

Coventry City Council
Minutes of the Meeting of Scrutiny Co-ordination Committee held at 10.30 am on
Wednesday, 6 February 2019

Present:

Members: Councillor T Khan (Chair)

Councillor A Andrews
Councillor Clifford (Deputy Chair)
Councillor J McNicholas
Councillor C Miks (Substitute for Councillor N Akhtar)
Councillor G Ridley
Councillor R Singh

Employees (by Directorate):

Place D Blackburn, V Castree, A Chowns, C Hickin, G Holmes, B Massey, T Miller

People M Bashir

Apologies Councillors N Akhtar, B Kaur and M Mutton

Public Business

44. Declarations of Interest

There were no declarations of interest.

45. Scrutiny Management

In accordance with the Constitution, the Scrutiny Co-ordination Committee were informed that Councillor T Khan, Chair of the Scrutiny Co-ordination Committee, attended the Cabinet meeting held on 8 January, 2019 for the following items:-

Selective Licensing – Consultation

Additional Licensing - Consultation

Councillor Khan agreed that the decisions were urgent and that call in should not apply. These matters were reported to inform the Committee of the reason for urgency which was that in both instances, due to the breadth of the consultations required, the need for the consultations to commence at the earliest opportunity so as not to delay the proposed timetable for implementation.

46. Selective Licensing - Consultation

The Scrutiny Co-ordination Committee considered a Briefing Note and presentation of the Deputy Chief Executive (Place) considering the public consultation currently being carried out to consider the proposed Selective Licensing Scheme for areas of the city. Further views or inputs into the scheme

were sought from the Committee. The Committee were provided with the Cabinet Report from 8 January, 2019 setting out proposals for a Selective Licensing Scheme in Coventry. Appendices to the report provided: The Selective Licensing Feasibility Report 2018; LSOA Maps; Selective Licensing Policy 2018; RICS Private Rented Sector Code of Practice; Timeline for Selective Licensing; Selective Licensing Fees and Charges; and Equalities Impact Assessment.

The provision of good quality housing for Coventry residents was a key priority for the City Council. The adopted Coventry Local Plan 2016 detailed how Coventry City Council would meet the future housing needs up to 2031. There was also a need to consider the City's existing housing stock and in particular the quality of homes provided via the Private Rented Sector (PRS). The Private Rented Sector in Coventry had seen considerable growth over the past 20 years, the 2011 Census reported the sector to be around 13% which had increased to around 21% by 2011, making Coventry the region in the West Midlands with the largest PRS.

The Committee were informed about the criteria for an area to be included in the Selective Licensing Scheme. There were 2 stages. Stage 1 required "High level" of PRS properties which is equal or above national average (20%). If an area has less than 20% it does not pass Stage 1.

To pass Stage 2 an area needs to suffer from one or more;

- Low Demand
- ASB
- Property Conditions
- Migration
- Deprivation and Crime

The areas considered were at Lower Super Output areas, which is the smallest area that data is available for.

The proposed fees and charges had been developed in order to reach an appropriate fee to consult on the proposed structure of the scheme. The proposed fees attempted to provide incentives for compliant landlords whilst providing sufficient resources to ensure that the scheme could be effectively delivered, and every property could be inspected before a licence was issued.

Licences would include all of the mandatory conditions required under the legislation, for example, providing gas and electrical certificates and maintaining health and safety standards, as well as additional (discretionary) licence conditions to address issues such as ASB and environmental / management issues.

The City Council was required to consult on the proposals, the results of which would influence the final structure and fees and charges for the scheme. The Committee were asked to comment on the proposals as part of the consultation.

The Committee questioned the officers and representatives on a number of issues and responses were provided, matters raised included:

- Clarification on the fee structure
- Consultation process – how are officers including landlords?

