

**Time and Date**

2.00 pm on Tuesday, 8th January 2019

Place

Committee Room 3 - Council House

Public business

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes** (Pages 5 - 20)
 - (a) To agree the minutes from the meeting of Cabinet on 27th November 2018
 - (b) Matters arising
4. **Exclusion of Press and Public**

To consider whether to exclude the press and public for the item(s) of private business for the reasons shown in the report.
5. **2019/2020 Council Tax Base** (Pages 21 - 34)

Report of the Deputy Chief Executive (Place)
6. **Adoption of Health Impact Assessment and Coventry Connected Supplementary Planning Documents (SPDs)** (Pages 35 - 174)

Report of the Deputy Chief Executive (Place)
7. **West Midlands Combined Authority Housing First Pilot Programme** (Pages 175 - 210)

Report of the Deputy Chief Executive (Place)

8. **Selective Licensing in Coventry** (Pages 211 - 392)

Report of the Deputy Chief Executive (Place)

(NOTE: Pursuant to Part 3e, Paragraph 19, of the City Council's Constitution, Councillor T Khan, the Chair of the Scrutiny Co-ordination Committee, has been invited to attend for the consideration of this matter and to agree the need for urgency such that call-in arrangements will not apply. The reason for urgency being, due to the breadth of the consultation required, the need for the consultation to commence at the earliest opportunity so as not to delay the proposed timetable for implementation.)

9. **Additional Licensing in Coventry** (Pages 393 - 520)

Report of the Deputy Chief Executive (Place)

(NOTE: Pursuant to Part 3e, Paragraph 19, of the City Council's Constitution, Councillor T Khan, the Chair of the Scrutiny Co-ordination Committee, has been invited to attend for the consideration of this matter and to agree the need for urgency such that call-in arrangements will not apply. The reason for urgency being, due to the breadth of the consultation required, the need for the consultation to commence at the earliest opportunity so as not to delay the proposed timetable for implementation.)

10. **LGA Corporate Peer Challenge - Outcome of Peer Challenge**
(Pages 521 - 556)

Report of the Deputy Chief Executive (People)

11. **Outcomes of the Fair Funding Consultation 2019-2020** (Pages 557 - 606)

Report of the Deputy Chief Executive (Place)

12. **Land and buildings between Corporation St, Upper Well St, Lamb Street, Chapel Street and Bishop Street, Coventry, CV1 4AD - Lease re-gear**
(Pages 607 - 616)

Report of the Deputy Chief Executive (Place)

13. **Outstanding Issues**

There are no outstanding issues

14. **Any other items of public business which the Chair decides to take as a matter of urgency because of the special circumstances involved.**

Private business

15. **Land and buildings between Corporation St, Upper Well St, Lamb Street, Chapel Street and Bishop Street, Coventry, CV1 4AD - Lease re-gear**
(Pages 617 - 632)

Report of the Deputy Chief Executive (Place)

(Listing officer: Adam Hunt Tel: 024 7683 1812)

16. **Any other items of private business which the Chair decides to take as a matter of urgency because of the special circumstances involved.**

Martin Yardley, Deputy Chief Executive (Place), Council House, Coventry
Thursday 20th December 2018

Note: The person to contact about the agenda and documents for this meeting is Lara Knight / Michelle Salmon, Governance Services, Tel: 024 7683 3237 / 3065, Email: lara.knight@coventry.gov.uk / michelle.salmon@coventry.gov.uk

Membership:

Cabinet Members:-

Councillors F Abbott, K Caan, G Duggins (Chair), P Hetherington, A Khan (Deputy Chair), K Maton, J Mutton, J O'Boyle, E Ruane and Seaman

Non-voting Deputy Cabinet Members:- Councillors P Akhtar, R Ali, B Kaur, R Lakha, T Skipper and D Welsh

By invitation: Councillors A Andrews and G Ridley (non-voting Opposition representatives)

Please note: a hearing loop is available in the committee rooms

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OR if you would like this information in another format or
language please contact us.

Lara Knight / Michelle Salmon

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Agenda Item 3

Coventry City Council

Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 27 November 2018

Present:

Members: Councillor G Duggins (Chair)
Councillor AS Khan (Deputy Chair)
Councillor F Abbott
Councillor K Caan
Councillor K Maton
Councillor J Mutton
Councillor J O'Boyle
Councillor E Ruane
Councillor P Seaman

Non-Voting Opposition Members: Councillor R Bailey (substitute for Councillor Andrews)
Councillor G Ridley

Other Members: Councillor J Clifford
Councillor B Kaur
Councillor T Khan
Councillor R Lakha
Councillor McNicholas
Councillor M Mutton
Councillor R Singh

Employees (by Directorate):

People G Quinton (Deputy Chief Executive (People)), D Ashmore,
J Gregg, N Hart

Place M Yardley (Deputy Chief Executive (Place)), M Andrews,
S Elliott, B Hastie, N Johal, Clayton, P Jennings, R Moon,
J Newman, D Nuttall, M Salmon

Apologies: Councillor R Ali
Councillor P Akhtar
Councillor A Andrews
Councillor J Innes
Councillor T Skipper

Public Business

71. Declarations of Interest

There were no disclosable pecuniary interests.

72. Minutes

The minutes of the meeting held on 30th October 2018 were agreed and signed as a true record. There were no matters arising.

73. **Exclusion of Press And Public**

RESOLVED that the Cabinet agrees to exclude the press and public under Sections 100(A)(4) of the Local Government Act 1972 relating to the following private reports on the grounds that the reports involve the likely disclosure of information defined in Paragraph 3 of Schedule 12A of the Act, as they contain information relating to the financial affairs of a particular person (including the authority holding that information) and in all circumstances of the cases, the public interest in maintaining the exemption outweighs the public interest in disclosing the information:

Minute No.	Report title
86	Options to Improve the Quality but Reduce the Cost of Temporary Accommodation.
87	Binley Court, Brindle Avenue, Coventry – Investment Acquisition

74. **2018/19 Second Quarter Financial Monitoring Report (to September 2018)**

The Cabinet considered a report of the Deputy Chief Executive (Place) which set out forecast outturn position for revenue and capital expenditure and the Council's treasury management activity as at the end of September 2018.

The headline revenue forecast for 2018/19 was an over spend of £0.5m. At the same point in 2017/18 there was a projected overspend of £3.1m.

This position continued to reflect overspends in several service areas that had been subject to recent budgetary pressure. Although the overall overspend position was relatively modest, the service and financial pressures in several areas continued to demand management attention. This was most pressing and significant in relation to challenges in housing and homelessness services. Notwithstanding a range of plans coming forward, it was now clear that these circumstances would be in place for some time and this was reflected in the financial proposals within the 2019/20 Pre-Budget Report.

The Council's capital spending was projected to be £222m for the year, a net decrease of £40m on the programme planned at the start of the year. At quarter 1 Cabinet was alerted to the possibility of significant capital slippage later in the budgetary cycle and this risk was one that continued to be of relevance.

The Cabinet noted that the report was also to be considered by the Audit and Procurement Committee at their meeting on 21st January 2019.

RESOLVED that the Cabinet:

- 1) **Notes the forecast revenue overspend at Quarter 2.**

- 2) **Approves the revised capital estimated outturn position for the year of £222.4m incorporating: £3.1m net reduction in spending relating to approved/technical changes and £23.9m net rescheduling of expenditure into 2019/20, as set out in Appendix 4 of the report.**

75. **Pre-Budget Report 2019/20**

The Cabinet considered a report of the Deputy Chief Executive (Place), which outlined, as a basis for consultation, a set of new revenue budget proposals for 2019/20 to 2021/22 and an overall Council Tax increase for 2019/20 of c2.9% as allowed for within Government guidelines. The final Budget proposals and the Council Tax increase would be subject to Council approval in February 2019.

The report indicated that the Council remained committed to seeking to protect its most vulnerable citizens and to delivering a range of core services to everyone in the city at a time of recent large reductions in Government funding. In last year's budget setting process, the Council approved proposals that indicated a balanced two year position to 2019/20 with a Budget gap in 2020/21. This was despite a number of service pressures affecting the Council and was achieved through a combination of increased tax revenues, new commercial income streams and a number of technical measures.

Moving forward into a new 3 year planning period incorporating financial year 2021/22, an updated position was included within this report reflecting revised estimates and new expenditure pressures. The Council continued to be faced with financial challenges stemming from uncertainty around the Local Government finance environment, greater external pressures in some of its demand led services and continued challenges in driving through a small number of remaining savings targets within its own budgets. The Council had also reassessed the financial position with regard to its anticipated tax revenues and a number of corporately controlled budgets with a view to mitigating this position. As a result the projected financial gap over the next three years had grown to £5m in 2019/20 rising to £30m.

As a result, the Council had been required to identify a number of new savings proposals within service departments to be included, within the report submitted, as a basis for consultation. It was anticipated that the vast majority of these could be achieved without significant negative impact upon Coventry citizens. Taking all these proposals into account, the Budget gap would reduce to £0.6m in 2019/20 rising to £25m by 2021/22.

The financial proposals were based on the funding set out in the Local Government Finance Settlement announced in February 2016 – an equivalent 2019/20 Settlement Funding Assessment reduction for the Council of £7m. This was the final year of the Government's current 4 year settlement and the figures indicated were not expected to alter significantly in forthcoming Government announcements in December 2018 and February 2019.

Further work would be undertaken to address the 2019/20 gap between now and the final Budget Report in February 2019. This would include consideration of the additional resources announced for social care as part of the Chancellor's Budget announced on 29th October 2018.

Details on individual spending and savings were provided in Section 2 and on a line by line basis in Appendix 1 of the report.

Indicative sums were included within the report for the Council's prospective Capital Programme for 2019/20 based on current knowledge. This would be updated in the February 2019 Budget Report, reflecting the most up to programme information available.

It was proposed to undertake a public consultation process through 2019 relating to the Council's grant support to external organisations.

RESOLVED that the Cabinet:

- 1) Approves the revenue spending and savings options in Section 2 and Appendix 1 and the broad Capital Programme proposals in section 2.6 of the report, as the basis for the Council's statutory budget consultation process.**
- 2) Approves the proposed approach on Council Tax in Section 2.7 of the report.**
- 3) Approves officers making preparations for a public consultation exercise in relation to the Council's grant payments to external organisations.**

76. Coventry Tourism Strategy

The Cabinet considered a report of the Deputy Chief Executive (Place), which set out a tourism and destination management plan for the City – 'Coventry Tourism Strategy 2019-2023'.

The report and appendices submitted addressed the outcomes of 12 months of tourism research and over 70 independently conducted stakeholder interviews on the development of Coventry's tourism offer. The adoption of the Strategy would provide a strong foundation from which to build successful tourism outcomes and economic impact from Coventry's position as European City of Sport 2019, UK City of Culture 2021, and as a host city for the Birmingham Commonwealth Games 2022.

The proposed Strategy's stated vision was by 2023 perceptions and awareness of Coventry as a leisure and business tourism destination would have improved and grown and residents would be even more proud, active ambassadors of their city. The city would be recognised as a host for major events and the city would be attracting more than 10 million visitors a year'.

The Strategy provided a five year vision and strategic plan for developing the Coventry visitor experience and visitor economy, building on the unique opportunities presented by the city's economic and industrial development alongside its place as European City of Sport 2019, UK City of Culture 2021 and its role as a host city for the Birmingham Commonwealth Games 2022. The development of the strategy had been commissioned by Coventry City Council

and the Coventry City of Culture Trust, with funding from the Great Place Scheme (supported by Arts Council England and Heritage Lottery Fund).

It was intended that the Strategy and its underpinning delivery plans would continue to evolve over the five year journey towards achieving its vision.

RESOLVED that the Cabinet:

- 1) Approves the Coventry Tourism Strategy 2019-2023.**
- 2) Notes the establishment of the Destination Partnership between the relevant partners and stakeholders (as set out in Appendix 4 of the report) for the purposes of overseeing and managing the implementation of the Coventry Tourism Strategy 2019-2023.**
- 3) Agrees that the Cabinet Member for Jobs and Regeneration (or any other Elected Member that the Cabinet considers most appropriate) be nominated as the Chair of the Destination Partnership.**
- 4) Notes that the Destination Partnership will operate in shadow form for the purposes of finalising the term of references and composition of its members as set out in the Tourism Strategy 2019-2023.**
- 5) Delegates authority to the City Solicitor to finalise and approve the terms of reference for the Destination Partnership.**

77. Coventry Adoption Service Annual Report 2017-18

The Cabinet considered a report of the Deputy Chief Executive (People), which set out the work undertaken by the Adoption Service between April 2017 and March 2018.

The Cabinet noted that, since the previous report, the Council had transferred elements of its adoption service to the Regional Adoption Agency, Adoption Central England (ACE), which came into effect from 1st February 2018. This was in accordance with national policy that all local authority adoption services were required to be part of a Regional Adoption Agency by 2020.

The Appendix to the report submitted provided detail on the service performance and, in summary, over the past year the Coventry Adoption Service had made progress in the following areas:

- Children's social care redesign has led to children and young people experiencing fewer changes of social worker. This meant that one social worker would be allocated to manage care proceedings and oversee adoption work.
- Smooth transition of elements of the adoption service to the Regional Adoption Agency – ACE.
- Robust and increased tracking arrangements for children pre-birth and post placement order.

- An increase in awareness of Fostering to Adoption and operational arrangements to support the increase in Fostering to Adopt placements.
- Completed a review of all adopters who were waiting in excess of a year for a placement and many of the adopters had now been matched with children.

RESOLVED that the Cabinet accept the Adoption Service Annual Report 2017/18.

78. Local Offer and extension of Personal Adviser support to Care Leavers

The Cabinet considered a report of the Deputy Chief Executive (People), which set out the local offer and extension of personal advisor support to care leavers.

The Children and Social Work Act 2017 (the Act) required Councils to publish a local offer for care leavers. The local offer was a document that outlined the services and support that would be available to care leavers in the local area where they lived when they left care. It should include information about legal entitlements (rights) as well as any extra support that the Council might choose to give. Some of these would have direct cost implications to the Council. Section one of the Act lists the corporate parenting that local authorities must follow in supporting looked after children and care leavers. These were:

- To act in the best interests, and promote the physical and mental health and wellbeing, of those children and young people.
- To encourage those children and young people to express their views, wishes and feelings.
- To take into account the views, wishes and feelings of those children and young people.
- To help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners.
- To promote high aspirations, and seek to secure the best outcomes, for those children and young people.
- For those children and young people to be safe, and for stability in their home lives, relationships and education or work.
- To prepare those children and young people for adulthood and independent living.

These principles underpinned Sections two and three of the Act. Section two of the Act required local authorities to consult on and publish a Local Offer for their care leavers. Coventry City Council had carried out a range of consultation activity with care leavers to gain feedback on what they would like to see in the Local Offer. This Local Offer must be published by the end of 2018.

Section three of the Children and Social Work Act 2017 had introduced a new duty on local authorities, which required them to offer Personal Adviser support to all care leavers up to age 25. The report submitted highlighted the financial implications of this requirement.

RESOLVED that the Cabinet:

- 1) Approves the proposed Local Offer as set out in this report and attached at Appendix A to the report.**
- 2) Agrees to the principles which will form part of the review of the housing allocations policy and to any consultation, if required, to ensure care leavers are suitably supported.**
- 3) Agrees to identify additional resource £130K within the budget setting process to fund the recommended care leaver offer.**

79. European Regional Development Fund 2014-2020 – Coventry Second Round Applications

The Cabinet considered a report of the Deputy Chief Executive (Place) that would also be considered at the meeting of the Council on 4th December 2018, which set out proposals for the Council to act as accountable body and guarantor for applications under the 2014-2020 European Structural Investment Fund.

The 2014-2020 European Structural Investment Fund (ESIF) Programme was launched in March 2015. The Programme would run until 2023 and in the first round, funding for projects running from January 2016 to December 2018, the Council was successful in acquiring £19.75m of funds to manage programmes under the Research and Innovation, Small Medium Enterprises (SME) Competitiveness, Low Carbon and Technical Assistance and Inclusive Labour Market themes.

These had added to the Council's strong track record in securing European funds in recent years and had secured in excess of £65m from the European Structural Funds since 2007.

However, the current EU funded Programmes were due to come to an end in December 2018 and the Council had submitted bids for Phase 2 programmes which run from January 2019 – December 2021 under the Research and Innovation, Small Medium Enterprise (SME) Competitiveness, Low Carbon and Technical assistance themes. Across all the bids the amount being bid for in the Phase 2 round was £10.03m, 39% of the £26m funding made available in this round of Calls.

The Council had already taken a leadership role in bringing partners together from across the Coventry and Warwickshire LEP area to develop projects and programmes that would lead to greater economic growth across the City and the sub region. The Council had an outstanding track record of securing, managing and delivering EU-funded programmes.

The report provided information on each of the bids and requested approval for the Council to act as accountable body and guarantor for these funding programmes.

RESOLVED that the Cabinet recommends that Council:

- 1) Approves (if successful) the drawdown of the grant funding, totalling £10.03m from ESIF to be utilised in delivering the City's priorities as set out in the report.**
- 2) Delegates authority to the Deputy Chief Executive (Place) and the Director of Finance and Corporate Services and the City Solicitor, and following consultation with the Cabinet Member for Jobs and Regeneration, to negotiate final terms and approve entry into:**
 - (a) the grant funding agreement to secure the ESIF funding with the City Council acting as the Accountable Body for the funding: and**
 - (b) a back to back funding agreement with such delivery partners as is deemed necessary to deliver the City's priorities as set out in the report.**
- 3) Subject to the terms of any agreement with ESIF and the delivery partners being approved by the Deputy Chief Executive (Place) in accordance with the delegation above, authorises the Deputy Chief Executive (Place) to administer the grant agreement with ESIF and the agreements with the delivery partners in accordance with their terms.**

80. Taxi Licensing Matters

The Cabinet considered a report of the Deputy Chief Executive (Place) on changes in legislation and technological advances that prompted a review of the requirements and processes undertaken for holders and applicants of driver, vehicle and operator licences within Coventry. Alongside the review a consultation had been undertaken to allow key stakeholders to share their views on proposed changes aimed to ensure that the processes undertaken by Coventry City Council in providing licences were robust and current ensuring that:-

- only "fit and proper" individuals held a licence in Coventry
- licensing processes were up to date and accessible
- taxi services in Coventry met the needs of their customers

In addition, the report provided detail on the proposal to consult on a move away from age based vehicle licensing restrictions to a requirement based on emissions, in support of Local Air Quality Management (LAQM) requirements.

The report also provided details on the proposal to allow Pedicabs and Tuk Tuks to be licensed within Coventry and sought approval to retain the current limit on the number of hackney carriage vehicle licences that could be issued.

