Apologies: Councillor G Hayre, A Jobbar, T Khan and R Thay
Honorary Aldermen H Fitzpatrick, M Hammon, T Skipper

Public Business

75. Minutes of the meeting held on 18 October 2022

Councillor Duggins tabled a document which set out details of a self-referred assessment of a Member Code of Conduct Complaint which he instigated after the 18 October meeting of Council and requested that the document be appended to the Minutes of that meeting.

The minutes of the Meeting held on 18 October 2022 were agreed and signed as a true record subject to the above-mentioned document being included as an appendix.

76. Motion without Notice

In accordance with the Constitution, a Motion without Notice was moved by Councillor M Mutton, seconded by Councillor G Lloyd and adopted that agenda item 4 (Coventry Good Citizen Award) be taken as the first item of business.

77. 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 91 below headed 'City Centre South Funding and Delivery' 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.

78. Coventry Good Citizen Award

On behalf of the City Council, the Lord Mayor presented 'Pass the Smile for Ben' with the Good Citizen Award. The citation, presented to Ben's parents, Sarah and Scott Crowther on behalf of the family and volunteers, and read:

"Pass the Smile for Ben is a Childrens Cancer and Leukaemia Group (CCLG) fund set up in memory of Ben Crowther to raise awareness and funds for research into rhabdomyosarcoma, a rare form of childhood cancer which Ben suffered from.

The team behind Pass the Smile for Ben are Ben Crowther's family: mum Sarah, dad Scott and brothers Harry and James. There are assisted by an amazing team of volunteers who fundraise for Pass the Smile throughout the year.

Since their work began, the Pass the Smile team have raised well over £120,000 for research into rhabdomyosarcoma. The team have organised some amazing events for Pass the Smile including painting the town gold in 2019, 2020 and 2021 for the 'Go Gold for Childhood Cancer Awareness month in September. Ben's mum, Sarah Crowther is involved in Go Gold international and raises money and awareness of childhood cancer each September by mobilising the community, especially in Earlsdon and Whoberley, where Ben was well known and much loved. The size of the community effort has grown year on year and 2021's 'Bennis the Menace' theme was an amazing community celebration.

Ben's dad, Scott Crowther, has also set up a Christmas tree collection to raise money for Pass the Smile and Myton Hospices equally. This initiative has been running for 3 years and raised £38,000 for rhabdomyosarcoma research in 2021 alone.

Pass the Smile for Ben has brought both the communities of Earlsdon and Whoberley together. Each year, their fundraising and awareness efforts get

bigger and bigger. The community mobilisation is part of the reason why the Pass the Smile for Ben team have been so successful and fundraising for childhood cancer awareness month is now a much-anticipated event in the communities' calendars".

79. Correspondence and Announcements of the Lord Mayor

Reverend Canon Dr. Paul Oestreicher, OBE

The Lord Mayor announced that Paul Oestreicher had been awarded an OBE in the 2022 Queen's Birthday Honours for Services to Peace, Human Rights and Reconciliation.

From 1985-1997 Paul Oestreicher was Canon Residentiary and Director of the International Centre for Reconciliation at Coventry Cathedral. He delivered the Lord Mayor's Peace Lecture among his many other activities in the City of Peace and Reconciliation. One of the main areas of his work was on the Community Cross of Nails and he continued to work for Coventry Cathedral in an advisory capacity following his retirement in 1998.

He is a vice-president of the Campaign for Nuclear Disarmament, and a former chair of Amnesty International UK.

The Lord Mayor had written, on behalf of the City Council, to Paul congratulating him on his award.

80. Petitions

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

- (a) Request the request the removal of the parking permit scheme as the factory that was the cause of parking problems was no longer an issue – 71 signatures, presented by Councillor B Gittins.**
- (b) Residents of Argyll Street request the Council to give Argyll Street a residents parking permit scheme similar to other streets in the area – 26 signatures, presented by Councillor K Caan.**
- (c) Reject the plans for a residential development of up to 350 dwellings on land at Browns Lane in Coventry, ref: OUT/2022/2259 – 868 signatures, presented by Councillor T Jandu.**
- (d) Request the installation of bollards on the junction of Daintree Croft with the Daventry Road and into the Croft where there are currently double yellow lines, leaving gaps or drop-down bollards where necessary for drive access and to reposition the Access Only signage further into the croft so they are more visible to drivers – 32 signatures, presented by Councillor R Bailey.**
- (e) Residents of Calder Close estate, wish to draw urgent attention to the severe lack of vision when emerging by car from the estate at the**

junction with Frankpledge Road. We request that this be given urgent consideration to prevent an accident – 10 signatures, presented by Councillor R Bailey.