- Discussion about the two stages of criteria that were needed to be met for an area to be considered as part of the scheme.
- The source of the data for these criteria and how often the data would be reassessed.
- How the scheme will be monitored to assess effectiveness.
- How tenants will know if a property is licensed, whether there will be a public register.
- Clarification of the fee exemption for landlords who are enabling the Council to meet its homelessness duties.
- The powers and penalties the Council has for enforcement, including civil penalties.
- How information on prosecutions are reported back to elected members.
- Any plans to make DBS compulsory? Could make process timelier and more onerous. Inconsistency with taxi licensing
- How landlords outside of the scheme areas will be monitored

RESOLVED that the Scrutiny Co-ordination Committee:

(1) Notes the content of the presentation

(2) Agrees that the following comments be considered as part of the consultation process:

- i. **Officers review data in 12 months' time to check Stage 2 criteria for areas currently outside of the proposed selective licensing area**
- ii. **The number of prosecutions and enforcement actions is reported back to Members on a regular basis.**
- iii. **Ensure that the complaints process for tenants is not onerous.**
- iv. **That a poster or sign displaying the tenants' rights and responsibilities be part of the license requirements.**
- v. **Consider including DBS checks as part of the licensing process, as with taxi licensing.**
- vi. **Officers to continue working with ward members if the scheme is implemented**

(3) Indicates that they are generally supportive of the proposed scheme

47. Additional Licensing - Consultation

The Scrutiny Co-ordination Committee considered a Briefing Note and presentation of the Deputy Chief Executive (Place) which outlined the public consultation currently being carried out to consider the proposed Additional Licensing Scheme for the city. Further views or inputs into the scheme were sought from the Committee. The Committee were provided with the Cabinet Report from 8 January, 2019 setting out proposals for an Additional Licensing Scheme in Coventry. Appendices to the report provided: Additional Licensing

Feasibility Report 2018; HMO Licensing Policy 2018; RICS Private Rented Sector Code of Practice; Timeline for Additional Licensing; HMO Licence Fees and Charges; and Equalities Impact Assessment.

It was recognised that there were many good quality landlords operating in the City, but unfortunately there were also those who did not maintain their properties leaving tenants at risk and giving potential problems to neighbouring properties.

Under the Housing Act 2004 Government had legislated to provide local authorities with powers to tackle poor quality HMOs in the PRS through Mandatory Licensing, however this only related to those HMOs that had 5 or more occupants from two or more households.

Although planning policy had been developed to create and sustain an appropriate 'mixed and balanced communities', by encouraging the spread of sustainable and viable options for accommodation, the City did have large areas where HMOs within the PRS were substantial in number.

HMOs with 3 or 4 occupants from 2 or more households formed an unusually high percentage of houses in the City (approx. 63%) and provided much needed accommodation for residents, particularly students who would typically live in this type of accommodation following their first year at university. The designation of a Citywide Additional Licensing scheme would therefore enable the Council to regulate all HMOs.

The City Council was required to consult on the proposals, the results of which would influence the final structure and fees and charges for the scheme. The Committee were asked to comment on the proposals as part of the consultation.

The Committee questioned the officers and representatives on a number of issues and responses were provided, matters raised included:

- A clear definition of what an HMO is
- How tenants can be informed of their rights and responsibilities under the licensing scheme
- The powers of Article 4
- How the increase in purpose-built student accommodation, along-side a licensing scheme will bring houses back into use for families
- Exemptions of the fees for charitable organisations providing housing

RESOLVED that the Scrutiny Co-ordination Committee:

(1) Notes the content of the presentation

(2) Agrees that the following comments be considered as part of the consultation process:

- i. **The scheme should include a plain English definition of what is an HMO, including examples**
- ii. **The number of prosecutions and enforcement actions is reported back to Members on a regular basis.**
- iii. **Ensure that the complaints process for tenants is not onerous.**

- iv. **That a poster or sign displaying the tenants' rights and responsibilities be part of the license requirements.**
- v. **Consider including DBS checks as part of the licensing process, as with taxi licensing.**
- vi. **Officers to continue working with ward members if the scheme is implemented**

(3) Indicates that they are generally supportive of the proposed scheme

48. **Draft Hate Crime Strategy Consultation**

The Scrutiny Co-ordination Committee considered a Briefing Note and presentation of the Deputy Chief Executive (Place) considering the public consultation currently being carried out to consider the draft Hate Crime Strategy.