Appendices to the report set out: proposed new Private Hire Operators Conditions of Licence; the current Private Hire Operators Conditions of Licence; the consultation document – proposed changes to current processes for new and existing driver and vehicle licence holders; and the proposed new Vehicle Conditions of Licence for Pedicabs and Tuk Tuks

RESOLVED that the Cabinet:

- 1) Approves the update and replacement of the existing Private Hire Operator Conditions of Licence to incorporate requirements around the use of automated systems including the provision to allow licences to be granted to operators based outside Coventry, subject to specific requirements.**
- 2) Authorises the attachment of the conditions set out in Appendix A to the report to future private hire operators licences granted.**
- 3) Revokes all existing Private Hire Operators' licences and immediately renews them, subject to the conditions set out in Appendix A to the report.**
- 4) Authorises the implementation of changes to current processes for new and existing driver and vehicle licence holders following consultation with key stakeholders.**
- 5) Authorises the proposal to consult on a move away from age based vehicle licensing restrictions to a requirement based on emissions.**
- 6) Authorises the conditions set out in Appendix D to the report regarding Vehicle Conditions for licensing Pedicabs and Tuk Tuks.**
- 7) Approves the continuation of the existing limit on the number of hackney carriage vehicle licences at 859 in accordance with the recommendations in the recent hackney carriage vehicle unmet demand survey.**

81. Re-commissioning Homeless Services in Coventry

The Committee considered a report of the Deputy Chief Executive (People) that sought approval to re-commission homeless services in Coventry.

Existing service arrangements were currently managed across several separate contracts with St Basil's and Midland Heart currently providing services for 18-24 year old singles (excluding rough sleepers and ex-offenders) and all other homeless related services (including rough sleepers and ex-offenders) delivered by the Salvation Army. These current contract arrangements end on the 31st March 2019.

The report sought approval to retender for the city's homelessness services within a framework of principles and key requirements. It was proposed to split this across three 'lots' covering: Young Adults (aged 18-24); Adults and couples without dependent children aged 25+ (including rough sleepers, ex-offenders and those with multiple complex needs); and Families (including pregnant couples/ singles).

Since the existing contracts were let in 2014, demands on the city's homelessness services had increased significantly. This was particularly true for families as well

as individuals who required support for multiple complex needs. This had placed substantial pressure on existing services and finances. There was therefore a need to review how services were provided going forward, especially for families and the principles and requirements of the new service highlighted those changes.

In summary these would include:

- A greater emphasis on support programmes for families with responsibility for accommodation and placements controlled fully by the Council;
- An enhancement in training and education services with a specific focus on households being tenancy ready and tenancy sustainment;
- The delivery of a new easily accessible hub service that could provide drop in support and a one stop shop for homeless services across multiple agencies;
- A specific emphasis on working productively with the Council and other partners to support homeless individuals and rough sleepers to address issues of substance miss-use, especially in public places with a view to exploring a fully supported and dedicated facility.
- A greater focus on on-going support and crisis management even after duty had been discharged. This was with a view to preventing re-presentation;
- Diversify the provision of direct access and supported accommodation including making provision for a female only facility.

Due to the substantial changes in homelessness services brought about by increased demand and the introduction of the Homelessness Reduction Act there was a need to undertake further work and research around how the details of future service provision would operate. This was expected to include a change to how the Council provided services, especially to families and the provision of temporary and emergency accommodation. As a result, the tender process for the new service was expected to be published at the end of October 2019 with a view to awarding a new contract in January 2020.

As a result, this report also sought delegated authority to negotiate a twelve month extension period with existing service providers to ensure a continuation of services was maintained to the city's most vulnerable households whilst the procurement exercise was undertaken. This was considered a necessary step to help manage risk, especially given the importance of the service area and vulnerability of households involved.

The delivery of new services as well as the short term extension of existing services would require extensive joint working across a wide range of council departments and service areas. It would also require a continuation and expansion of partnership working opportunities across the city through the Coventry Homelessness Forum and other relevant project groups and partnership boards.

RESOLVED that Cabinet:

- 1) Approves the commencement of a procurement process (in accordance with the Public Contract Regulations) to secure a delivery partner(s) for the homelessness services offer, as outlined in paragraph 1.4 of the report, subject to the cost of the contract being in line with current budget commitments.**
- 2) Following the completion of the procurement process, delegates authority to the Deputy Chief Executive (People), following consultation with the Cabinet Member for Housing and Communities, to award a contract for a period of up to 5 years to the preferred suppliers together with the option to extend for a further 2 years subject to satisfactory performance and budget availability.**
- 3) Approves in principle the extension of the existing services beyond 31st March 2019 to allow for more time to complete the tendering activity as a result of the complexity of the process, subject to such contract extensions not being for more than 12 months.**
- 4) Delegates authority to the Deputy Chief Executive (People,) following consultation with the Cabinet Member for Housing and Communities, to finalise the twelve month extension of existing services beyond the 31st March 2019 with the cost of the extensions in line with current budget commitments.**

82. Options to Improve the Quality but Reduce the Cost of Temporary Accommodation

The Cabinet considered a report of the Deputy Chief Executive (People) that sought approval to lease a high rise development to provide temporary accommodation for homeless households.

A corresponding private report was also submitted to the meeting setting out the commercially confidential matters of the proposal. (Minute 86 below refers.)

The Council had an increasing financial pressure as a result of the demand for housing from homeless households within the city. The majority of the forecast pressure of £5.1m (as reported at quarter 2 this year) related to the increasing cost for temporary accommodation and the shortage of suitable and affordable permanent move on accommodation. Additional budget was allocated to support the increasing financial pressure at Budget Setting in 2018/19. The Pre-Budget Report included an additional financial provision for housing and homelessness of £2.9m, £3.4m and £3.6m over the period from 2019/20 to 2021/22. Added to the amounts included in 2018/19 Budget Setting for three years (of £2.2m, £1.7m, £1.5m), this increased the additional budget (compared to the 2017/18 level) to £5.1m for each of these years.

The Homelessness Reduction Act 2017, implemented in April this year, had started to prevent and relieve homelessness, with 992 cases being closed since April from a total of 2162 approaches to the service (based on data at 29th October 2018). It was still too early to determine the long term impact on the number of households who then went on to make a full homelessness application where priority need would be considered alongside other criteria. Demand for the Housing and Homelessness service had been higher than forecast at the start of the year. Households that were homeless and met the criteria for priority need, would be entitled to interim accommodation (under the Relief duty) up to 56 days earlier than under the previous legislation, increasing the number of households that the authority placed in B&B if no other suitable accommodation was found. This would increase the financial cost pressure in the short term.

Currently the full cost of temporary accommodation was met by the Council or the Salvation Army. Housing Benefit (HB) could be claimed in most circumstances, however only a proportion of the HB paid out by the Council could be claimed back as subsidy from The Department for Works and Pensions (DWP). The shortfall between the cost of accommodation and the HB subsidy claimed was a financial pressure for either the Council or the Salvation Army (if either HB could not be awarded or there was only a partial award). In addition to the nightly room rate, the Council and Salvation Army currently met the cost for utilities, but would look for this to be passed onto the tenant going forward.

The report presented an option to lease a high rise development to provide temporary accommodation for homeless households, mainly for small family units, with the tenant having responsibility for the utility costs. This step was to support the delivery of one of the actions from the draft Housing and Homelessness Strategy which was currently out for consultation, as agreed by Cabinet on 30th October 2018 (minute 67/18 referred).

RESOLVED that the Cabinet:

- 1) Approves the proposal to lease up to 102 properties at land at the site in the Private Report for a period of no more than 5 years for use as temporary accommodation for homeless households, whilst longer term permanent accommodation solutions are being developed.**
- 2) Approves the use of existing funding to meet the annual lease costs, which exceed £1.5m over the life of the five year contract.**
- 3) Delegates authority to the Director of Customer Services and Transformation, following consultation with the Director of Finance and Corporate Services and the City Solicitor and with the Cabinet Member for Communities and Housing, to undertake the necessary due diligence and agree the detailed terms of the lease agreement with the developer.**
- 4) Approves the use of capital funding to meet the costs for furniture within the accommodation, estimated to be £0.10m.**

- 5) Approves the use of city council funding to contribute towards the installation of a sprinkler system, and delegates authority to the Director of Customer Services and Transformation and Director of Finance to negotiate the most cost effective way of implementing this.

83. **Binley Court, Brindle Avenue, Coventry - Investment Acquisition**

The Cabinet considered a report of the Deputy Chief Executive (Place), that would also be considered at the meeting of the Council on 4th December 2018, which sought approval for the freehold acquisition of an income producing office investment known as Binley Court.

A corresponding private report was also submitted to the meeting setting out the commercially confidential matters of the proposal. (Minute 87 below refers.)

The building comprised a purpose built, two storey, 31,000 sqft, courtyard style office building with secured onsite car parking. It had recently been let on a floor by floor basis on new 10 year leases with break options at year 5, to Orbit Group Limited and Aptiv Services UK limited. The level of return generated was assessed based on the level of risk associated with the length of lease and the security of the income.

The negotiated price had been validated by external property experts as providing 'market value' for the Council. It was intended that the property would be held by the Council as an investment asset and managed by the Council's Commercial Property Management.

RESOLVED that Cabinet requests that the Council:

- 1) Approves the terms for the acquisition of the freehold interest in Binley Court (identified edged red on the plan in the Appendix to the report) subject to the current tenancies.
- 2) Delegates authority to the Deputy Chief Executive (Place), advised by and following consultation with the Director of Finance and Corporate Resources and the City Solicitor, to complete the necessary legal documentation"
- 3) Delegates authority to the Deputy Chief Executive (Place), following consultation with the Cabinet Member for Jobs and Regeneration, for any subsequent variation in terms.
- 4) Approves the adjustment of the capital programme to reflect the proposed capital expenditure incurred in the acquisition of the freehold interest in Binley Court.

84. **Outstanding Issues**

There were no outstanding issues.

85. **Any other items of public business which the Chair decides to take as a matter of urgency because of the special circumstances involved.**

There were no other items of public business.

86. **Options to Improve the Quality but Reduce the Cost of Temporary Accommodation**

Further to Minute 82 above, the Cabinet considered a private report of the Deputy Chief Executive (Place) setting out the commercially confidential matters relating to an option to lease a high rise development to provide temporary accommodation for homeless households, mainly for small family units.

RESOLVED that the Cabinet:

- 1) **Approves the proposal to lease up to 102 properties at land at the site indicated for a period of no more than 5 years for use as temporary accommodation for homeless households, whilst longer term permanent accommodation solutions are being developed.**
- 2) **Approves the use of existing funding to meet the annual lease costs, which exceed £1.5m over the life of the five year contract.**
- 3) **Delegates authority to the Director of Customer Services and Transformation, following consultation with the Director of Finance and Corporate Services and the City Solicitor and the Cabinet Member for Communities and Housing, to undertake the necessary due diligence and agree the detailed terms of the lease agreement with the developer.**
- 4) **Approves the use of capital funding to meet the costs for furniture within the accommodation, estimated to be £0.10m.**
- 5) **Approves the use of city council funding to contribute towards the installation of a sprinkler system, and delegates authority to the Director of Customer Services and Transformation and Director of Finance and Corporate Services to negotiate the most cost effective way of implementing this as part of the wider agreement.**

87. **Binley Court, Brindle Avenue, Coventry - Investment Acquisition**

Further to Minute 83 above, the Cabinet considered a private report of the Deputy Chief Executive (Place) setting out the commercially confidential matters relating to the freehold acquisition of an income producing office investment, comprising a purpose built, two storey, 31,000 sqft, courtyard style office building with secured onsite car parking, known as Binley Court.

RESOLVED that the Cabinet requests that the Council:

- 1) **Approves the terms for the acquisition of the freehold interest in Binley Court (identified edged red on the plan in the Appendix) subject to the current tenancies for the sum indicated.**

- 2) **Delegates authority to the Deputy Chief Executive (Place), advised by and following consultation with the Director of Finance and Corporate Resources and the City Solicitor, to complete the necessary legal documentation.**
- 3) **Delegates authority to the Deputy Chief Executive (Place), following consultation with the Cabinet Member for Jobs and Regeneration, for any subsequent variation in terms.**
- 4) **Approves the adjustment of the capital programme to reflect the proposed capital expenditure incurred in the acquisition of the freehold interest in Binley Court.**

88. **Any other items of private business which the Chair decides to take as a matter of urgency because of the special circumstances involved.**

There were no other items of private business.

(Meeting closed at 3.00 pm)

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Public report Cabinet Report

Cabinet
Council

8 January 2019
15 January 2019

Name of Cabinet Member:

Cabinet Member for Strategic Finance and Resources – Councillor J Mutton

Director approving submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

City Wide

Title:

The 2019/20 Council Tax Base Report

Is this a key decision?

Yes – this report deals with income in excess of £1m

Executive summary:

The main purpose of this report is to establish the 2019/20 Council Tax base for tax setting purposes.

The Council Tax base is the measure of the taxable capacity of an area, for the purpose of calculating an authority's Council Tax. It represents the estimated number of Band D equivalent chargeable dwellings for the year. It also takes into account the authority's estimated Council Tax collection rate.

This report also includes details of recent legislative changes that allow additional council tax premiums to be charged on long term empty properties. It includes a recommendation that Council makes full use of this flexibility and charge the maximum premium, on the basis that this will incentivise owners to bring empty properties back into use.

This report does not set the actual level of Council Tax in Coventry; that will be set by Council on the 19th February 2019.

Recommendations:

The Cabinet is recommended to:

- (1) Approve that the Council Tax collection rate for 2019/20 be set at 98.3%
- (2) Approve that, in accordance with the Local Authorities (Calculation of Tax Base) Regulations 2012, the amounts calculated by the City Council for 2019/20 shall be:

a net tax base of 83,400.1 for the whole of the City Council area made up as follows:

Allesley Parish	337.8
Finham Parish	1,548.4
Keresley Parish	239.0
All Other Coventry City Council Wards	81,274.9
TOTAL	83,400.1

- (3) Approve that the following grant payments should be made to parish councils to reflect the impact in 2019/20 of Council Tax reductions on their tax bases.

Allesley Parish	£1,171
Finham Parish	£2,967
Keresley Parish	£238
TOTAL	£4,376

- (4) Recommend that the Council approves that, as permitted by The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, the Council charges the following council tax premiums on long term empty properties:

- From 1 April 2019 a council tax premium of 100 per cent will be applied to properties that have been empty and unfurnished for two years;
- From 1 April 2020 a council tax premium of 200 per cent will be applied to properties that have been empty and unfurnished for more than 5 years;
- From 1 April 2021 a council tax premium of 300 per cent will be applied to properties that have been empty and unfurnished for more than 10 years.

The Council is requested to approve:

- (1) That, as permitted by The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, the Council charges the following council tax premiums on long term empty properties:
- From 1 April 2019 a council tax premium of 100 per cent will be applied to properties that have been empty and unfurnished for two years;
 - From 1 April 2020 a council tax premium of 200 per cent will be applied to properties that have been empty and unfurnished for more than 5 years;
 - From 1 April 2021 a council tax premium of 300 per cent will be applied to properties that have been empty and unfurnished for more than 10 years.

List of Appendices included:

Appendix A	Tax Base Calculation for 2019/20 Tax Setting (Coventry)
Appendix B	Tax Base Calculation for 2019/20 Tax Setting (Allesley)
Appendix C	Tax Base Calculation for 2019/20 Tax Setting (Finham)
Appendix D	Tax Base Calculation for 2019/20 Tax Setting (Keresley)
Appendix E	Grant payments to parish councils

Background papers

None

Other useful documents

None

Has it or will it be considered by scrutiny?

No

Has it, or will it be considered by any other council committee, advisory panel or other body?

No

Will this report go to Council?

No

Report title: The 2019/20 Council Tax Base Report

1. Context

1.1 Council tax base

- 1.1.1 The Council tax base is the measure of the taxable capacity of an area, for the purpose of calculating an authority's Council Tax. It represents the estimated number of Band D equivalent chargeable dwellings for the year. It also takes into account the authority's estimated Council Tax collection rate.
- 1.1.2 This report makes the necessary calculations in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 2012 to establish the Council Tax base for the City Council and its parishes. These regulations apply to financial years beginning 1 April 2013 onwards, and include the impact of the change from awarding Council Tax benefit to the introduction of a Council Tax Support Scheme (also known as the Council Tax Reduction Scheme).
- 1.1.3 The Council Tax base for the City Council will be used by major preceptors when setting their precepts.
- 1.1.4 Under the Reduction Scheme, the Council Tax base is reduced according to the amount of reductions awarded under the scheme, as the authority will be foregoing the relevant Council Tax income, and instead will receive partial compensation via an adjustment within the Local Government Finance Settlement calculations. These reductions are reflected in the calculation of the Council Tax base, in order to calculate the correct amount of Band D Council Tax for the billing authority (Coventry City Council), the major preceptors (West Midlands Police and Crime Commissioner, the West Midlands Fire and Rescue Authority and the West Midlands Combined Authority), and the local precepting authorities (Allesley Parish Council, Finham Parish Council and Keresley Parish Council).
- 1.1.5 It is estimated that the effect on the tax base of the Support Scheme will be to reduce it by 13.4%. The financial impact of the reduction in tax base will be partially offset by an element of the overall funding settlement from Government.
- 1.1.6 The tax bases for the parishes of Allesley, Finham and Keresley will also be reduced by 13.4% as a result of the Council Tax Support Scheme. It is proposed that the Council transfers an element of the compensation described above to offset the impact of the reduced tax base on tax income for the parish councils. Recommendation 3 proposes that Allesley, Finham and Keresley receive payments of £1,171, £2,967 and £238 respectively to offset the effect of the tax base reduction. These payments have been calculated to offset 90% of the effect of the tax base reduction, in keeping with the compensation percentage adopted when the scheme was first introduced. The details of the calculations are provided in Appendix E.
- 1.1.7 This report does not set the actual level of Council Tax in Coventry; that will be set by Council on the 19th February 2019. The determination of the tax base is one part of the process and must occur before 31st January each year.
- 1.1.8 The technical nature of this report reflects the fact that the tax base calculation is prescribed by statute. The tax base measures all properties in an area, relative to a band D property even though this is not representative of the typical domestic property in Coventry. In fact 87% of properties in Coventry fall into Bands A to C, which attract lower bills than Band D properties.