- (f) Objection to planning application ref: FM/2022/0980 – land at Avon House, Swift House and Welland House, Longwood Close – 46 signatures, presented by Councillor M Lapsa.**

81. Declarations of Interest

Councillor G Ridley declared a disclosable pecuniary interest in the matter the subject of Minute 83 below (Coventry Transport Strategy). He withdrew from the meeting during the consideration of this item.

82. Adult Social Care Report 2021/22

Further to Minute 32 of the Cabinet, the City Council considered a report of the Director of Adult Services and Housing which summarised the performance of Adult Social Care and the progress made against the priorities for the year, along with specific examples of operational activities to support service users and carers.

At its meeting, Cabinet had noted that the report had also been considered by the Health and Social Care Scrutiny Board (5) at its meeting held on 14th September 2022. A briefing note was appended to the report setting out the following recommendations from the Board, which the Cabinet accepted:

- i. The Board welcomed the production of the report, and noted its value, acknowledging it was not a statutory requirement to produce the Adult Social Care Annual Report.
- ii. Supported the work being undertaken to promote Adult Social Care services to the City's diverse population to ensure services were available where needed.
- iii. That the impact of the growth in demand be monitored as the demand in growth did not correlate with an increase in workforce. The Board raised concerns that this may impact on the quality of care received and needed to be monitored.
- iv. That opportunities to diversify the workforce to reflect the population including at care assistant level be explored.
- v. Assurances were sought that the reasons for the increase in safeguarding enquiries and concerns were being monitored and understood.
- vi. The Board sought assurance regarding the reported performance measures including trends in compliments and complaints.

It was not a statutory requirement to produce an annual report, however, it was considered good practice and provided an opportunity to be open and transparent about the successes and challenges facing Adult Social Care and to show what was being done to improve objectives for those that come into contact with the Council's services. The production of an annual report was part of the Local Government Association's (LGA) approach to Sector Led Improvement. This approach was launched following the removal of national targets and assessments for Adult Social Care. The assessment framework was challenging and from April

2023 Adult Social Care would be subject to oversight by the Care Quality Commission (CQC).

The Annual Report for 2021/22 was provided at Appendix 1 of the report and highlighted key achievements based on the Adult Social Care Offer.

RESOLVED that the City Council receive and note the Adult Social Care Annual Report 2021/22 (Local Account).

83. **Coventry Transport Strategy**

Further to Minute 51 of the Cabinet, the City Council considered a report of the Director of Transportation and Highways which reported on the development of a new Coventry Transport Strategy which set out a long-term (15 year) vision for the way that people and goods would travel to, from and around the city in the future. The Strategy, which was appended to the report, aimed to bring about a fundamental change by creating a city where it was easy, convenient and safe to walk, cycle and travel on public transport and where most people did not need to use a car to access the services that they need for day-to-day life.

This change would directly support many of the Council's wider objectives, as set out in the emerging One Coventry Plan. These included increasing economic prosperity, improving outcomes and tackling inequalities, reducing adverse impacts upon the environment, health and wellbeing and tackling the causes and consequences of climate change.

The Strategy had also been developed alongside the West Midlands Combined Authority (WMCA) Local Transport Plan (LTP) for the region, which was expected to be adopted in early 2023. The Coventry Transport Strategy therefore aimed to deliver Coventry's local priorities, while also meeting the ambitions of the wider region, for example in relation to economic growth and tackling climate change.

The Strategy was supported by an accompanying Implementation Plan, which was appended to the report and provided details of the specific transport improvements that the City Council and partners would deliver to implement the Strategy. The Implementation Plan was focused primarily on the first five years of the Strategy (2022/23 – 2026/27). This was the period covered by the City Region Sustainable Transport Settlement (CRSTS), through which £80 million has been allocated to transport schemes in Coventry.