The Committee were informed that Coventry Police and Crime Board and its partners recognise, even within a context of diminishing public finances and services, there is work to be done including building integrated communities, trust and resilience. Responding to hate crime whenever and wherever it occurs is crucial to making Coventry a place everyone can enjoy. The Partnership's response was to develop a viable Hate Crime Strategy

Hate Crime was defined as acts of violence or hostility directed at people because of who they are, or who someone thinks they are. There are five strands of monitored hate crime which are recorded:

- Disability
- Race
- Faith or religion
- Transgender identity
- Sexual orientation

The Hate Crime Strategy's aims were to:

- Promote Hate Crime Strategy to raise the profile of this issue.
- Build confidence in local communities that hate crime is taken seriously thus increasing reporting.
- Create partnerships between different services to respond to Hate Crime positively.
- Offer a tool that provides uniform response to all victims of Hate Crime.
- Identify responsibilities and priorities for action to challenge Hate Crime.

The Committee questioned the officers and representatives on a number of issues and responses were provided, matters raised included:

- Clarification on some of the data contained in the table, and where the data was sourced from. Also the nature of the hate crimes whether it was violence, discrimination, verbal abuse etc.
- What had caused the rise in reported hate crimes? Is the rise genuine or better reporting?
- Who the consultation process aimed at and ways to increase numbers of people involved in the consultation.

- Whether restorative justice was an appropriate intervention and whether it could be used more. an more be done?
- What is being done in schools and whether an education programme could be included in the action plan.
- Coventry having a good history of community relations which should be reflected in the strategy – a City of Peace and reconciliation.
- Importance of good community relations and preventing extremism.

RESOLVED that the Scrutiny Co-ordination Committee:

(1) Agrees that the following comments be considered as part of the consultation process:

- i. **More detail, if available to be provided in the strategy on the types of crimes reported e.g. violence, verbal abuse etc.**
- ii. **More focus on race and sexual orientation hate crimes as they are the highest comparatively**
- iii. **Consider restorative justice as an intervention**
- iv. **Include a programme for schools as part of the action plan for the strategy**
- v. **To include comparison data with other cities, not just at a West Midlands level**
- vi. **Promote Coventry's strong history of good community relation and being a City of peace and Reconciliation.**

(2) Requests that the Action Plan be added to the Work Programme for Scrutiny Co-ordination Committee to monitor progress.

49. Report Back - 29th General Assembly of International Association of Peace Messenger Cities (IAPMC) in Volgograd

The Scrutiny Co-ordination Committee considered a report of Councillor AS Khan, Deputy Leader of the Council, on attendance at the 29th General Assembly of International Association of Peace Messenger Cities in Volgograd.

United Nations Peace Messenger Cities were cities around the world that have volunteered for an initiative sponsored by the United Nations to promote peace and understanding between nations. The movement began in the International Year of Peace, 1986 and lasted until 1991, during that period 74 cities were chosen from among thousands and appointed as Messengers of Peace by the UN Secretary-General Javier Perez DeCuellar. Coventry is a Peace Messenger City.

Attendance at this Conference maintained Coventry's status as City of Peace and Reconciliation and also ensured we are globally connected with like-minded cities all over the globe.

RESOLVED that the Scrutiny Co-ordination Committee notes the benefits of attending this globally significant conference.

50. Scrutiny Co-ordination Committee Work Programme 2018/2019 and Outstanding Issues

The Scrutiny Co-ordination Committee considered and noted their Work Programme for 2018/19.

51. **Any Other Items of Public Business**

There were no items of urgent public business.

(Meeting closed at 12.50 pm)