2. Empty Property Premiums

- 2.1.1 From 1 April 2013 the Council has held and exercised the power to charge a premium equal to 50 per cent of council tax liability for properties empty and unfurnished for more than two years.
- 2.1.2 The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 makes provision for the following changes to the empty property premium:
- From 1 April 2019 a council tax premium of 100 per cent may be applied to properties that have been empty and unfurnished for two years;
 - From 1 April 2020 a council tax premium of 200 per cent may be applied to properties that have been empty and unfurnished for more than 5 years;
 - From 1 April 2021 a council tax premium of 300 per cent may be applied to properties that have been empty and unfurnished for more than 10 years.
- 2.1.3 The additional premiums may be applied from the financial years detailed above. It does not matter if the period for which the property has been empty and unfurnished commences before the relevant financial year. For example, a property that has been empty and unfurnished since February 2011 would, if remaining empty and unfurnished, attract a 300 per cent premium from 1 April 2021.
- 2.1.4 The following exemptions apply to the application of a long term empty premium:
- a property which would otherwise be the sole or main residence of a member of the armed forces, who is absent from the property as a result of such a service;
 - a property which forms a substantial annex to a dwelling, which is being used as part of the main residence in that dwelling.
- 2.1.5 The Council does not recommend establishing further local exemptions.
- 2.1.6 In 2017/18, it is estimated that the 50 per cent premium resulted in additional council tax revenue of approximately £225,000 from 419 properties. If the number of empty properties remained at this level then increasing the premium to 100% per cent could attract a further £225,000 in 2019/20, giving £450,000 in total. However, the purpose of increasing the premium would be to reduce the number of empty properties, so any forecasts of additional resources should be treated with caution. It is difficult to estimate at this time the potential financial impact of an additional premium in subsequent years. On the basis of this uncertainty no adjustment for premiums is included within the calculation of the tax base within this report.
- 2.1.7 The Government's underlying policy intention for introducing a long term empty premium is to support Local Authorities in their efforts to bring back into use empty properties and so increase the overall provision of housing. The premium provides an incentive for owners to bring back into use empty properties and therefore supports this Council's intention to maximise the supply of housing for residents.
- 2.1.8 It is recommended therefore that Council approve the implementation of the full 100 per cent premium from 1 April 2019 and adopt the maximum premium permitted in subsequent financial years.

3. Options considered and recommended proposal

3.1 Calculation of the Council tax base

3.1.1 The regulations specify in detail the calculations required. The basic formula is $A \times B$, where:

- 'A' is the number of "Band D equivalent" properties estimated to be applicable for the forthcoming financial year. This is referred to as the 'gross tax base'. The calculation and exact definition is explained in section 2.1.3 below.
- 'B' is the City Council's estimate of the Council Tax collection rate for those Band D equivalent properties as explained in section 2.2 below.

3.1.2 The calculation of the number of Band D equivalent properties is set out in full in Appendix A. This provides a gross tax base figure (**A**) of **84,842.4** for the City of Coventry.

3.1.3 The gross tax base is derived for each band by taking the valuation list as at the 30th November in the current financial year, adjusted for the effect of exemptions, discounts and reliefs actually claimed on that day, as well as estimated changes throughout the year. The tax base is also adjusted for the estimated effect of reductions that have replaced the previous Council Tax benefits. The calculation of each band is then weighted to the equivalent of a Band D property and added together to give the gross tax base.

3.1.4 Calculation of the gross tax base takes into account an estimate of the change in tax base that is likely to occur during the forthcoming financial year. This includes the anticipated effect of retrospective amendments. The majority of these amendments relate to properties that are exempt from Council Tax (e.g. student accommodation), where the exemption is only made known to the Council at a later date.

3.1.5 For the purposes of calculating the 2019/20 tax base, an adjustment of **-1.0%** has been made, based on existing experience, to take into account the anticipated effect of these amendments. This adjustment is at the same level as that made in the determination of the 2018/19 tax-base.

3.2 The Calculation of the Collection Rate

3.2.1 The City Council also has to estimate the likely rate of collection of Council Tax (referred to as 'B' in 2.1.1 above). This determines the amount of tax due which the Council believes it can collect after allowing for bankruptcies, absconders and other non-collectable sums. The collection rate is applied to the gross tax base to give the net tax base, used for the purpose of setting Council Tax.

3.2.2 Reductions or increases in the collection rate lower or raise the net tax base and hence the amount of Council Tax available to fund services. A 0.25% variation in the collection rate would reduce or increase the amount of Council Tax to meet the budget requirement by approximately £0.3m.

3.2.3 Balancing recent arrears collection performance and the pattern of write offs, it is recommended that an assumed eventual collection rate of 98.3% is adopted for 2019/20. This maintains the same level used in setting the 2018/19 Council tax base, Analysis of collection rates across the age profile of debts suggests that an eventual collection rate of 98.3% remains realistic and prudent in the current economic climate. Collection

performance will be monitored throughout the forthcoming year and the rate reviewed as part of the determination of 2019/20 tax base.

- 3.2.4 Multiplying the gross tax base (A) of 84,842.4 by the collection rate (B) of 98.3% gives a recommended net tax base of **83,400.1** for the City Council.

3.3 Calculation of Tax Base for the Parish Councils

- 3.3.1 The City Council is also required to calculate a tax base for each part of its area on which parish precepts are to be levied. Accordingly, the net tax bases for Allesley (Appendix B), Finham (Appendix C) and Keresley (Appendix D) parishes have been calculated as 337.8, 1,548.4 and 239.0 respectively.

3. Results of consultation undertaken

None

4. Timetable for implementing this decision

The tax base assumed within this report relates to financial year 2019/20.

5. Comments from the Director of Finance and Corporate Services

5.1 Financial Implications

- 5.1.1 The contents of this report are driven by a statutory framework and as such the Council is governed by this framework in relation to the contents of the report. Our Council Tax collection performance is the key area that will dictate whether the Council achieves the eventual collection rate of 98.3% assumed within this report. This matter is subject to regular performance monitoring.

- 5.1.2 The net tax base directly influences the level of Council Tax levied and therefore the resources available to the City Council. This will be dealt with as part of the Tax setting and Budget Requirement Report that will be considered by Council on 19th February 2019.

5.2 Legal Implications

- 5.2.1 As stated in section 1 above, the tax base calculations for a particular financial year must comply with the Local Authorities (Calculation of Council Tax Base) Regulations 2012, and be determined by no later than 31st January in the preceding financial year. These regulations have been made under the Local Government Finance Act 1992, as amended (LGFA 1992).

- 5.2.2 The Local Government Finance Act 2012 (LGFA 2012) includes a number of amendments to the LGFA 1992 that affect the calculation of the Council Tax base. These amendments require councils to operate a Council Tax Support Scheme (as a replacement of Council Tax benefit) and gave powers to determine further discounts and set premiums.

- 5.2.3 The Tax Base for the City Council will be used by the West Midlands Police and Crime Commissioner, the West Midlands Fire and Rescue Authority and the West Midlands Combined Authority when setting their 2019/20 precepts in February 2019. It will also be

used to set the City Council's element of the Council Tax for 2019/20, at the full Council meeting on 19th February 2019.

6. Other implications

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

This report is technical in nature and its implications do not have any direct bearing on these matters.

6.2 How is risk being managed?

Regular monitoring of performance will ensure that the Council can take appropriate management action in the area of Council Tax collection.

6.3 What is the impact on the organisation?

The report affects the potential Council Tax resources available to the City Council and, as such, impacts on the 2019/20 budget setting process.

6.4 Equalities / EIA

None.

6.5 Implications for (or impact on) the environment

No impact

6.6 Implications for partner organisations?

The Council Tax base for the City Council will be used by the by the West Midlands Police and Crime Commissioner, the West Midlands Fire and Rescue Authority and the West Midlands Combined Authority when setting their 2019/20 precept.

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Councillor J Mutton	Cabinet Member (Strategic Finance and Resources)	-	10/12/18	10/12/18

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Appendix A Tax Base Calculation for 2019/20 Tax Setting (COVENTRY)																			
Band	A	B	C	D	E	F	G	H	TOTAL										
	A		B		C		D		E		F		G		H		TOTAL		
	Entitled To Disabled Relief																		
Properties on Valuation List	57,771	42,382	23,805	9,689	4,710	2,351	1,407	172	142,287										
Percentage of Total	40.6%	29.8%	16.7%	6.8%	3.3%	1.7%	1.0%	0.1%	100.0%										
Adjustments:																			
Exempt Dwellings (B to W)																			
Disabled Persons Relief	142	(1,675)	(1,022)	(316)	(100)	(92)	(38)	(50)	(7,373)										
Disabled Persons Relief	269	170	87	54	34	31	19	19	806										
Deletions	(142)	(269)	(170)	(87)	(54)	(34)	(31)	(19)	(806)										
Number of Chargeable Dwellings on Valuation List	142	40,608	22,700	9,340	4,590	2,256	1,357	103	134,914										
Percentage of Total	0.1%	39.8%	16.8%	6.9%	3.4%	1.8%	1.0%	0.1%	100.0%										
25% Discounts																			
Single Person Discount (25%)	32	12,628	5,983	2,056	779	347	153	5	47,009										
Dwellings entitled to 25% discount due to all but one resident being disregarded for council tax purposes	4	766	358	110	55	17	5	1	1,989										
Total no. of dwellings with 25% discount	36	25,792	13,301	2,166	834	364	158	6	48,998										
50% Discounts																			
Dwellings entitled to 50% discount due to all residents being disregarded for council tax purposes	4	72	19	45	27	17	26	11	274										
Dwellings classed as empty homes and entitled to 50% discount	2	3	0	0	0	0	0	0	5										
Total no. of dwellings with 50% discount	4	74	19	45	27	17	26	11	279										
Total equivalent number of chargeable dwellings after discounts, exemptions and disabled persons relief																			
[Calculation: I-(II x 0.25) - (III x 0.5)]	131.00	47,333.00	37,254.75	21,105.25	4,368.00	2,156.50	1,304.50	96.00	122,525.00										
Anticipated change in taxbase during the year including the effect of retrospective amendments																			
Change in equivalent number of chargeable dwellings as a result of estimated tax base change during the year	(1.31)	(473.33)	(372.55)	(87.76)	(43.68)	(21.57)	(13.05)	(0.96)	(1,225.26)										
Total equivalent number of dwellings after accounting for retrospective amendments	129.69	46,859.67	36,882.20	20,994.20	4,324.32	2,134.93	1,291.45	95.04	121,299.74										
[Calculation: IV + V]																			
Estimated Effect of Council Tax Support Scheme																			
Change in equivalent number of chargeable dwellings as a result of estimated Effect of Council Tax Reduction scheme	(17.38)	(6,279.20)	(4,942.21)	(2,799.82)	(579.46)	(286.08)	(173.05)	(12.74)	(16,254.17)										
Total equivalent number of dwellings after accounting for retrospective amendments	112.31	40,580.47	31,939.99	18,094.38	3,744.86	1,848.85	1,118.40	82.30	105,045.57										
[Calculation: VI + VII]																			
Ratio of Band to Band D (where Band D = 9)	5	6	7	8	9	10	11	12	13										
Gross Tax Base (to 1 decimal place)	62.4	27,053.6	24,842.2	16,083.9	7,524.0	2,670.6	1,864.0	164.6	84,842.4										
Collection Rate									98.30%										
Net Tax Base (to 1 decimal place)									83,400.1										

Appendix B Tax Base Calculation for 2019/20 Tax Setting (ALLESLEY)																			
Band	A	B	C	D	E	F	G	H	TOTAL										
	A		B		C		D		E		F		G		H		TOTAL		
	Entitled To Disabled Relief																		
Properties on Valuation List	39	7	10	30	63	92	84	3	328										
Percentage of Total	11.9%	2.1%	3.0%	9.1%	19.2%	28.1%	25.6%	0.9%	99.9%										
Adjustments:																			
Exempt Dwellings (A to W)	(1)	0	0	0	0	0	0	0	(1)										
Disabled Persons Relief Additions	0	0	0	1	0	2	1	0	4										
Disabled Persons Relief Deletions	0	0	0	0	(1)	0	(2)	(1)	(4)										
Number of Chargeable Dwellings on Valuation List	38	7	10	31	62	94	83	2	327										
Percentage of Total	11.6%	2.1%	3.1%	9.5%	19.0%	28.7%	25.4%	0.6%	100.0%										
25% Discounts																			
Single Person Discount (25%)	17	2	1	3	12	28	8	0	71										
Dwellings entitled to 25% discount due to all but one resident being disregarded for council tax purposes	1	0	0	0	1	0	0	0	2										
Total no. of dwellings with 25% discount	18	2	1	3	13	28	8	0	73										
50% Discounts																			
Dwellings entitled to 50% discount due to all residents being disregarded for council tax purposes	0	0	0	0	0	0	1	1	2										
Dwellings classed as empty homes and entitled to 50% discount	0	0	0	0	0	0	0	0	0										
Total no. of dwellings with 50% discount	0	0	0	0	0	0	1	1	2										
Total equivalent number of chargeable dwellings after discounts, exemptions and disabled persons relief	33.50	6.50	9.75	30.25	58.75	87.00	80.50	1.50	307.75										
[Calculation: I-(II x 0.25) - (III x 0.5)]																			
Anticipated change in taxbase during the year including the effect of retrospective amendments	0.00	(0.07)	(0.10)	(0.30)	(0.59)	(0.87)	(0.81)	(0.02)	(3.10)										
Change in equivalent number of chargeable dwellings as a result of estimated tax base change during the year	0.00	(0.07)	(0.10)	(0.30)	(0.59)	(0.87)	(0.81)	(0.02)	(3.10)										
Total equivalent number of dwellings after accounting for retrospective amendments	33.16	6.43	9.65	29.95	58.16	86.13	79.69	1.48	304.65										
[Calculation: IV + V]																			
Estimated Effect of Council Tax Support Scheme																			
Change in equivalent number of chargeable dwellings as a result of estimated Effect of Council Tax Reduction scheme	0.00	(0.86)	(1.29)	(4.01)	(7.79)	(11.54)	(10.68)	(0.20)	(40.82)										
Total equivalent number of dwellings after accounting for retrospective amendments	28.72	5.57	8.36	25.94	50.37	74.59	69.01	1.28	263.83										
[Calculation: VI + VII]																			
Ratio of Band to Band D (where Band D = 9)	5	7	8	9	11	13	15	18											
Gross Tax Base (to 1 decimal place)	19.1	4.3	7.4	25.9	61.6	107.7	115.0	2.6	343.6										
Collection Rate									98.30%										
Net Tax Base (to 1 decimal place)									337.8										

Appendix C – Tax Base Calculation for 2019/20 Tax Setting (FINHAM)									
Band	A	B	C	D	E	F	G	H	TOTAL
	Entitled To Disabled Relief								
Properties on Valuation List	3	221	583	597	248	224	49	1	1,926
Percentage of Total	0.2%	11.5%	30.3%	31.0%	12.9%	11.6%	2.5%	0.1%	100.1%
Adjustments:									
Exempt Dwellings (A to W)	0	(4)	(10)	(11)	(4)	(3)	0	0	(32)
Disabled Persons Relief Additions	2	1	4	1	3	2	0	0	13
Disabled Persons Relief Deletions	0	(2)	(1)	(4)	(1)	(3)	(2)	0	(13)
Number of Chargeable Dwellings on Valuation List	0	216	576	583	246	220	47	1	1,894
Percentage of Total	0.0%	11.4%	30.4%	30.7%	13.0%	11.6%	2.5%	0.1%	100.0%
25% Discounts									
Single Person Discount (25%)	0	89	141	156	56	36	8	0	489
Dwellings entitled to 25% discount due to all but one resident being disregarded for council tax purposes	0	2	8	7	2	1	1	0	21
Total no. of dwellings with 25% discount	0	91	149	163	58	37	9	0	510
50% Discounts									
Dwellings entitled to 50% discount due to all residents being disregarded for council tax purposes	0	1	0	1	0	0	0	0	2
Dwellings classed as empty homes and entitled to 50% discount	0	0	0	0	0	0	0	0	0
Total no. of dwellings with 50% discount	0	1	0	1	0	0	0	0	2
Total equivalent number of chargeable dwellings after discounts, exemptions and disabled persons relief									
[Calculation: I-(II x 0.25) - (III x 0.5)]	0.00	192.75	538.75	541.75	231.50	210.75	44.75	1.00	1,765.50
Anticipated change in taxbase during the year including the effect of retrospective amendments									
Change in equivalent number of chargeable dwellings as a result of estimated tax base change during the year	0.00	(1.93)	(5.39)	(5.42)	(2.32)	(2.11)	(0.45)	(0.01)	(17.67)
Total equivalent number of dwellings after accounting for retrospective amendments									
[Calculation: IV + V]	0.00	4.21	533.36	536.33	229.18	208.64	44.30	0.99	1,747.83
Estimated Effect of Council Tax Support Scheme									
Change in equivalent number of chargeable dwellings as a result of estimated Effect of Council Tax Reduction scheme	0.00	(25.57)	(71.47)	(71.87)	(30.71)	(27.96)	(5.94)	(0.13)	(234.21)
Total equivalent number of dwellings after accounting for retrospective amendments									
[Calculation: VI + VII]	0.00	3.65	461.89	464.46	198.47	180.68	38.36	0.86	1,513.62
Ratio of Band to Band D (where Band D = 9)	5	6	7	8	9	10	11	12	13
Gross Tax Base (to 1 decimal place)	0.0	128.5	410.6	464.5	242.6	261.0	63.9	1.7	1,575.2
Collection Rate									
Net Tax Base (to 1 decimal place)									
									98.30%
									1,548.4

Appendix E - Grant payment to Parish Councils

		Allesley	Finham	Keresley
a	Tax Base without the effect of Council Tax reductions	390.1	1,788.0	276.0
b	Effect of Council Tax reductions	-13.4%	-13.4%	-13.4%
c	Tax Base change as a result of Council Tax reductions a x b	-52.3	-239.6	-37.0
d	Tax Base a + c	337.8	1,548.4	239.0
e	Band D parish precept from previous year	£24.89	£13.76	£7.14
f	Loss of Income from Council Tax reductions c x e	-£1,301	-£3,297	-£264
g	Grant payment (90% of lost income) f x 90%	<u>£1,171</u>	<u>£2,967</u>	<u>£238</u>



Public report Cabinet

Cabinet

8th January 2019

Name of Cabinet Member:

Cabinet Member for Housing and Communities – Councillor E Ruane

Director Approving Submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

All

Title:

Adoption of Health Impact Assessment and Coventry Connected Supplementary Planning Documents (SPDs)

Is this a key decision?

Yes - The adoption of the two SPD's provides technical guidance which supports the adopted Local Plan.

Executive Summary:

Following the adoption of the Coventry Local Plan in December 2017 the Council have been developing a number of Supplementary Planning Documents (SPD's) to provide technical guidance and support to specific policies within the Plan.

The development of SPD's is subject to statutory process including public consultation. Both SPDs summarised within this report have been subject to two periods of consultation during February/March and August/September 2018. This is summarised in section three of this report. These stages have previously been overseen through the Cabinet Member process. Both SPD's have been updated to reflect the results of public consultation and are now presented for adoption.

1. Health Impact Assessments – Technical Guidance SPD

This SPD is intended to provide technical guidance and support to Policy HW1 of the Local Plan and support the delivery of Health Impact Assessments. This SPD has been developed in partnership between the Council's Planning and Public Health functions and is intended to support ongoing joint working on all matters of health and wellbeing considerations through the Planning process. As a result this will help deliver one of the overall objectives of the Plan which is to help improve the health and wellbeing of Coventry people.