RESOLVED that the City Council:

- 1. Approves the Coventry Transport Strategy, as appended to this report, and the adoption of the Strategy as part of the Council's formal Policy Framework.**
- 2. Delegates authority to the Director of Transportation and Highways, following consultation with the Cabinet Member for Jobs, Regeneration and Climate Change, and the Cabinet Member for City Services (and in respect of the implementation and scope of individual projects, the relevant Ward Councillors), to take the necessary**

**measures to deliver the Transport Strategy and Implementation Plan,
as appended to this report.**

84. Local Plan Review

Further to Minute 52 of the Cabinet, the City Council considered a report of the Director of Streetscene and Regulatory Services which reported that the Council was obliged, on a five-year basis, to consider whether the Local Plan (which had been adopted in 2017), needed reviewing. This consideration was based on whether the Plan had been effective in meeting the policy objectives it set out, whether there had been substantive policy changes at a local or national level, or whether there had been a significant change in the housing need.

Given that the Government's "Standard Method" for calculating Housing Need was introduced after the adoption of the current Plan, it was considered that a significant change had occurred. Furthermore, a comprehensive review of the policies in the Plan would give an opportunity to ensure greater consideration of environmental issues as well as wider national changes.

It was therefore proposed to conduct a full review of the Local Plan, and an indicative timeline was included as part of a refreshed Local Development Scheme 2022-25, a copy of which was appended to the report. Adoption of a reviewed Local Plan is anticipated to take place in early 2025 and an indicative timeline was detailed in the report.

An amendment, as detailed below, was moved by Councillor P Male

"After the Recommendations insert the following additional Recommendation:-

3. *Introduce a moratorium so that new planning applications are not considered on declassified greenbelt sites that have not yet been granted planning permission."*

The meeting adjourned in order to seek legal advice in respect of the legality of the proposed amendment and the legal advice was that the amendment, if adopted, could not be implemented. The amendment was therefore not proceeded with.

RESOLVED that City Council approve the commencement of a full Local Plan Review.

85. City Centre South Funding and Delivery

Further to Minute 53 of the Cabinet considered a report of the Director of Property Services and Development which indicated that the City Centre South scheme would deliver transformational improvements to Coventry City Centre through new homes, jobs, commercial and leisure opportunities and high-quality public spaces. The report sought formal approval to the next stage of the project (following the previous Council approval in January 2022 to proceed with the making of the Compulsory Purchase Order).

A corresponding private report detailing confidential financial matters was also submitted for consideration (Minute 91 below refers).

The Council's development partner, Shearer Property Regen Ltd (SPRL), had appointed Hill Holdings Limited as the funding partner for the Scheme under the terms of the Development Agreement entered into between the Council, SPRL and Shearer Property Group (SPG) in 2019. The Council were working with the developer to optimise the Scheme and an application to make a number of refinements to the Outline Planning Permission for the Scheme would be submitted to the Local Planning Authority shortly.

The parties were also working together to agree variations to the Development Agreement to reflect the Scheme refinements and the commercial terms of both the Council and development partner. Whilst deliverability was being optimised through design and contractual changes, where a viability gap remained the developer had a right under the 'Development Agreement' to make a request for the Council to bridge that financial gap in order to make the scheme financially viable. The Council had no obligation to agree to such a request; however, it was recommended that the Council resolves to provide financial support to the project in order to secure delivery.

The report, therefore, sought formal approval to utilise funding awarded to the Council by the West Midlands Combined Authority (WMCA), as well as some additional Council resources, to provide additional funding support for the Scheme and to make changes to the Development Agreement to enable the delivery of the Council's key regeneration priority for the city, delivering important new homes, hundreds of new jobs and a step change in the quality of the city centre.

The Scheme would deliver a range of transformational benefits for the people of Coventry. The proposed refinements to the Scheme will lead to up to 1,500 new homes (an increase from 1,300 new homes), new retail, employment, health care and leisure space resulting in a new sustainable city centre community whilst still retaining a mixed-use approach. As well as these quantitative benefits, the delivery of the Scheme would realise a significant number of qualitative benefits that will benefit local residents and businesses, which include:

- An increased diversity in city centre uses, through the delivery of residential units (including different tenures), mixed retail and leisure spaces and new public realm provisions.
- An active, attractive and inclusive evening economy, as a result of the provision of a more varied commercial offer which will lead to a more socially inclusive place.
- Improved attractiveness of the city centre as a business location, through attraction of talent to the area and better linkages to the city's existing business district.
- Improved connectivity across the city centre through the proposed public realm works and new pedestrian and cycle linkages.
- A more active and varied cultural offer, through the diverse range of leisure and retail uses proposed under the new scheme
- Improved perception of the city centre, through its transformation into an exciting and thriving location in which to live and work. This will not only encourage local visitors but will also increase tourism.
- Changed perception of Coventry as a place to live, work, visit and study due to the vibrant and successful mixed-use environment.