2. Coventry Connected SPD

This SPD is intended to provide technical guidance and support to the Accessibility policies set out in Chapter 10 of the Local Plan. This SPD has been developed in partnership between the Council's Planning and Highways functions and is intended to support ongoing joint working on all matters of transport considerations through the Planning process.

The SPD is structured to cover each of the Accessibility policies in turn (Policy AC1-AC7). This covers supporting technical detail around matters of:

- Transport Assessments.
- Travel Plans (including Green Travel Plans)
- Highway impacts.
- Promotion of a walking cycling and public transport (including Rapid Transit and rail improvements).
- Assessment of freight suitability.

Alongside the SPD the Parking Standards Appendix to the Local Plan has been amended to add greater clarity over types of development and their respective parking requirements.

Both SPD's are appended to this report at Appendix 1 and Appendix 2 respectively.

Recommendations:

The Cabinet is requested to:

- 1) Approve the content of the Health Impact Assessment SPD and Coventry Connected SPD and agree their adoption with effect from the 9th January 2019.

List of Appendices included:

Appendix 1: Health Impact Assessment Supplementary Planning Document (HIA SPD) and Appendices to HIA SPD.

Appendix 2: Coventry Connected SPD and updated Car Parking Standards (Local Plan Appendix 5).

Background papers:

None

Other useful documents

Both SPD's have been subject to previous Cabinet Member reports to oversee the related consultation stages. Papers are available via the following links:

- Initial round of consultation – Cabinet Member for Community Development – 30th January 2018:
<http://democraticservices.coventry.gov.uk/ieListDocuments.aspx?CId=712&MId=11573&Ver=4> agenda items 53 and 54
- Further round of publication – Cabinet Member for Housing and communities – 6th August 2018:
<http://democraticservices.coventry.gov.uk/ieListDocuments.aspx?CId=739&MId=11832&Ver=4> agenda items 8 and 10.

The report for the Adoption of the Coventry City Council Local Plan was considered at Council on 5th December 2017. All papers are available under Agenda item 13 on <http://democraticservices.coventry.gov.uk/ieListDocuments.aspx?CId=130&MId=11416>

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Adoption of Health Impact Assessment and Coventry Connected Supplementary Planning Documents (SPDs)

1. Context (or background)

- 1.1 Following the adoption of the Coventry Local Plan in December 2017 the Council have been developing a number of Supplementary Planning Documents (SPD's) to provide technical guidance and support to specific policies within the Plan.
- 1.2 Supplementary Planning Documents are designed to build upon and provide more detailed advice and guidance on the policies in the Local Plan. They do not introduce new policy and should be used to help applicants make successful applications and are not to be used to add unnecessarily to the financial burdens on development.
- 1.3 The development of SPD's is subject to a number of statutory processes including an initial period of public consultation, followed by a further period of publication and engagement to present the consultation responses and how they have informed the final draft of the SPD. They must then be presented to Cabinet for adoption in accordance with the Council's constitution.
- 1.4 Both SPD's presented with this report have been through two stages of consultation and public engagement. The responses to these consultations have previously been considered through respective Cabinet Member reports but are summarised in section 3 of this report.
- 1.5 This Cabinet paper seeks the adoption of the first two SPD. These are summarised below:
- 1.6 **Health Impact Assessments – Technical Guidance SPD**
 - 1.6.1 In recent years there has been a renewed understanding and focus on the impact of the built environment and health. This is shown by reference in the National Planning Practice Guidance to the need for local planning authorities to ensure that health and wellbeing, and health infrastructure, are considered in decision making.
 - 1.6.2 This has led to the inclusion of a Health and Wellbeing chapter in the adopted Coventry Local Plan, for the first time in over 50 years. This SPD is intended to provide technical guidance and support to this chapter and to Policy HW1 by supporting the delivery of Health Impact Assessments. This SPD has been developed in partnership between the Council's Planning and Public Health functions and is intended to support ongoing joint working on all matters of health and wellbeing considerations through the Planning process. As a result this will help deliver one of the overall objectives of the Plan which is to help improve the health and wellbeing of Coventry people.
 - 1.6.3 The Health Impact Assessment Supplementary Planning Document is aimed at individuals and organisations involved in submitting a planning application as well as those involved in the determination and enforcement of planning applications, for all relevant developments (residential, commercial and mixed developments).
 - 1.6.4 The SPD is structured around a detailed template to support the delivery of a HIA for relevant development proposals. It takes users on a step by step process through a

range of key health and wellbeing considerations relative to new developments, having regard to matters of build quality, design, relationship with the natural environment and links to transport and active travel.

1.7 **Coventry Connected SPD**

- 1.7.1 This SPD is intended to expand upon and provide support and technical guidance for the Accessibility policies set out in Chapter 10 of the Local Plan. It has been developed in partnership between the Council's Planning and Highways functions and is intended to support ongoing joint working on all matters of transport considerations through the Planning process. The added technical support and guidance provided within the report will help applicants provide the correct information and assess the right areas of transport considerations early in the planning process. This will not only save time and money but will lead to better transport planning and stronger outcomes for infrastructure. The SPD is split across 8 chapters, with the first chapter providing the introduction and context. The following sections below summarise the considerations and detail provided within the SPD.
- 1.7.2 Chapter 2 of the SPD expands upon Policy AC1 of the Local Plan which provides the overarching transport strategy. This focuses primarily on the need for developers to ensure good quality transport systems allowing for people to access the jobs and services they require. This includes providing greater choice over modes of transport; ensuring accessibility to these options; and promoting high quality provisions.
- 1.7.3 Chapter 3 of the SPD provides guidance for developers on what is required to ensure that developments can be accommodated into the local road network. This includes:
- Considering the wider impact of the development's vehicle trips upon infrastructure;
 - Highlighting when and how to assess impacts of the developments vehicle trips on the road network and the environment and how to mitigate against these; and
 - Considering the Coventry Area Strategic Model (CASM) when assessing future developments (also using CASM when conducting travel impact assessments).
- 1.7.4 While the exact scope and content of a Transport Assessment (TA), Transport Statement (TS) or a Travel Plan (TP) will remain case specific, Chapter 4 provides detailed guidance for developers on how best to scope transport related issues; prepare relevant assessments and travel plans; review parking standards and manage air quality issues through transport.
- 1.7.5 Chapter 5 seeks to ensure the promotion and inclusion of safe and convenient walking and cycling routes as part of development proposals, aiming to create a more pleasant environment for pedestrians and cyclists.
- 1.7.6 Chapter 6 promotes the support and enhancement of the bus and rapid transit (including Very Light Rail) infrastructure and services in Coventry, providing the guidance that developers need to adhere to for future developments.
- 1.7.7 Chapter 7 gives guidance to developers to ensure both the support and enhancement of the local rail network and the support of new railway stations with the primary aim of ensuring that new developments are well connected in regard to access to railway stations.

- 1.7.8 Chapter 8 covers the management of freight and the preference for utilising alternative methods of freight movement. This includes guidance around construction traffic management plans, the issues surrounding parking provision, and considering opportunities for using more alternative freight facilities (rail and air).
- 1.7.9 Alongside the SPD the Parking Standards Appendix to the Local Plan has been amended to add greater clarity over types of development and their respective parking requirements. The primary focus of this is around HiMOs (Homes in Multiple Occupation) and purpose built student accommodation.

2. Options considered and recommended proposal

- 2.1 As the Coventry Local Plan has already been adopted, only two potential options have been considered.
- 2.2 The first of these options has been set out in the recommendation to this report. The adoption of the SPD's would ensure the relevant Local Plan policies can be implemented and interpreted in a consistent and effective way. This will help reduce conflict and promote better quality planning applications, saving time and resources through the wider planning process.
- 2.3 The second option would be to not progress the Supplementary Planning Document and to rely solely on the policies in the Local Plan and how applicants interpret those policies. This option has not been recommended as it would place greater reliance on how applicants use the new policies which could generate greater inconsistency in evidence submitted in support of applications and lead to greater resource pressure for planning officers managing day to day caseloads.
- 2.4 The level of detail provided by these SPD's was not provided within the Local Plan itself as it would have extended the complexity and length of the Plan substantially.

3. Results of consultation undertaken

- 3.1 An initial round of consultation was undertaken in relation to both SPDs between 12 February and 23 March 2018.
- 3.2 A total of 7 responses were received to the Health Impact Assessment SPD and 5 responses to the Coventry Connected SPD. Comments were received via email and post as well as a range of informal comments and suggestions made through stakeholder meetings and consultation drop in events. A summary of the representations to both SPDs was then presented to the Cabinet Member meeting in August 2018 alongside amended version of both documents.
- 3.4 In both cases the majority of comments were supportive of the SPD's with comments focusing more on matters of principle, technical adjustment or general observations. In relation to the HIA SPD they can be summarised as follows:
- Additional clarification is needed about how HIA's are compiled and considered through the planning application process.
 - Additional links to other documents and SPD's would be helpful including green infrastructure studies and flood risk assessments.

- Importance of making sure information submitted with the HIA does not simply duplicate information provided elsewhere in the planning process.

In relation to the Coventry Connected SPD they can be summarised as follows:

- Specific comments related to links to Regional and Sub-regional strategies and supporting information such as Midlands Connect, Bus Network Strategies and Bike Hire Schemes etc.
- Comments and recommendations relating to linked areas of policy such as health impacts, air quality and infrastructure.

3.5 All comments were then incorporated into the revised documents (as appropriate) and the SPD's were reissued for public consideration between 8th August and 21st September 2018. A further 5 responses were received to the HIA SPD and a further 3 to the Coventry Connected SPD. All focused on minor adjustments to the text (which were duly incorporated as appropriate) or were not of direct relevance to either SPD.

4. Timetable for implementing this decision

4.1 Subject to approval by the Cabinet it is proposed to adopt the SPD's with effect from the 9th January 2019. They will then form a material consideration as part of relevant planning applications.

5. Comments from the Director of Finance and Corporate Services

5.1 Financial implications

Unlike the Local Plan or an Area Action Plan, a SPD is not subject to public examination. It therefore does not incur the same level of costs as a higher level Plan. As such, any costs associated with the delivery of these SPD's is met through existing budgets attributed to the Planning and Housing Policy team alongside those of Public Health and Highways (as appropriate).

5.2 Legal implications

Supplementary Planning Documents are produced under the Planning and Compulsory Purchase Act 2004 (as amended) and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. Supplementary Planning Documents are subject to supporting evidence and consultation but are not publicly examined or subject to Sustainability Appraisal. As such, their 'material weight' in planning terms is less than that of a Local Plan, Area Action Plan or other Development Plan Document. Notwithstanding this, SPD's must be adopted by a resolution of the Local Planning Authority and they are still important planning policy documents that provide technical guidance and supporting information to those submitting planning applications. A SPD does not introduce new policy, instead it builds and expands upon policies set out in the higher level plan (in this case the Local Plan) to ensure they are interpreted and delivered in the most efficient and effective way.

6. Other implications

6.1 How will this contribute to the Council Plan (www.coventry.gov.uk/councilplan/)?

Both SPD's will support the delivery of the overarching aims and objectives of the Council Plan, in particular it will contribute to:

- Promoting the growth of a sustainable Coventry economy;
- Improving the quality of life for Coventry people;
- Promote the growth of a sustainable Coventry economy that benefits the city;
- Developing the city centre for the 21st century;
- Creating the infrastructure for the city to grow and thrive;
- Raising the profile of Coventry;
- Helping local people into jobs;
- Reducing the impact of poverty;
- Improving the quality of life for Coventry people;
- Create an attractive, cleaner and greener city;
- Improving health and wellbeing;
- Reducing health inequalities;
- Making the most of our assets;
- Support the regeneration of Coventry's economy;
- Active communities and empowered citizens; and
- Working together with neighbours and partners across the voluntary, public and private sectors.

6.2 How is risk being managed?

Recent periods of consultation have helped to identify and mitigate risk by highlighting any issues and concerns with both SPD.

6.3 What is the impact on the organisation?

No direct impact

6.4 Equalities / EIA

A full Equality and Consultation Assessment (ECA) was undertaken as part of developing the Local Plan. As these SPD's support the delivery and technical interpretation of policies within the Plan no further assessment has been undertaken. As part of that analysis, the Council had due regard to its public sector equality duty under section 149 of the Equality Act (2010).

Notwithstanding, an initial examination has shown that the Health Impact Assessment Supplementary Planning Document can contribute to significant benefits to the health and wellbeing of the current and future population of Coventry, with a particular focus on reducing health inequalities and therefore benefiting some of the most vulnerable people and different population groups in Coventry.

Furthermore, a key priority of the Coventry Connected SPD is to support the interpretation and effectiveness of the accessibility policies within the new Local Plan.

These policies focus on promoting greater accessibility to public transport and promoting active travel. In addition they prioritise investment in highway infrastructure and seek to promote better, more efficient movement around Coventry for all its citizens.

6.5 Implications for (or impact on) the environment

The Health Impact Assessment Supplementary Planning Document encourages behaviours and designs for new developments that will have positive impacts on the environment and climate change.

Key priorities of the accessibility policies within the Local Plan (and therefore the Coventry Connected SPD) include the promotion and increased uptake of active travel and the promotion of improvements to air quality through improved transport technology and increased use of alternatives to the car.

6.6 Implications for partner organisations?

The City Council as highways authority will continue to work closely with its partners in Warwickshire County Council, Transport for West Midlands and Highways England to ensure the benefits of the Coventry Connected SPD relating to highways infrastructure will also be realised on a cross boundary basis.

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Place

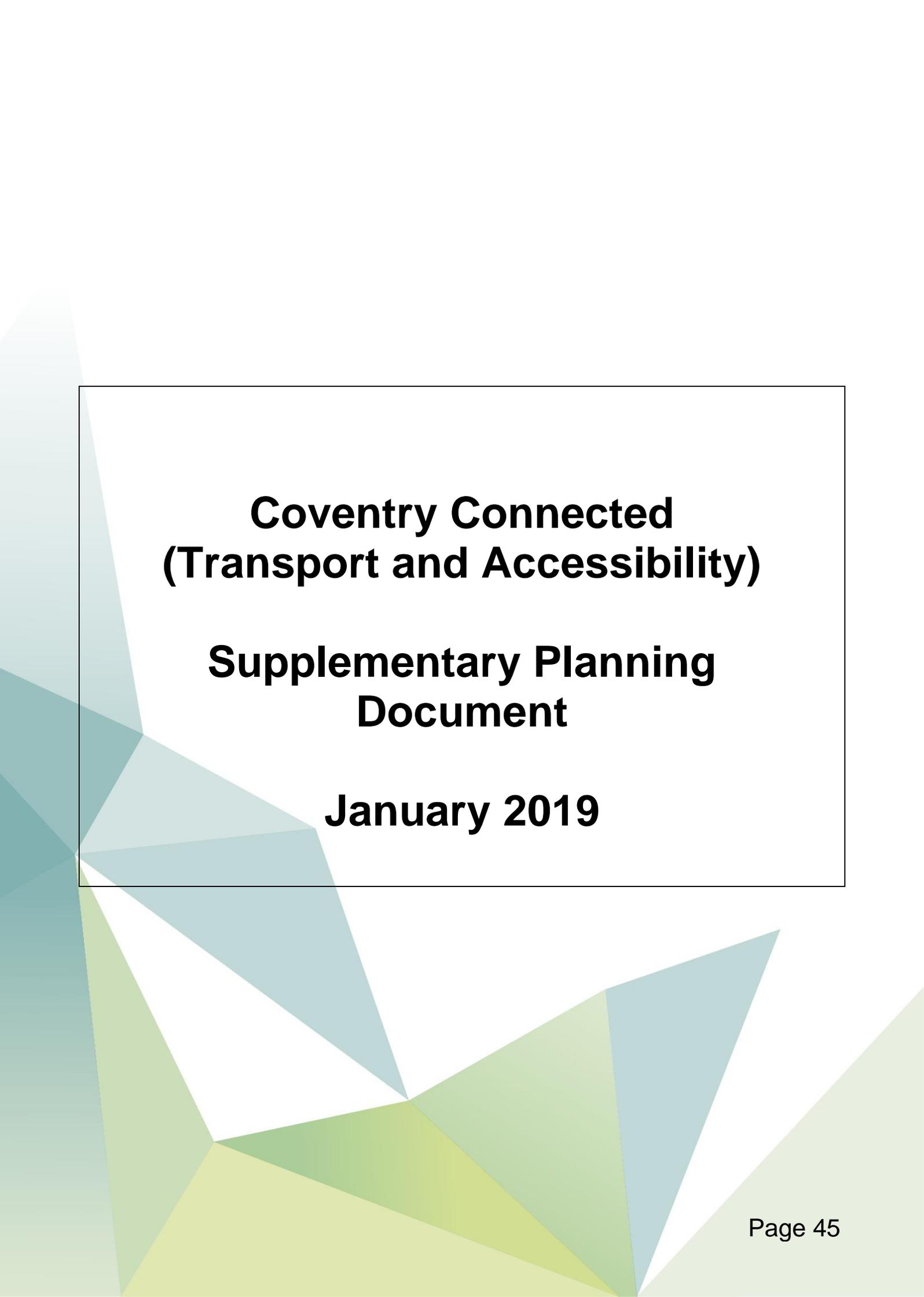
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This report is published on the council's website: www.coventry.gov.uk/councilmeetings



**Coventry Connected
(Transport and Accessibility)**

**Supplementary Planning
Document**

January 2019

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Glossary

Term	Definition
CASM	Coventry Area Strategic Model
CIHT	Chartered Institution of Highways & Transportation
CIL	Community Infrastructure Levy
CPZ	Controlled Parking Zone
CTMP	Construction Traffic Management Plan
CTP	Construction Travel Plan
DfT	Department for Transport
FCC	Freight Consolidation Centre
HE	Highways England
IDP	Infrastructure Delivery Plan
IRFI	Intermodal Rail Freight Interchange
LCWIP	Local Cycling and Walking Infrastructure Plan
NPPF	National Planning Policy Framework
RFI	Rail Freight Interchanges
RAT	Route Assessment Tool'
RTP	Residential Travel Plans
RSA	Road Safety Audit
RTPI	Real Time Passenger Information
S106	Section 106 (Planning Agreement)
SMART	Specific, Measurable, Achievable, Realistic and Timebound
SPD	Supplementary Planning Document
SRFI	Strategic Rail Freight Interchange
STP	Strategic Transport Plan
SUE	Sustainable Urban Extension
TA	Transport Assessment
TfWM	Transport for the West Midlands
TP	Travel Plan
TPC	Travel Plan Coordinator
TS	Transport Statement
UKC	UK Central
VLR	Very Light Rail
WCML	West Coast Main Line

1. Introduction

1.1. Purpose of this Supplementary Planning Document

Coventry City Council's Local Plan sets out Coventry's long term spatial vision for how the city will grow, develop and change and how this vision will be delivered through a strategy for promoting, distributing and delivering sustainable development. The purpose of this Local Plan is not to provide planning advice. The purpose of this Supplementary Planning Document (SPD) therefore is to provide more detailed and prescriptive guidance on the accessibility policies outlined in Coventry City Council's Local Plan. This document will not create policies, but will provide clear advice on the implementation of Coventry City Council's Local Plan and will therefore be used to assess future planning applications.

This SPD provides developers with clear guidance on the application of the Local Plan and outlines what information should be provided in planning applications, regarding transport. This should result in the submission of high quality planning applications which will speed up the planning process and ultimately deliver developments that support a high-quality transport network.

Overall, the objective of this SPD is to ensure that forecast growth in Coventry can be achieved through a series of developments that support and enhance the city's transport network.

This SPD also identifies requirements for cross-boundary planning and delivery with neighbouring local authorities to Coventry City Council.

By way of clarification this SPD contains a number of links to other SPD, Design Guidance and Highways Protocols, some of which remain in development stages and are not yet published. References are made within this SPD though to ensure it remains relevant for the long term without the need for frequent amendment.

1.2. Relevant Policies

This SPD will need to be considered alongside several other policy documents. The two main documents that will be considered across all policy areas are the National Planning Policy Framework and Coventry City Council's Local Plan.

The National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and outlines requirements for the planning system. Achieving sustainable development is the key purpose of the planning system and transport is relevant to the three dimensions of sustainable development identified in the document, as follows:

- *An economic role* – contributing to building a strong, responsive and competitive economy.
- *A social role* – supporting strong, vibrant and healthy communities.
- *An environmental role* – contributing to protecting and enhancing our natural, built and historic environment.

Promoting sustainable transport is one of the key objectives of the NPPF and it recognises that transport policies have an important role in facilitating sustainable development and in contributing to wider sustainability and health objectives. It states that local planning authorities should support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport. In summary, the document promotes a transport system that is balanced in favour of sustainable transport modes, giving people a real choice about how they travel.

Coventry City Council's Local Plan (2016)

Coventry City Council's Local Plan sets out Coventry's blueprint and vision to help re-establish itself as one of the country's top ten cities. As with the NPPF, sustainable growth is a key theme of the Local Plan, especially regarding transport. One of the Local Plan objectives is maintaining and enhancing an accessible transport network, supported by a series of sub-objectives, as follows:

- Providing a transport network that enhances the city's accessibility, efficiency, safety and sustainability;

- Continuing to improve links with the city centre and to provide better connection to green spaces within Coventry; and
- Increasing the range of opportunities for people to access arts and culture, sports and leisure, music and events and other activities.

The Local Plan recognises that the local transport system will play a critically important role in supporting major housing and jobs growth in Coventry and the Council's ambition to become a 'top ten city'. The Plan therefore advocates more detailed and descriptive guidance to govern planning decisions and agreements.

1.3. Other Supplementary Planning Documents

Coventry City Council's Local Plan is supported by a number of other SPDs in addition to this Coventry Connected document. The Health Impact Assessment (HIA) SPD is of particular importance to this SPD and should be considered alongside it by applicants.

The HIA SPD provides a 'Healthy Development Template' (in the absence of the Birmingham City Council's Health Impacts Toolkit) which is designed to be used as early as possible in the planning process for a development proposal to have the best possible impact on health. A section of the template refers specifically to 'Accessibility and active travel' which should be considered alongside the contents of this SPD. This will ensure that applicants are meeting accessibility requirements from a health and health inequalities perspective as well as a transport perspective.

1.4. Structure of this SPD

This SPD provides more detailed guidance on policies set out in Coventry City Council's Local Plan and will sit alongside the document in the planning process. It is referenced in the Accessibility chapter of the Local Plan as the Coventry Connected SPD.

This SPD follows the structure of the Accessibility chapter in Coventry City Council's Local Plan. Each chapter of the document will cover a different policy area, as follows:

- Chapter 2 – Policy AC1: Accessible Transport Network
- Chapter 3 – Policy AC2: Road Network
- Chapter 4 – Policy AC3: Demand Management
- Chapter 5 – Policy AC4: Walking and Cycling
- Chapter 6 – Policy AC5: Bus and Rapid Transit
- Chapter 7 – Policy AC6: Rail
- Chapter 8 – Policy AC7: Freight

2. Policy AC1: Accessible Transport Network

2.1. Introduction

Policy AC1: Accessible Transport Network refers to the need for local people to have good access to the jobs and services that they need. This can only be achieved if the transport network offers a wide choice of convenient and reliable transport modes which meet the needs of the varying types of trips which people need to make.

This chapter outlines the guidance that developers need to follow to ensure that they are supporting and enhancing an accessible transport network in Coventry. Whereas AC1 forms a specific policy in the Local Plan, creating an Accessible Transport Network underpins the purpose of the other policies AC2 through to AC7 and so AC1 should be regarded as an overarching policy goal to this SPD.

Policy AC1 within the Local Plan identifies the following objectives in relation to providing an accessible transport network:

Policy AC1: Accessible Transport Network

1. Development proposals which are expected to generate additional trips on the transport network should:
 - a) Integrate with existing transport networks including roads, public transport and walking and cycling routes to promote access by a choice of transport modes.
 - b) Consider the transport and accessibility needs of everyone living, working or visiting the city. Special attention should be paid to the needs of disabled people, young children, and people with special needs. Special attention should be paid to the needs of an aging population to make Coventry an Age Friendly City.
 - c) Support the delivery of new and improved high quality local transport networks which are closely integrated into the built form. This includes networks which support access to strategic growth corridors. The scale of measures required should be appropriate to the scale and impact of the proposed development.
 - d) Actively support the provision and integration of emerging and future intelligent mobility infrastructure, including electric vehicle charging points, Car Club schemes and bicycle hire.
2. Further guidance will be contained in the Coventry Connected SPD.

2.2. Policy and Guidance Overview

In addition to Local Plan policy AC1, Table 3-1 presents a summary of the key policies and guidance on which this chapter of the SPD has been based.

Table 2-1 Policy and Guidance Framework

Policy/Guidance	Key Objectives	Link to Document
National Planning Policy Framework (2012)	Developments should be located and designed where practical to: <ul style="list-style-type: none"> • Accommodate the efficient delivery of goods and supplies • Give priority to pedestrian and cycle movements, and have access to high quality public transport facilities • Create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones • Incorporate facilities for charging plug-in and other ultra-low 	https://goo.gl/KIbX9p

Policy/Guidance	Key Objectives	Link to Document
	<p>emission vehicles</p> <ul style="list-style-type: none"> Consider the needs of people with disabilities by all modes of transport 	
Coventry City Council Local Plan (2016)	<p>Development proposals which are expected to generate additional trips on the transport network should:</p> <ul style="list-style-type: none"> Integrate with existing transport networks Consider the transport and accessibility needs of everyone living, working or visiting the city Support the delivery of new and improved high quality local transport networks which are closely integrated into the built form Actively support the provision and integration of emerging and future intelligent mobility infrastructure 	goo.gl/cBJBNk
DfT: Overarching principles on Travel Plans, Transport Assessments and Statements (2014)	<p>The following should be considered when writing a transport assessment or statement:</p> <ul style="list-style-type: none"> Information about the proposed development, site layout, (particularly proposed transport access and layout across all modes of transport A qualitative and quantitative description of the travel characteristics of the proposed development, including movements across all modes of transport that would result from the development and in the vicinity of the site Measures to improve the accessibility of the location (such as provision/enhancement of nearby footway and cycle path linkages) where these are necessary to make the development acceptable in planning terms Ways of encouraging environmental sustainability by reducing the need to travel 	goo.gl/CenZuS
Midlands Connect Strategy (2017)	<p>The aim of Midlands Connect is to create transport networks that are efficient, reliable and resilient. This could improve the quality of life of those living and working in the West Midlands as follows:</p> <ul style="list-style-type: none"> Commuters spending less time sitting in traffic congestion or on crowded trains People having better access to employment and leisure activities in the region and beyond The negative impacts of travel on our lives, such as noise and pollution, could be reduced Opening up new job opportunities sharing prosperity across the region and the UK 	goo.gl/McU4K6
TfWM: Movement for Growth: 2026 Delivery Plan for Transport (2016)	<p>Objectives to meet the vision for transport:</p> <ul style="list-style-type: none"> Increase the number of people that are within 45 minutes' travel time by public transport to a minimum of three main centres and the two HS2 stations in central Birmingham and the UK Central Hub Ensure that walking and cycling are a safe and attractive option for many journeys especially short journeys, by delivering a strategic cycle network and enhancing local conditions for active travel Facilitate the efficient movement of people on our transport networks to enable access to education and employment opportunities and health and leisure services. Maintain and develop our transport infrastructure and services to ensure they are efficient, resilient, safe and easily accessible for all 	https://goo.gl/vJYTM

Policy/Guidance	Key Objectives	Link to Document
TfWM: Equality and Inclusion Review (2015/16)	Vision for the West Midlands to be a global, internationally recognised, modern manufacturing economy and a place where everyone's life chances, health and well-being are improved. Public transport is central to this through creating urban environments which encourage walking and cycling with towns and cities made accessible through an attractive public transport network that meets peoples' demands and requirements.	https://goo.gl/guJVwk
The 6Cs Design Guide - Part 2: Preparing development proposals (2007)	<p>It is important, particularly for larger developments, that highways and transportation matters are not considered separately from other aspects of a development's design. A coordinated approach to design is vital to:</p> <ul style="list-style-type: none"> • Help encourage walking, cycling and public transport • Regulate vehicle speeds (which may be influenced by how drivers regard their surroundings) • Make sure buildings, streets and spaces are designed to reduce risks to personal safety, particularly to pedestrians, cyclists and public-transport users • Make sure that the design of buildings and where entrances are placed does not encourage people to park in inappropriate on-street locations • Provide parking areas that are safe, secure and enjoy good natural observation but that do not dominate the appearance of a development • Deliver high-quality developments that reflect local character and distinctiveness (planning authorities are unlikely to favour developments that lack quality layout and design) • Take account of external factors, such as pedestrian and cycle routes, public transport routes and bus-stop locations, or any proposed road improvements that may influence a development's layout and its access to the road network 	goo.gl/uvQ7bJ

In addition the Coventry Bus Network Development Plan will need to be considered once complete and adopted by the Council.

2.3. Coventry Connected Policy and Guidance

2.3.1. Provide a Choice of Transport Modes

Coventry has a well maintained and managed local highway network which provides direct linkages from the strategic road network to employment, residential, and leisure sites. However, the highway network is coming under increased pressure as planned growth in the city is realised, resulting in an inevitable increase in road traffic. As new developments are planned and proposed in the city, it is imperative that they are located where they can take advantage of, but not hinder, the local road network. Consideration therefore needs to be given to the impacts of proposed developments on the road network, and the mitigation of negative impacts where necessary. **For further information, please refer to the road network guidance in Policy AC2 (Chapter 3 in this document).**

The public transport network in Coventry provides two roles; the bus network caters for local journeys, particularly those into the city centre, whilst the rail network provides more regional and national connectivity. As new developments are planned and proposed in the city, it is imperative that they are located where they can take advantage of the local bus and rail network to ensure that people have a choice in how they travel to and from the site. If a proposed development is not served by appropriate public transport provision, the developer should consider how the development could support a new bus, rail, or very light rail route. For further information, please refer to the bus and rapid transit guidance in Policy AC5 (Chapter 6 in this document) and the rail guidance in Policy AC6 (Chapter 7 in this document).

Walking and cycling are the most beneficial modes of transport as they provide a range of benefits including being cost effective, creating no carbon emissions, providing physical exercise, and not contributing significantly to road congestion. Coventry has a reasonably well-developed walking and cycling network which will continue to be expanded in line with growth in the city. As new developments are planned and proposed in the city, it is imperative that they actively support the walking and cycling network to ensure that people have a choice in how they travel to the site. Consideration should be given to the location of new developments to ensure that they are within a reasonable walking and cycling distance from their respective attractors, for example commercial developments should have good links and connection to their local residential areas, and high-quality infrastructure should be provided to encourage access by active modes. ***For further information, please refer to the walking and cycling guidance in Policy AC4 (Chapter 5 in this document).***

2.3.2. Cater for a range of Accessibility Needs

Coventry City Council is a promotor of equality and choice and therefore promotes equal opportunities for travel for everyone in the community, including those with physical and sensory disabilities, people with special needs, the elderly, and young children. New developments should consider the access needs of all groups in society and be designed in a way that maximises accessibility to the site and provides necessary facilities within the site (such as disabled parking, tactile paving etc.). Developers should use their transport assessment/statement and travel plan to identify how they will accommodate a range of access needs and identify the associated transport infrastructure that will be delivered. ***For further information, please refer to the demand management section in Policy AC3 (Chapter 4 in this document).***

2.3.3. Deliver a High Quality Local Transport Network

The local highway network in Coventry is considered to be an asset to the city which should be protected and enhanced alongside a high quality public transport system and walking and cycling network. Developments in the city should seek to integrate into the city's transport network and where not feasible, should support extensions to the network. The transport network in Coventry should be continuous, linking employment sites, residential areas, and leisure facilities and providing efficient interchanges between modes where necessary. Developers should consider and demonstrate how their development can integrate and enhance the transport network in Coventry. ***For further information, please refer to the road network guidance in Policy AC2 (Chapter 3 in this document), walking and cycling guidance in Policy AC4 (Chapter 5 in this document), bus and rapid transit guidance in Policy AC5 (Chapter 6 in this document) and the rail guidance in Policy AC6 (Chapter 7 in this document).***

The efficient and unobtrusive movement of freight is essential to supporting economic growth in Coventry through the delivery of goods to businesses and the opportunity to increase employment in the logistics and freight industry. The central location of Coventry in the UK and its excellent links to the strategic road network strengthens this opportunity and makes it a more attractive place for businesses to invest. However, freight can have a negative impact of the quality and operation of the highway network if not managed correctly. Where developments require freight to be delivered to their site, they should ensure that the routes used to access the site are appropriate and that there is sufficient infrastructure on site to cater for HGVs (e.g. designated parking and turning facilities). Where possible, consideration should be given to alternative methods of freight movement e.g. rail and air. ***For further information, please refer to the freight section in Policy AC7 (Chapter 8 in this document).***

2.3.4. Support Intelligent Mobility Infrastructure

Coventry is rapidly establishing itself as a testbed for several innovative technologies and solutions. At this time the Council intends to continue with this role and is seeking further opportunities to enhance its intelligent mobility provision and profile. Developers should actively support the Council's ambitions through the provision and integration of emerging and future intelligent mobility infrastructure, when required by the Council.

Developers should assess how to support intelligent mobility infrastructure when preparing their travel plan. This could include measures such as real-time parking sensors on parking bays, providing electric charging parking bays or implementing a car club. ***For further information, please refer to the travel planning section in Policy AC3 (Chapter 4 in this document).***

3. Policy AC2: Road Network

3.1. Introduction

Policy AC2 refers to the role of new developments in assessing their impact on the existing road network and supporting the wider transport network. Coventry is well connected to the national road network and a well maintained and managed local highway network is required to support Coventry's Local Plan proposals.

This chapter provides guidance for developers on their requirements to ensure their developments can be satisfactorily accommodated on the local road network. This includes details of how their developments should be assessed, and impacts mitigated where they are predicted to cause unacceptable levels of highway safety problems, unacceptable environmental impact or unacceptable traffic congestion. Where appropriate this will also link to the delivery of highways schemes identified in the Councils IDP.

Policy AC2 within the Local Plan identifies the following objectives in relation to road:

Policy AC2: Road Network

1. New development proposals which are predicted to have a negative impact on the capacity and/or safety of the highway network should:
 - a) Mitigate and manage the traffic growth which they are predicted to generate to ensure that they do not cause unacceptable levels of traffic congestion, highway safety problems and poor air quality. Highway mitigation and management measures should focus firstly on demand management measures (Policy AC3) including the promotion of sustainable modes of travel, and secondly on the delivery of appropriate highway capacity interventions. Highway capacity interventions should be appropriate to the scale of development and expected impact and will be determined through the associated Transport Assessment.
 - b) Developments should seek to support and accommodate, where appropriate, measures which facilitate enhancements to the wider transport network including those set out in the Infrastructure Delivery Plan.
 - c) Be served by routes which are suitable for that purpose. Where this is not achievable, proposals will only be considered acceptable if appropriate interventions can be applied to suitably mitigate any negative impacts, including the construction of new access link roads.
2. The Infrastructure Delivery Plan sets out specific measures and funding sources for the transport network improvements which are required to support the delivery of the Local Plan. The level of financial contributions that will be sought from developers for highways infrastructure will be set out in the Council's Community Infrastructure Levy Charging Schedule. The Council may also seek to secure the provision of transportation infrastructure through planning conditions and legal agreements.
3. Further guidance will be contained in the Coventry Connected SPD.

3.2. Policy and Guidance Overview

Developers and scheme promoters should be aware of the key policies relating to the road network in the Midlands outlined in Table 3-1.

Table 3-1 Policy and Guidance Framework

Policy/Guidance	Key Objectives	Link to Document
National Planning Policy Framework (NPPF) (2012)	<ul style="list-style-type: none"> • All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment; • Decisions should take account of whether opportunities for sustainable transport modes have been taken up dependent on the nature and location of the site, to reduce the need for major infrastructure; • Decisions should take account of whether safe and suitable access to the site can be achieved for all people; • Decisions should take account of whether improvements can be undertaken within the transport network that cost effectively limit the significant impact of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. 	https://goo.gl/KIbX9p
Coventry City Council Local Plan (2016)	<p>New development proposals which are predicted to have a negative impact on the capacity and/or safety of the highway network should:</p> <ul style="list-style-type: none"> • Mitigate and manage the traffic growth which they are predicted to generate • Support and accommodate measures which facilitate enhancements to the wider transport network • Be served by routes which are suitable for that purpose 	goo.gl/cBJBNk
DCLG: Travel Plans, Transport Assessments and Statements (2014)	<ul style="list-style-type: none"> • Transport Assessments and Statements should be prepared for all developments that generate ‘significant’ amounts of transport movement and can be used to establish whether the residual transport impacts of a proposed development are likely to be “severe”, which may be a reason for refusal, in accordance with the National Planning Policy Framework. • The need for, scale, scope and level of detail required for a Transport Assessment or Statement should be established as early in the development management process as possible as this may positively influence the overall nature or the detailed design of the development. • Key issues to consider at the start of preparing a Transport Assessment or Statement may include: <ul style="list-style-type: none"> ○ the planning context of the development proposal; ○ appropriate study parameters (i.e. area, scope and duration of study); ○ assessment of public transport capacity, walking/cycling capacity and road network capacity; ○ road trip generation and trip distribution methodologies and/ or assumptions about the development proposal; ○ measures to promote sustainable travel; ○ safety implications of development; and ○ mitigation measures (where applicable) – including scope and implementation strategy. • It is important to give appropriate consideration to the cumulative impacts arising from other committed development (i.e. development that is consented or allocated where there is a reasonable degree of certainty 	goo.gl/CenZuS

Policy/Guidance	Key Objectives	Link to Document
	will proceed within the next 3 years). At the decision-taking stage this may require the developer to carry out an assessment of the impact of those adopted Local Plan allocations which have the potential to impact on the same sections of transport network as well as other relevant local sites benefitting from as yet unimplemented planning approval.	