- Improved local and regional economic and commercial regeneration by the Scheme acting as a stimulus for further private sector investment due to an enhanced economic sentiment around the city centre.

As has been the case since the Scheme's inception, bringing forward a complex city centre regeneration scheme like CCS and delivering the range of benefits outlined above has required financial viability challenges to be overcome. The £98.8m WMCA grant funding acknowledged the reality of the "market failure" in this part of Coventry and the economics associated with bringing forward a city centre scheme of this nature. This had been reinforced through the recent WMCA Investment Board Decisions to both continue to allow the full utilisation of the grant funding and to reprofile some elements to support Scheme cashflow.

Additionally, the Outline Planning Permission for the Scheme acknowledged that the delivery of affordable housing in that Scheme was not financially viable and no affordable housing was proposed at that stage. However, CCC, WMCA and SPRL all wished to see a refined Scheme including affordable housing to ensure a diverse and vibrant community and to offer opportunities to Coventry residents seeking an affordable home in the city centre. The refined Scheme was therefore looking to include up to 20% affordable housing, subject to viability re-appraisal.

A financial re-appraisal of the refined Scheme indicated that even after a full utilisation of those elements of the WMCA grant available to the developer a viability gap remains. Accordingly, substantially in accordance with the provisions of the Development Agreement (DA), SPRL had requested that a contribution of up to £32.75m of funding was committed by the Council to help facilitate delivery of the Scheme. The proposed Council funding of the Scheme included utilisation of £28.7m of the WMCA grant which is awarded to the Council as compensation for its loss of existing land interests in the CCS area and which the Council was willing to see recycled into supporting Scheme delivery.

Alongside the Council's advisers, Deloitte (Commercial Advisors) and WTP (Cost Consultants), the Council had been undertaking due diligence on the refined Scheme to analyse and refine the costs, values and target return adopted within the appraisal and the Council is satisfied that SPRL's financial appraisal as refined by this process is robust and satisfactory. Furthermore, the Council's commercial advisers Deloitte have confirmed that an additional funding contribution from the Council to close the Viability Gap is justified and required in order to deliver the Scheme.

As the Council entered the next stage of the project, there was a need to continue working with advisors to have support at the CPO inquiry, due to take place in January 2023, and to provide the Council with the legal and commercial expertise needed to deliver the project.

RESOLVED that the City Council approves the use of up to £32.75m to support the delivery of the Scheme and £1.2m to fund Project Support and Monitoring Costs (£28.7m of which is to be funded from the West Midlands Combined Authority City Centre South grant and £5.25m from Capital receipts to provide the remaining gap funding for the Scheme and Scheme Project Support and Monitoring Costs).

86. Exercise of Emergency Functions

The City Council noted a report of the Chief Executive informing Council of a decision undertaken by the Chief Executive in accordance with the Constitution and following consultation with the Leader of the Council, Councillor G Duggins, to exercise emergency functions to accept a grant of £4,958,705.23 from the National Institute for Health and Care Research.

On 23 August 2022 the Chief Executive was satisfied that the following decision was required to be taken pursuant to the emergency provision in connection with a grant from the National Institute for Health and Care Research to create a collaborative research ecosystem that is open, creative, dynamic and evidence driven, with an aim to respond to tackling health inequalities through understanding the power of the wider determinants of health:

- Acceptance of a grant in the sum of £4,958,705.23 from the National Institute for Health and Care Research to use the grant in line with the grant determination issued
- To add the grant of £4,958,705.23 to the Council's Revenue Budget
- To delegate authority to the Director of Public Health and Wellbeing to administer the grant in accordance with the grant determination and enter into the Research Contract and respective collaboration agreements with partner organisations

The above decision, including the reasons for the decision taken, had been published on the City Council's website.