3.3. Coventry Connected SPD Guidance

3.3.1. When and how should the impact of the developments vehicle trips on the road network be assessed?

Policy AC2 relates to development proposals which are predicted to have a negative impact on the road network. An assessment of the impact on the road network is therefore required for all developments.

The scale of the assessment will largely depend on the scale of the development, but will also be informed by location specific considerations such as local road network conditions.

It is important to note that negative impacts on the road network relate to highway safety and poor air quality, as well as traffic congestion. There will be instances where developments will require assessment due to safety, even if there is no predicted negative capacity impact. There will also be instances where poor air quality such as increased trip generation inside Air Quality Management Areas requires assessment. The requirements for this assessment are contained within the Council's Air Quality SPD.

3.3.2. Scoping

Scoping discussions at the earliest possible opportunity help to positively influence developments from a transport perspective, and ensure that the assessment is proportionate to the development. Discussing how to assess a development with Coventry City Council's Highway Development Management team will ensure that assessments are consistent throughout Coventry.

The level of assessment should be determined during these pre-application discussions with Coventry City Council's Highway Development Management team.

Details of the pre-application process can be found in the Pre-Application Charging Scheme for the Highway Authority.

Where a development is likely to have an impact on the local highway network of a neighbouring local authority, joint scoping discussions should be held with all involved neighbouring authorities to co-ordinate the level of assessment required to determine the impact on their respective roads. Conversely for any developments proposed within a neighbouring local authority, scoping discussions should also be held with Coventry City Council's Highway Development Management team.

In addition, where there might be an impact on the Strategic Route Network, scoping discussions should be undertaken with Highways England (HE).

3.3.3. Assessment using the Coventry Area Strategic Model (CASM)

The Coventry Area Strategic Model (CASM) is a strategic transport planning tool developed by Coventry City Council and HE. It covers the area in and around Coventry and was developed to allow the testing of future year developments such as those identified in the Coventry Local Plan.

One of the benefits of CASM is that it enables developments to be assessed in a consistent and thorough way, so the use of CASM is the preferred method for the assessment process.

The use of CASM will be proportionate to the scale of the development and so there will be instances where the development does not warrant the use of CASM. Indicative threshold levels are set out in CASM guidance, but will ultimately be agreed during the pre-application scoping stage.

Details about the use of CASM can be found in the Coventry Connected Document “*Protocol for the use of the CASM in the Development Application Process*”.

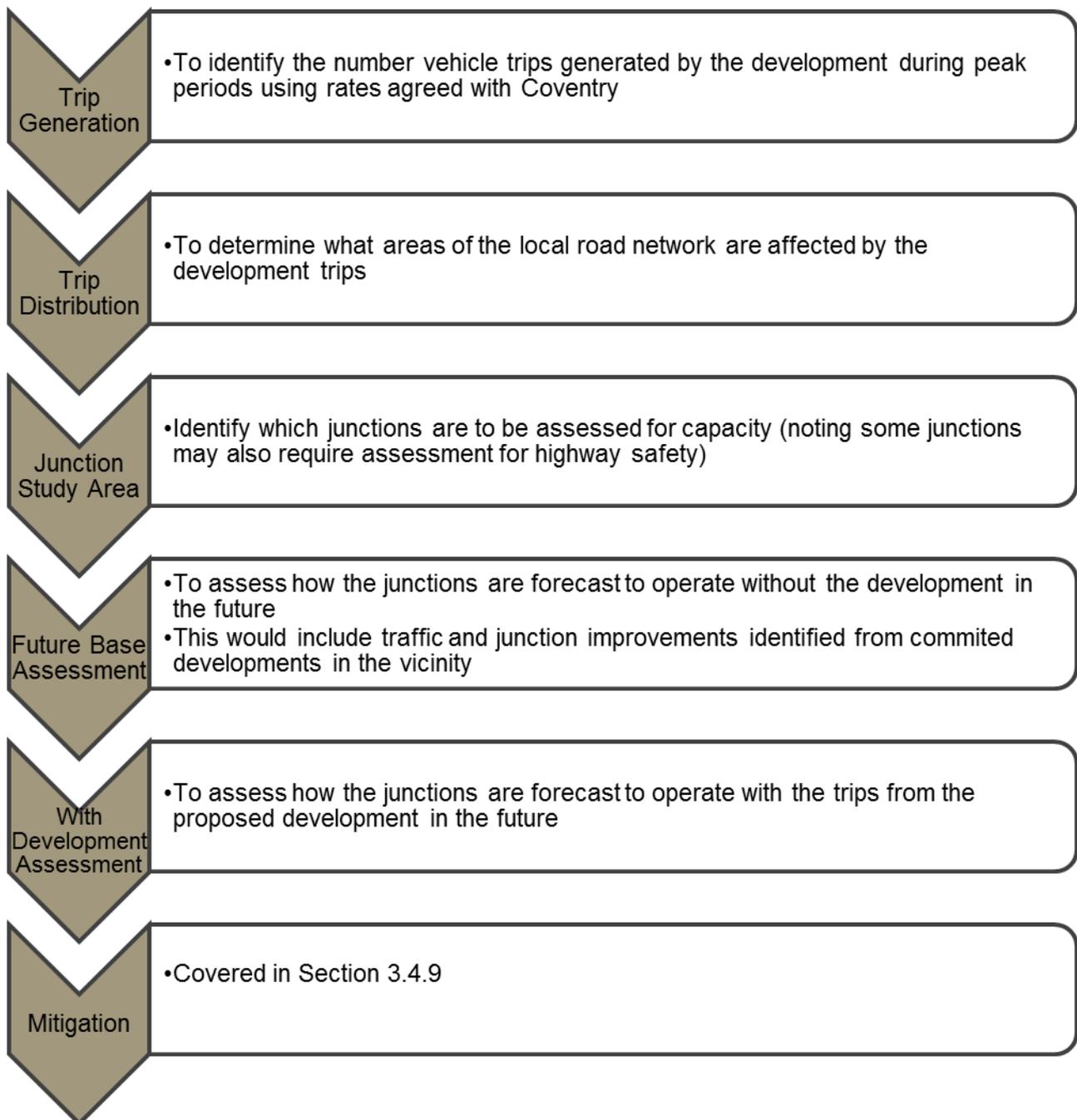
3.3.4. Traffic Impact Assessment without using CASM

If pre-application discussions have identified that the development does not require the use of CASM, the impact of the development on the local highway network will still require assessment.

The required assessment will be proportionate to the development, and determined on a case-by-case basis during scoping discussions. This is typically done by understanding the number of new trips generated by the development

The typical method of assessing capacity impacts without using CASM are outlined in Figure 3-1.

Figure 3-1 Assessing Capacity Impacts without CASM



The above methodology is not a rigid structure, but is intended to advise on the steps typically required to assess capacity impacts.

It is not expected that very small developments will follow all the above steps, but these will still be expected to identify their predicted impacts on the road network.

3.3.5. Assessment of development throughout life cycle

Consideration will need to be given to impacts on the road network during the whole life cycle of the development. The likely construction, maintenance and demolition impacts will need to be assessed in addition to operational impacts.

Mitigation measures will be required if these impacts are predicted to cause unacceptable highway safety problems, negative environmental impacts or unacceptable levels of traffic congestion.

Assessment will be proportionate to the scale of the development. These can range from, for example, very small developments of a single dwelling which will need to identify storage areas for materials and ensure construction materials do not cause obstructions on the road network, up to strategic scale developments which will need to identify construction impacts and produce comprehensive Construction Traffic Management Plans (CTMPs) to mitigate any negative impacts during construction. Policies AC3 and AC7 of this SPD provide further guidance on CTMPs.

3.3.6. Cross Border Assessment

Developments close to the Coventry border which are likely to have an impact on the neighbouring highway authority's road network will need to engage with the appropriate authority(ies) to ensure the proposals do not have an unacceptable impact on their road network.

Additional assessments of impacts on roads outside of Coventry may require use of other strategic models, so early engagement with these authorities is recommended.

3.3.7. Safety Assessment

Negative impacts on the road network cover safety as well as congestion so an assessment of development impacts on safety are required.

The requirements for the safety assessment will be proportionate to the scale of the development and will be agreed during pre-application scoping discussions.

The assessment of baseline safety conditions will need to identify any existing areas within the study area with poor accident records using recent accident history records.

It is important that the safety assessment is more than just a review of historical records, and assesses potential safety issues resulting from the predicted trips (vehicle, cycling and pedestrian) generated by the proposed development.

Policy AC4 contains more detail surrounding walking and cycling, including information relating to assessing pedestrian and cycling impacts.

3.3.8. Road Safety Audits

A Road Safety Audit (RSA) is a formal, systematic, independent assessment of the potential road safety problems associated with a new road scheme or road improvement scheme.

They are carried out throughout the stages of the scheme from preliminary design to post-opening operation. It is important to consider the RSA process for proposed developments and their associated road schemes. For example, land requirements are typically determined during the planning stage, so if additional land for road safety features is identified by the RSA, it can be accommodated prior to determination of the application.

Developments which propose new road schemes, road improvement schemes or new access(es) will need to provide a RSA appropriate to the design stage. The extent and contents of the RSA will be agreed during scoping discussions.

3.3.9. Mitigation

Paragraph 32 of NPPF identifies that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

What is considered severe can only be determined on a case-by-case basis. This section therefore aims to provide guidance on what is considered significant i.e. to have the potential to create a severe impact.

NPPF identifies that developments which generate significant amounts of traffic should be supported by a Transport Assessment or Statement, and the Policy AC3 Chapter of this guidance identifies the thresholds for transport impacts.

These thresholds also provide guidance for the level of impact on a local junction which is considered significant.

Where these significant impacts occur, it is considered that there is potential for a severe impact, so assessment would be required.

Following detailed assessment at these location, if it is determined that mitigation would be required, then there are various possible solutions.

The Infrastructure Delivery Plan (IDP) contains a list of major highway improvements identified by Coventry City Council to enable planned growth. If the location does have an IDP scheme, then Section 3.3.10 contains more detail on how the development will need to contribute to delivering this scheme, such as the Community Infrastructure Levy (CIL).

If the location does not have a planned IDP scheme, a mitigation scheme will be required to ensure any residual impacts are not severe.

If there are other local developments which have also identified impacts at this location, then the scheme could be delivered by providing a contribution towards an identified improvement, usually through a Section 106 (S106) contribution, with the level of contribution corresponding with the identified impacts. Further guidance is provided on the required contributions in Coventry City Council's Infrastructure Delivery SPD.

If the scheme is required solely to mitigate the impact of the development, then the scheme could be delivered using a Section 278 agreement, which allows the developer to enter into an agreement with Coventry City Council to make improvements to the highway.

Assessing Mitigation

Any proposed scheme will need to suitably address the identified capacity issues, as well as consider associated impacts to all road users. Information relating to pedestrian and cyclist requirements are outlined in Policy AC4, as well as information on Road Safety Audits for schemes outlined in Section 3.4.8. Details on local design requirements are contained in the Council's Highway Design Guidance. These requirements ensure that mitigation layouts are acceptable in terms of geometric layout.

It is recognised that capacity forms one of many elements of junction design, and that there are instances where capacity enhancements can have a negative impact on other junction users. Assessment of proposed mitigation schemes will therefore take into consideration the balance between the elements of junction design.

Delivering Mitigation

The IDP sets out the major infrastructure requirements to deliver the development set out in the Local Plan. CIL will provide a mechanism to deliver these and other infrastructure requirements, with s106 used to delivery location specific measures. A combination of major and local elements will be used to ensure that developments can mitigate their major and local impacts.

The residual impacts following these mitigation measures will then be reviewed by Coventry City Council to ensure that they are not considered severe.

3.3.10. Infrastructure Delivery Plan

As part of the Coventry Local Plan, a list of Infrastructure improvements have been identified as being necessary to deliver the planned growth outlined in the Plan. This list will evolve as greater certainty over future growth and delivery timescales are established. The current list is found in the Coventry Infrastructure Delivery Plan (IDP).

The IDP also identifies the potential funding sources for these schemes, one of which is CIL. This method ensures contributions toward the schemes in the IDP are fair and proportionate to the scale of the development.

3.3.11. Design Guidance

The Council's Highway Design Guidance document provides details on what is considered suitable in terms of route design.

In terms of designing new developments to adoptable standards, Coventry City Council acknowledges that this is preferred, but not mandatory. To ensure that future residents of these developments are not adversely impacted by the consequences of living on un-adopted roads, Coventry City Council has introduced a mechanism to ensure that third party owners of un-adopted roads will retain responsibility for the future maintenance of those roads. The maintenance strategy of the un-adopted roads will need to be agreed by the Council.

3.4. Checklist for Applications

Table 3-2 provides a checklist for applications, which applicants should use to ensure that their assessment is robust and meets the standards required by Coventry City Council.

Table 3-2 Checklist for Applications

Topic	Advice
Scoping	Ensure that scoping discussions are undertaken with Coventry City Council, and where relevant with neighbouring highway authorities and Highways England.
Use of CASM Model and Cross Border Impacts	Using "Protocol for the use of the CASM in the Development Application Process", determine if the CASM model is required to assess the proposed development.
Safety Assessment	Agree Safety assessment requirements, and ensure accident analysis covers impacts of predicted trips from the proposed development.
Mitigation	Ensure any negative impacts do not cause unacceptable levels of traffic congestion, highway safety problems and poor air quality.
Infrastructure Delivery Plan (IDP)	Where mitigation is required, determine if the IDP contains details of a proposed scheme at the location.
Design	Refer to the Council's Highway Design Guidance for details on street designs.

4. Policy AC3: Demand Management

4.1. Introduction

Policy AC3 refers to the requirement of new developments to carry out a detailed assessment of the impact which a development will have on surrounding highways and transportation network. Demand management strategies will then be required to minimise the anticipated impact of the proposed development on the transport system.

This chapter provides detailed guidance for developers on their requirements to promote demand management as part of development proposals. This includes details of the issues which need to be covered in a Transport Assessment (TA) or Transport Statement (TS) and a Travel Plan (TP). These documents are essential to supporting a development proposal through the planning application process.

Whereas this chapter provides clear guidelines, the exact scope and content of a TA/TS/TP will be dependent on the development site specific circumstances. Coventry City Council’s Development Management team can provide specific advice.

Policy AC3 within the Local Plan identifies the following objectives in relation to demand management:

Policy AC3: Demand Management
1. Transport Assessments will be required for developments which generate significant additional trips on the transport network. Thresholds for their requirement will be based on locally determined criteria set out in the Coventry Connected SPD.
2. Travel Plans will be required for new developments which generate significant additional traffic movements. Detailed guidance on the requirement for Travel Plans will be set out in the Coventry Connected SPD.
3. Proposals for the provision of car parking associated with new development will be assessed on the basis of parking standards set out in Appendix 5.
4. New development proposals which require changes to the highway network will be required to integrate with any existing UTMC and ITS infrastructure and strategy and development of the Key Route Network.
5. Further guidance will be contained in the Coventry Connected SPD

4.2. Policy and Guidance Overview

Developers and scheme promoters should be aware of the key policies in relation to demand management outlined in Table 4-1.

Table 4-1 Policy and Guidance Framework

Policy/Guidance	Key Objectives	Link to Document
National Planning Policy Framework (NPPF) (2012)	<ul style="list-style-type: none"> All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Decisions should take account of whether opportunities for sustainable transport modes have been taken up dependent on the nature and location of the site. All developments which generate significant amounts of movement should be required to provide a Travel Plan. Developments should be located and designed where practical to: 	https://goo.gl/KIbX9p

Policy/Guidance	Key Objectives	Link to Document
	<ul style="list-style-type: none"> Accommodate the efficient delivery of goods and supplies; Give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; Create safe and secure layouts which minimise conflicts between traffic, cyclists and pedestrians; Incorporate facilities for charging plug-in and other ultra-low emission vehicles; and Consider the needs of people with disabilities by all modes of transport. 	
Coventry City Council Local Plan (2016)	<ul style="list-style-type: none"> It is recognised that as the Coventry grows and the population and number of jobs increase, other demand management measures will become increasingly important to maintain the integrity of the network. The primary tools to achieve this are: <ul style="list-style-type: none"> Transport Assessments; Travel Plans; Car parking standards; and Urban Traffic Management and Control. 	goo.gl/cBJBNk
Coventry City Council - Delivering a More Sustainable City SPD (2009)	<ul style="list-style-type: none"> Aim is to achieve greater levels of sustainable development through the planning process in Coventry; and Help those submitting planning applications to determine how the sustainability of their proposals might be improved. 	https://goo.gl/37rtd4
DfT: Overarching principles on Travel Plans, Transport Assessments and Statements (2014)	<p>The following should be considered when writing a Transport Assessment or Statement:</p> <ul style="list-style-type: none"> Information about the proposed development, site layout, (particularly proposed transport access and layout across all modes of transport. A qualitative and quantitative description of the travel characteristics of the proposed development, including movements across all modes of transport that would result from the development and in the vicinity of the site. Measures to improve the accessibility of the location (such as provision/enhancement of nearby footpath and cycle path linkages) where these are necessary to make the development acceptable in planning terms. Ways of encouraging environmental sustainability by reducing the need to travel. 	goo.gl/CenZuS
TfWM: Movement for Growth:2026 Delivery Plan for Transport	<p>This document sets out a plan to improve the transport system in the region to support economic growth and regeneration, underpin new development and housing and to improve air quality, the environment and social inclusion. Overarching principles are as follows:</p> <ul style="list-style-type: none"> Ensuring all part of the West Midlands are 'plugged in' to High Speed Rail Stations, and significant growth and development that is already happening at their locations. Steering transport investment into priority corridors for new jobs and homes, providing a joined-up land use/transport planning approach to support the aims of the Strategic Economic Plan. 	https://goo.gl/vJYTMyl

4.3. Demand Management Requirements for Developments

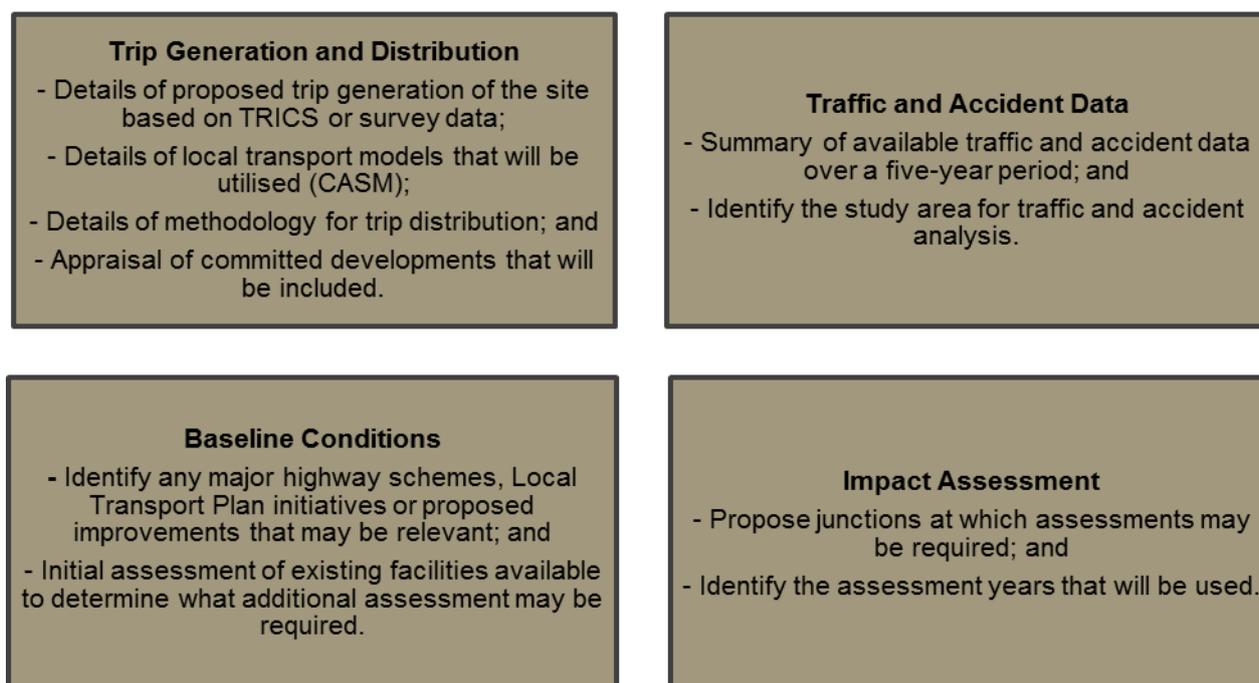
4.3.1. Pre-Application Scoping and Discussion

It is considered to be best practice to discuss the development site's requirements and proposed methodology for assessment (TS, TA, TP) with Coventry City Council's Highway Development Management team as soon as possible through the preparation of a transport scoping report. This forms part of the pre-application scoping discussions, a process which is outlined in Pre-Application Scheme for the Highway

Authority There is a fee for this process, which is based upon the complexity of the proposed development, the amount of Coventry City Council Officer time required and the need for possible ongoing update meetings where larger developments are proposed. The benefits of engaging in this process are outlined in Coventry City Council's Infrastructure Delivery SPD and it is strongly advised for major applications.

The scoping report should be discussed with Coventry City Council Highway Development Management Team and should include at least the following:

Figure 4-1 Scoping Discussions



4.3.2. The preparation of a Transport Assessment (TA) or Transport Statement (TS)

TAs will be required for developments which generate significant additional trips on the transport network, in line with local guidance and that in the National Planning Policy Framework. A TS provides a less comprehensive analysis of the impact of smaller developments on the highway network.

Within the Pre Application Charging scheme there are development categories set out in relation of the complexity and scale of the proposed development. These categories also used to determine when a TA or TS is required, as shown in Table 4-2.

For clarity, the threshold levels as detailed in Table 4.2 will be considered as a cumulative scale of development for mixed use developments and where smaller applications are submitted (i.e. an application made for a development of 50 units on a site that has been allocated for 200 units)

Table 4-2 Thresholds for Transport Assessment/Transport Statement/Travel Plan

Category	Description	Assessment Required
A	Small Scale Development – 2 or fewer dwellings, up to 100sqm commercial floor space, dropped kerb accesses	Unlikely to require an assessment. Please contact Coventry City Council's Highway Development Management Team
B	Small Scale Development – 3 to 9 dwellings, 100-500sqm commercial floor space, change of use up to 500sqm floor space, telecommunication masts	
C	Medium Scale Development – 10 to 49 dwellings, 500sqm to 1,000sqm commercial floor space, change of use of up to 1,000sqm, minerals and waste sites below 1ha	It is possible that a Transport Statement is required. Please contact Coventry City Council's Highway Development Management Team
D	Large Scale Development – 50 to 79 dwellings, 1,000 to 2,000 sqm commercial floor space, reserved matter applications for those in category E, amendments to previously agreed schemes within category E, change of	A Transport Statement will be required

	use between 1,000 and 2,000sqm, minerals and waste sites up to 15ha	
E	Major Scale Development – 80 -200 dwellings, up to 5,000 sqm commercial floor space, change of use between 2,000 and 5,000 sqm, minerals and waste sites up to 15ha	A Transport Assessment will be required
F	Project/Major Work – 200+ dwellings, 5,000sqm or more commercial floor space, minerals and waste sites over 15ha, change of use of over 5,000 sqm	

4.3.2.1. Transport Assessment

A TA demonstrates that the trip generation generated by a site has been assessed. It should include all aspects of movement by people and vehicles. A Travel Plan should be submitted with the TA. Further details on the requirements for Travel Plans are provided later in this section.

The general steps for preparation of a TA are identified in Figure 4-2. In addition to the items listed in Figure 4-2, the additional information provided below regarding trip generation, distribution and assignment should also be taken into consideration.

Trip Generation

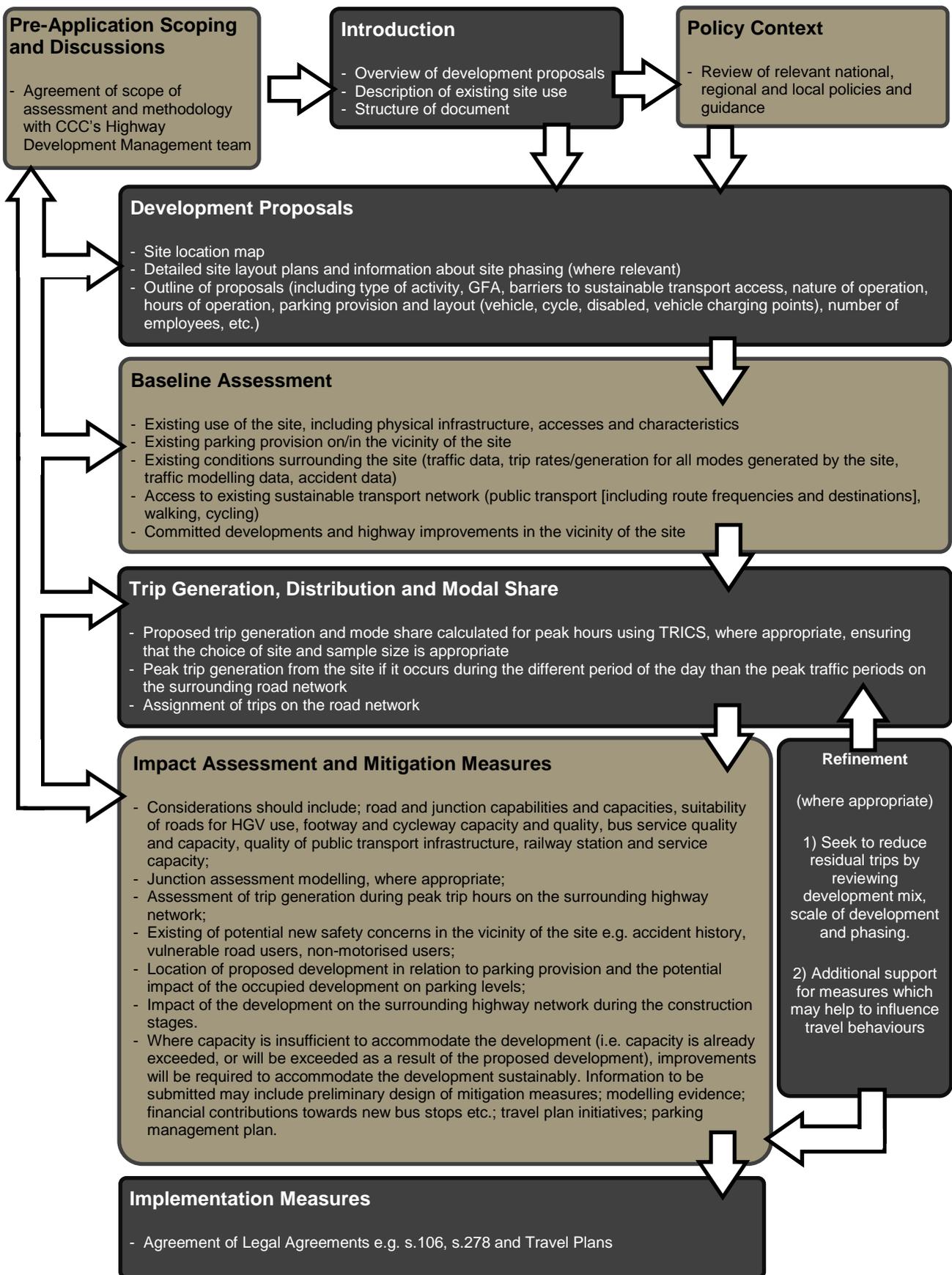
- The total trips for the proposed development by all modes of transport should be calculated. This should be done using TRICS with sites that are relevant and appropriate to the proposed development. The details of the sites selected should be included in the TA. Where the development is an expansion of an existing use, it may be appropriate to use a traffic survey for the existing site or one of a similar development in the same area.
- For retail developments, consider the following types of trips, where relevant:
 - New trips – these are trips which do not appear on the road network before the developments has opened;
 - Pass-by trips – these are already on the road network adjacent to the proposed development who will turn into the development once open;
 - Linked trips – these are trips which encompass multiple destinations, which may be wholly within the development site or between the development site and other nearby facilities;
 - Diverted trips – these are trips which are already on the road network but are not currently using the existing road network adjacent to the development; and
 - Transferred trips – these are trips which are already on the road network and accessing similar developments close to the proposed development.
- The details of the trip generation, including whether the development will generate any of the above types of trips, should be agreed through the scoping process.
- The trip generation from committed developments identified in the baseline assessment should also be considered. Trip generation and distribution should be taken from the Transport Assessment/Transport Statement prepared for that development or if this is not available use of TRICS is considered appropriate.
- If the development is proposing to provide improvements to public transport, walking and cycling facilities in the vicinity of the site, the level of predicted vehicle trips may be reduced to reflect this in the following circumstances:
 - The development and proposed improvements to sustainable transport infrastructure are being delivered within the same timescales;
 - The proposed uptake of sustainable transport is considered realistic; and
 - It has been demonstrated that the sustainable transport network can accommodate the increased numbers of trips.

Trip Distribution and Assignment

- There are multiple methods to calculate the distribution of traffic which are dependent on the scale, nature and location of the development including use of traffic surveys, existing occupier data, census data and gravity models.
- Policy AC2 provides details of how and when CASM should be used in in terms of trip distribution and assignment.
- Through the scoping process, the methodology for distributing and assigning trips to the network should be explained and agreed.

This does not provide an exhaustive list of requirements, and so the specific scope of the assessment should be discussed with Coventry City Council's Highways Development Management before the TA is prepared.

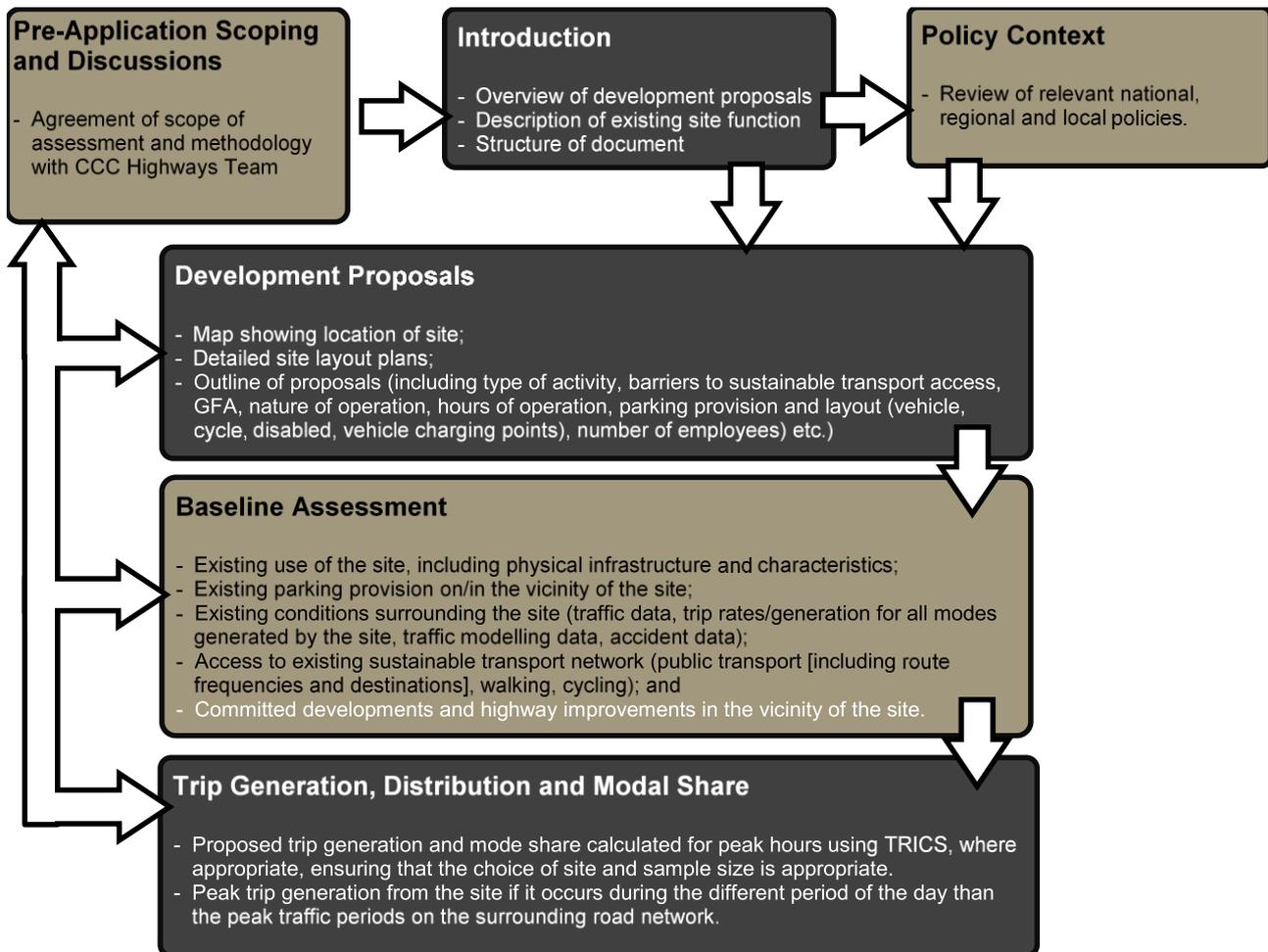
Figure 4-2 Preparation of a Transport Assessment



Transport Statement

A TS is a less detailed version of a TA, which is prepared when the impacts on the local transport networks are unlikely to be significant, or are of limited magnitude. The general steps for the preparation of a TS are shown in Figure 4-3. The steps listed are not a complete list of requirements, as in certain circumstances it may be necessary to expand these. For example, where there are road safety problems, in areas poorly served by public transport, in areas of existing traffic congestion or where the development involves HGVs which could affect 'sensitive' areas, such as residential areas or areas with weight restrictions, it may be necessary to expand the scale and scope of the assessment. The scope of assessment should be discussed with Coventry City Council's Highway Development Management team before the preparation of the TS is started.

Figure 4-3 Preparation of a Transport Statement



4.3.3. The requirements for Construction Traffic Management Plans

A Construction Traffic Management Plan (CTMP) is required where a development is expected to generate a significant volume of construction vehicles, be it vehicles delivering freight to and from the site, or vehicles transporting staff to and from the site. The CTMP will outline details to ensure that any adverse impacts associated with these movements are mitigated as far as is practicably possible.

In line with many local authorities, Coventry City Council does not have a specific threshold that defines whether a development is 'significant', and will assign a planning condition to a development if it believes that a CTMP is required. Should Coventry City Council deem that a CTMP is required for a development; the developer will be required to submit a CTMP document, adopting the structure outlined in Table 4-3.

Table 4-3 Required Content of a Construction Traffic Management Plan

CTMP Section	Content
Overview of the Development	The location and magnitude of development by land use, including access arrangements
Preferred CTMP Route	The preferred CTMP route(s) from the strategic road network to the site, providing details on any routings that have been dismissed
Measures to Ensure Safe Access	The measures in the vicinity of the site to ensure that construction vehicles do not impede traffic on the highway network, with construction vehicles being guided into the site by a qualified and certified banksman, into parking and turning areas. This must also include the need for wheel cleaning facilities to prevent mud from migrating onto the adjacent highway
Timing of Movements	The proposed magnitude and times of movement into the site, noting the need to minimise the impact on the surrounding highway network
Engagement with Local Residents and Businesses	The approach to consulting with local residents and businesses, to ensure they are informed and engaged
Construction Travel Plan (CTP)	See Section 4.3.3.9 below 'Construction Travel Plans'
Contact Details for the Site	The contact details for the site supervisor responsible for on-site works

The CTMP will need to be approved by Coventry City Council before site works are permitted to commence.

4.3.4. The preparation of a Travel Plan

A TP is a package of measures or agreed outcomes aimed at reducing reliance on the private car and maximising the opportunities for sustainable travel modes to reduce congestion and improve the accessibility of a development site. A TP is a process rather than a policy document and a successful TP requires management, continuous monitoring, review and improvement over time.

A TP can deliver a number of benefits to a new or expanded development, as follows:

- Less congestion and therefore improved safety on local roads by promoting alternatives to the car
- Reduced highway capacity problems by promoting sustainable travel choices
- Local environmental improvements from reduced congestion, carbon emissions, pollution and noise, making the site more attractive to potential occupiers/users
- Increased opportunities for active healthy travel (walking and cycling)
- Reduced demand for parking spaces, enabling land to be put to more cost-effective or commercially beneficial use and freeing space for active travel initiatives
- Improved travel choice, quality and affordable access to services for all users
- Increased opportunities for employers to feed into corporate social responsibility or sustainability initiatives

4.3.4.1. Development thresholds for requiring a Travel Plan

TPs are required for developments which generate significant traffic movements, defined by the development scale thresholds presented in Table 4-4. This requirement applies to both new developments and the extension of existing sites.

Full Travel Plans are required for developments at or above the strategic level thresholds (shown in Table 4-4). These should include the content set out in the TP contents section Table 4-5.

Smaller developments that fall below the strategic level full TP threshold but which typically employ 20 or more staff or comprise of over 5 residential units, should submit a Travel Plan Statement. It may not be appropriate to set specific targets within this Statement, however, a set of positive measures promoting sustainable transport should be included, together with an action plan for their implementation.

Framework Travel Plans – If during the planning phase a developer is unsure of the ultimate occupier of the development and this makes it difficult to identify targets and detailed measures, a TP should still be submitted, but some detail may be considered ‘interim’. The information will remain interim until such time as the detail is known, or approximately one month after the baseline survey is completed following occupation, whichever is sooner and in agreement with Coventry City Council.