87. Question Time

Councillor D Welsh 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 M Lapsa	Councillor L Harvard	*Planning enforcement
2	Councillor G Ridley	Councillor G Duggins	*CBS Arena
3	Councillor R Simpson	Councillor P Hetherton	Spon End works
4	Councillor J Gardiner	Councillor J O'Boyle	Consent for naming public during public meetings
5	Councillor S Gray	Councillor AS Khan	Voter ID
6	Councillor M Heaven	Councillor P Hetherton	* Partial closure of High Street

7	Councillor T Sawdon	Councillor K Caan	*Grant from NIHCR (Minute 86 refers)
8	Councillor P Male	Councillor D Welsh	Real Living Wage
9	Councillor P Male	Councillor K Sandhu	*City College
10	Councillor G Ridley	Councillor G Duggins	Strep A Infections
11	Councillor J Blundell	Councillor K Sandhu	Political impartiality of officers.

* Members agreed a written response would be provided to the question.

88. **Statements (if any)**

There were no Statements.

89. **Debate: Wasps RFC**

The following Motion had been submitted by the Conservative Group to be proposed by Councillor G Ridley and seconded by Councillor P Male:

“Following the Council’s admission that talks have taken place with Wasps RFC regarding a potential bail-out, this Council calls on the Leader of the Council to explain why his version of events differs from those of the Chief Executive.”

In advance of the debate being moved, Points of Order and Personal Explanation were raised about the accuracy of the Motion in respect of the following wording “Following the Council’s admission that talks have taken place with Wasps RFC”.

Advice was given that there was no constitutional reason not to consider the Motion and the Lord Mayor indicated that, on that basis the Motion could be moved.

However, in light of the level of concern expressed by a number of Members under the Point of Order and Personal Explanation, and in an attempt to defuse the situation and enable the matter to be debated, the Lord Mayor suggested that the meeting be adjourned for a short period to enable the Leaderships of both Parties to have an opportunity to discuss the wording of the Motion with a view to moving forward with the debate.

The Leader of the Opposition, Councillor G Ridley, did not agree to an adjournment, and after the Lord Mayor indicated that if there wasn’t an adjournment he would rule the Motion invalid, all Members of the Conservative Group left the meeting at that point.

Therefore, in accordance with the Constitution, (Part 3a, paragraph 9.3), as the Motion set out on the agenda was not moved and seconded, the Motion was treated as withdrawn.

90. **Debate: Government's Autumn Statement, 17 November 2022**

The following Motion was moved by Councillor R Brown and seconded by Councillor P Seaman:

"The Autumn Statement of 17th November 2022 gave little hope to thousands of hard-working Coventry families as they struggle to pay higher energy bills, higher food bills, higher fuel costs, higher mortgage payments, higher rents and now, thanks to the Tories higher taxes. There was no apology from the chancellor for the failed ideology and mismanagement over the last 12 years that has left this country with record levels of debt and recession. No apology for heaping the burden of their failure onto the already strained shoulders of ordinary working people whilst they persevere to allow bankers to get obscene bonuses, do nothing to close the non-dom tax loopholes and do nothing to stop independent fee-paying schools avoiding VAT. It is clear where their priorities lie. The tax burden is now 37% of GDP, the highest in living memory, in total contradiction to their 2019 manifesto pledge and still they do not apologise.

They have kicked the Dilnot reforms on social care down the road for another 2 years, leaving local authorities to fend for themselves and still they do not apologise.

It is clear that after 12 years of continuous failure, Conservatives have no plan for economic growth, for education, for health and social care and certainly they have no plan for a greener future.

The hard-working people of Coventry have had enough and Coventry demands that the Government in Westminster fills the gap created by its Ministers, instead of forcing the Local Authority to raise Council Tax to make ends meet.

Failing that, the current government should submit to the judgement of the people and call a general election now."

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

Private Business

91. **City Centre South Funding and Delivery**

Further to Minute 85 above, the City Council considered a private report of the Director of Property Services and Development, commercially confidential matters relating to proposals for the next stage of the City Centre South scheme, which will deliver transformational improvements to Coventry City Centre through new homes, commercial and leisure opportunities and high-quality public spaces.

RESOLVED that the City Council approves the use of up to £32.75m to support the delivery of the Scheme and £1.2m to fund Project Support and Monitoring Costs (£28.7m of which is to be funded from the West Midlands Combined Authority City Centre South grant and £5.25m from Capital receipts to provide the remaining gap funding for the Scheme and Scheme Project Support and Monitoring Costs).

Note: As indicated in Minute 89, the Conservative Group Members were not present for consideration of the matters contained in Minutes 90 and 91 above.

(Meeting closed at 6.30 pm)