The required content for a Framework Travel Plan is the same as that required with a Full Travel Plan (Table 4-5, although specific elements of the content will need to be finalised once the end occupier is known.

Table 4-4 Development Scale Guidelines for Travel Plan Requirements

Land use	Description of development	Size	Travel plan statement	Travel plan
A1 Food retail	Retail sale of food goods to the public – food superstores, supermarkets, convenience food stores	GFA	>250<800 sq. m	>800 sq. m
A1 Non-food Retail	Retail sale of non-food goods to the public; but includes sandwich bars – sandwiches or other cold food purchased and consumed off the premises, internet cafés	GFA	>800<1500 sq. m	>1500 sq. m
A2 Financial and professional services	Financial services – banks, building societies and bureaux de change, professional services (other than health or medical services) – estate agents and employment agencies, other services – betting shops, principally where services are provided to visiting members of the public	GFA	>1000<2500 sq. m	>2500 sq. m

Land use	Description of development	Size	Travel plan statement	Travel plan
A3 Restaurants and cafés	Restaurants and cafés – use for the sale of food for consumption on the premises, excludes internet cafés (now A1)	GFA	>300<2500 sq. m	>2500 sq. m
A4 Drinking establishments	Use as a public house, wine-bar or other drinking establishment.	GFA	>300<600 sq. m	>600 sq. m
A5 Hot-food takeaway	Use for the sale of hot food for consumption on or off the premises	GFA	>250<500 sq. m	>500 sq. m
B1 Business	(a) Offices other than in use within Class A2 (financial and professional services) (b) research and development – laboratories, studios (c) light industry	GFA	>1500<2500 sq. m	>2500 sq. m
B2 General industrial	General industry (other than classified as in B1)	GFA	>2500<4000 sq. m	>4000 sq. m
B8 Storage or distribution	Storage or distribution centres – wholesale warehouses, distribution centres and repositories.	GFA	>3000<5000 sq. m	>5000 sq. m
C1 Hotels	Hotels, boarding houses and guest houses, development falls within this class if 'no significant element of care is provided'.	Bedrooms	>75<100 bedrooms	>100 bedrooms
C2 Residential institutions – hospitals, nursing homes	Used for the provision of residential accommodation and care to people in need of care.	Beds	>30<50 beds	>50 beds
C2 Residential institutions – residential education	Boarding schools and training centres.	Students	>50 <150 students	>150 students
C2 Residential institutions – institutional hostels	Homeless shelters, accommodation for people with learning difficulties and people on probation.	Residents	>250 <400 residents	>400 residents
C3 Dwelling houses	Dwellings for individuals, families or not more than six people living together as a single household. Not more than six people living together includes – students or young people sharing a dwelling and small group homes for disabled or handicapped people living together in the community.	Dwelling unit	>50 <80 units	>80 units

Land use	Description of development	Size	Travel plan statement	Travel plan
D1 Non-residential institutions	Medical and health services – clinics and health centres, crèches, day nurseries, day centres and consulting rooms (not attached to the consultant's or doctor's house), museums, public libraries, art galleries, exhibition halls, non-residential education and training centres, places of worship, religious instruction and church halls.	GFA	>500 <1000 sq. m	>1000 sq. m
D2 Assembly and leisure	Cinemas, dance and concert halls, sports halls, swimming baths, skating rinks, gymnasiums, bingo halls and casinos, other indoor and outdoor sports and leisure uses not involving motorised vehicles or firearms.	GFA	>500<1500 sq. m	>1500 sq. m
Others	For example: stadium, retail warehouse clubs, amusement arcades, launderettes, petrol filling stations, taxi businesses, car/ vehicle hire businesses and the selling and displaying of motor vehicles, nightclubs, theatres, hostels, builders' yards, garden centres, POs, travel and ticket agencies, hairdressers, funeral directors, hire shops, dry cleaners.	TBD	Discuss with appropriate highway authority	Discuss with appropriate highway authority
GFA= Gross floor area TBD = To be developed				

TPs may also be required in specific circumstances for developments below the thresholds shown, for example:

- Where the proposed development has the potential for significant traffic impact which requires mitigation, or has accessibility issues to be addressed. This may apply particularly to mixed-use developments where each individual land use may not reach these thresholds but in combination will have a significant impact, or to developments that may generate a high number of visitor trips;
- For phased developments where the initial phasing may not reach the specified threshold but future phases will reach/exceed the threshold; or
- For applications for extensions or other proposals, where the proposal itself does not reach the threshold but where the combined existing and proposed development meets or exceeds the threshold.

It is essential that TP requirements for any development are agreed with Coventry City Council's Highway Development Management team at the scoping/pre-application stage, alongside the discussion of requirements for a TA or TS.

4.3.4.2. Required content of a Travel Plan

Table 4-5 identifies the essential content for a policy compliant Full/ Framework/Statement TP.

Table 4-5 Content for Policy Compliant Full or Framework Travel Plan

Travel Plan Section	Content
Introduction	<ul style="list-style-type: none"> • Development name/site name/occupier name (if known). • The planning reference number and development description. • Identification of the type of Travel Plan (full/framework/statement). • Full address including postcode. • Contact details for the person responsible for managing the Travel Plan (the Travel Plan Coordinator). • The date and version of the Travel Plan.
Context	<ul style="list-style-type: none"> • Summary of overview of the structure of the Travel Plan. • Brief description of the nature and context of the proposed development. • The scope of the Travel Plan (e.g. covering residents, employees, visitors). • Key parameters for each element of the development i.e. number of units, land use, GFA, number of cycle and car parking spaces). • Details of associated travel including number of users expected on site, employee shift patterns, opening times, postcodes of existing staff/visitors. • Outline timescales for occupation and details of any phasing of the development.
Site Assessment <i>(it is recognised that most of this information will also be contained in the Transport Assessment for the development. This requires a tailoring of this information to ensure it is appropriate for the Travel Plan)</i>	<ul style="list-style-type: none"> • Plan of the development showing boundaries, existing and proposed access points and main routes for all transport modes. • Summary of the main transport related issues identified in the transport assessment and the infrastructure which will be delivered within the site and the surrounding area as part of the development. • Quality and availability of transport infrastructure around the site, summarising how amenable local roads and key routes are to walking and cycling. • Describe any existing facilities and car-related initiatives already in place (e.g. car clubs in the local area, car sharing schemes, pool cars). • Travel provision for disabled users of the site.
Travel Surveys	<ul style="list-style-type: none"> • Details of any travel surveys undertaken if there are existing users of the site (including method, date, response rate, key findings). • Set out initial travel data for the site based on travel survey data, or where there is no or insufficient existing data, on the trip rates and modal splits agreed in the Transport Assessment (with data drawn from comparable sites in TRICS or census data). • Give details as to when baseline surveys will be undertaken, usually within six months of first occupation or at 75% occupancy, whichever is first.
Objectives	<ul style="list-style-type: none"> • Describe the key goals that the travel plan aims to achieve (i.e. to encourage sustainable movement of people to, and from the site). • Cover a range of outcomes (e.g. environmental, health) which should be link to local planning policies.
Targets <i>(additional information provided in Section 4.3.3.3 below)</i>	<ul style="list-style-type: none"> • Objectives should be ambitious and SMART (specific, measurable, achievable, realistic and time bound). • Should improve on baseline mode share of sustainable modes set out in the Transport Assessment and enable measures of success in achieving the objectives of the Travel Plan.
Package of Measures	<ul style="list-style-type: none"> • Measures should be site specific and contribute towards achieving the targets and objectives of the Travel Plan. • Efforts should be concentrated in the initial period post-completion and then maintain these to enable behaviour change from the start. • Should include 'hard' and 'soft' measures. 'Hard' measures include infrastructure on and around the site that will help to

Travel Plan Section	Content
	<p>achieve travel plan objectives e.g. cycle parking. 'Soft' measures are those which include measures such as flexible working policies, season ticket loans.</p> <ul style="list-style-type: none"> • Understanding of how car parking will be managed and restrained (e.g. permits and charging). • Details of marketing activities to encourage sustainable travel and who is responsible for these. • Estimate of the cost of the key measures over the lifetime of the plan. It should be clear how this cost will be met and by whom. • Use of definite wording that commits the organisation to implement the proposed measures.
Management	<ul style="list-style-type: none"> • Identify a Travel Plan Coordinator (TPC) who is responsible for overseeing implementation, monitoring and review of the Travel Plan for each occupier. • Roles and responsibilities should be defined, which may include management of deliveries and servicing, personal travel planning advice, distribution of welcome pack. • Give details of the management handover arrangements to ensure a smooth transfer of responsibilities from the developer to the TPC.
Monitoring	<ul style="list-style-type: none"> • Important to commit to this to ensure the site achieves the travel plan targets and objectives agreed within the planning permission. • A monitoring programme should be provided, detailing what and how frequently surveys will be undertaken (usually a baseline survey, and at years one, three and five), who will be responsible and how this information will be reported to Coventry City Council.
Action Plan	<ul style="list-style-type: none"> • A key part of the document and should provide a programme for delivering the measures and a means of communication this to the ultimate site users. • Should be concise and focussed on the delivery of the measures, with short/medium/long term actions, timescales and responsibilities. • All measures should be introduced in the action plan, with clarity on the responsibility for these and sources of funding (where relevant).

4.3.4.3. Travel Plan Targets

Setting targets for a TP prior to the occupation of a development can be difficult. However, it is important to determine the likely transport impact of a development proposal and to what extent the TP is able to mitigate this impact, in order to determine whether the development is acceptable or not. For example, TP targets may help to ensure that traffic generated by the development does not exceed the capacity of nearby junctions, or that the development does not lead to excessive on-street parking.

Targets are usually based upon trip generation and reducing the share of the single occupancy vehicle against baseline figures collected as part of the initial travel survey. It is recognised that in the case of proposed developments it will not be possible to undertake baseline travel surveys at this stage. However, there are a number of alternatives which can be used to gauge likely modal share in the interim e.g. using TRICs modal share data, travel to work census data and, if part of a wider development, by making use of existing data sets which may exist for already occupied units.

It is important that targets are SMART (Specific, Measurable, Appropriate, Realistic and Time bound). Targets, therefore, need to be based on making a difference to existing modal shares which can feasibly be achieved. It is recommended that targets have a timeframe for completion of between 3 and 5 years in the short term and between 10 and 15 years for longer term developments, in order to allow sufficient time for the TP to achieve a positive change.

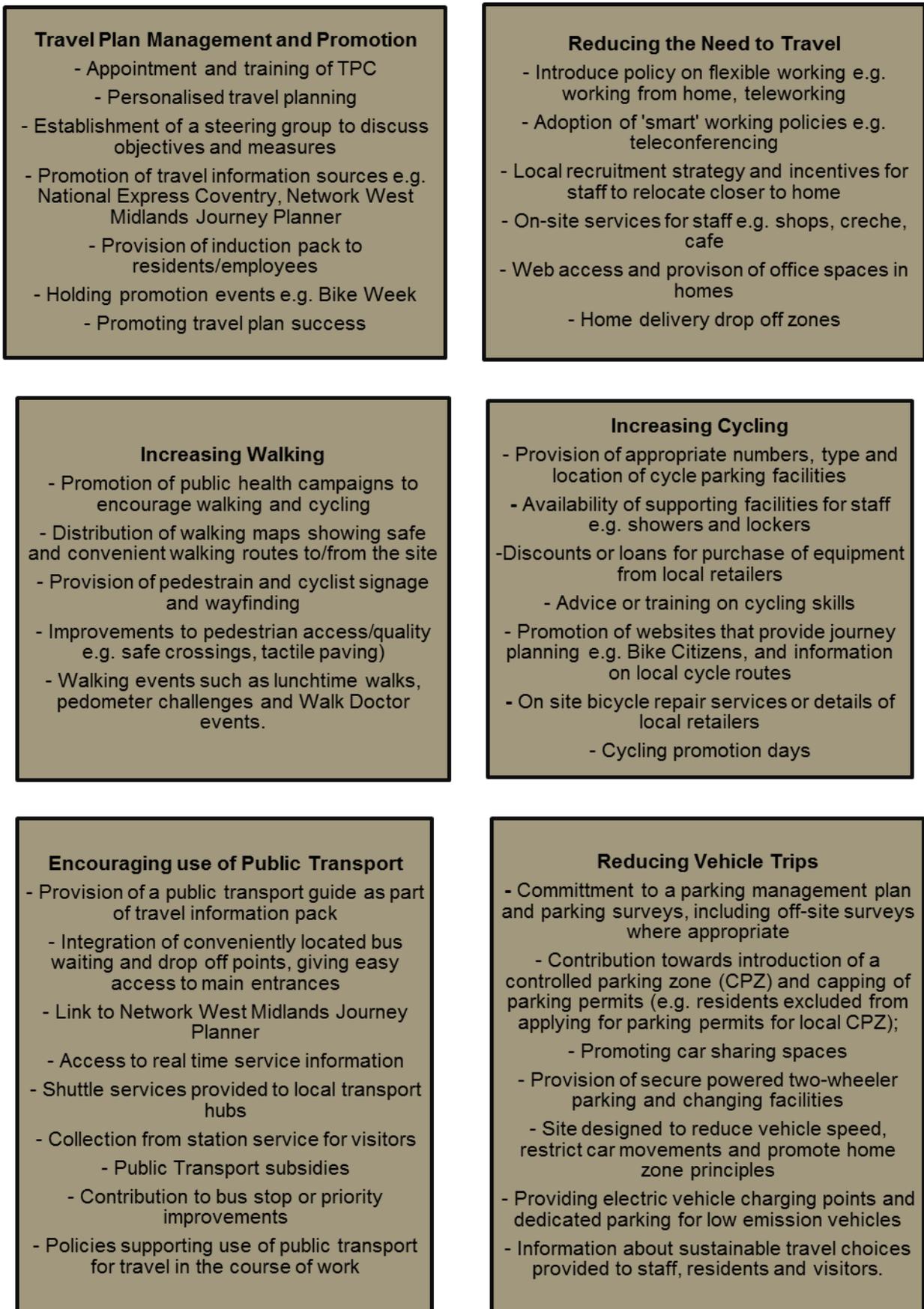
Example Travel Plan targets are:

- To decrease the single occupancy vehicle mode share for total trips to/ from the site by a defined and agreed percentage within a defined time period e.g. within three years of first site occupation;
- The number of weekday vehicle trips generated by the site when site is completed will not exceed a defined and agreed threshold number of trips; and
- To increase the mode share of trips by sustainable travel modes (walking, cycling, public transport, car share) by a defined percentage within a defined time period e.g. within three years of first site occupation.

4.3.4.4. Travel plan measures to be considered

Figure 4-4 identifies a range of measures which should be considered for inclusion in the TP. It is critical that a package of measures is carefully identified which is tailored to the specific needs of the development site and occupiers and therefore enables the objectives and targets of the TP to be met.

Figure 4-4 Measures for inclusion in a Full or Framework Travel Plan



4.3.4.5. Securing Travel Plans through legal agreements

Planning obligations are the most appropriate mechanism for securing an effective TP. This is because obligations:

- Allow for a greater level of detail to be agreed than could reasonably be achieved by a planning condition;
- Provide the only mechanism which enables financial contributions to be secured, such as contributions towards TP assessment or monitoring to cover Coventry City Council Officers' time;
- Run with the land and are enforceable against the original covenantor and anyone subsequently acquiring an interest in the land. They therefore support a long-term strategy such as a TP; and
- Better support the need to secure specific outcomes and targets as a basis for the TP.

Coventry City Council will therefore secure TPs via Section 106 agreements (a legal document, executed as a deed, made pursuant to Section 106 of the Town and Country Planning Act 1990) in order to ensure that all the key elements of the approved TP are effectively protected and to facilitate monitoring and compliance with the outcomes anticipated and will include a mechanism for any agreed mitigation to be delivered in the event that the TP targets are not achieved.

4.3.4.6. Monitoring of Travel Plans

The developer is responsible for monitoring to ensure the site achieves the TP targets and objectives agreed within the planning agreement. A clear monitoring program must be provided (see *Content of a Travel Plan* section above), detailing what and how frequently surveys will be undertaken (usually a baseline survey, and at years one, three and five), who will be responsible and how this information will be reported. Any monitoring equipment required to necessitate the monitoring of the TP targets is to be fully funded by the developer.

The developer is required each year to submit an Annual Monitoring Report to Coventry City Council for approval. This report shall demonstrate to the Council's reasonable satisfaction how the TP has been implemented during the previous 12-month period and include:

- Measures introduced and actions taken to promote the TP;
- A statistical summary of the modal split of employees/residents/users disclosed by the monitoring surveys;
- The progress of the TP in achieving targets and identifying any amendments to be agreed in writing by the council in the event that targets are not achieved; and
- A plan for future actions to be implemented.

Applicants will be required to pay a **Travel Plan Monitoring Fee** sum to Coventry City Council for a period of 10 years. This is in addition to any contributions secured for sustainable travel and the cost of preparing and implementing the Travel Plan. Further guidance is provided in Coventry City Council's Infrastructure Delivery SPD.

Developments such as residential developments over 1,000 units or large mixed-use retail and employment sites may incur extra Travel Plan Monitoring Fee costs.

4.3.4.7. Failure to deliver agreed travel plan targets and measures

Enforcement action or instigating default mechanisms can be used to deliver specific measures or outcomes but should be seen as a last resort in the event of a failure to achieve TP targets. The planning obligation will set out the default mechanisms and remedial actions that will be activated in the event of failure to deliver agreed measures and outcomes, and a subsequent failure to agree an amendment to the TP. In the event that the Annual Monitoring Report shows that the TP has failed to meet its objectives/targets, then the developer shall implement the remedial measures proposed in the TP to the council's reasonable satisfaction. If the developer fails to implement the agreed remedial measures, the council shall use the **Travel Plan Performance Bond** to fund the delivery of the Travel Plan measures, or any identified measures that are necessary in the event of not achieving the reduction on traffic in line with the agreed targets. Details are outlined in Coventry City Council's Infrastructure Delivery SPD.

4.3.4.8. Residential Travel Plans

In the case of Residential Travel Plans (RTPs) where, unlike a workplace, there may not be a point of contact in occupation to deliver the TP, it is particularly important that an effective approach to delivering the RTP is in place and agreed with Coventry City Council's Highway Development Management Team.

To ensure that a RTP is delivered effectively, Coventry City Council has two options for agreeing an appropriate delivery model with developers with associated financial sums secured by S106 agreement, as follows:

- **Option 1**

The developer/owner is responsible for funding and implementing the TP, incentives and the appointment of a Travel Plan Coordinator. This option requires a non-refundable Travel Plan Monitoring Fee (as identified in section 4.3.4.6) and the Travel Plan Performance Bond, repayable on successful completion of the TP or kept to implement remedial measures if the developer/owner does not comply with the agreement (as identified in section 4.3.3.7).

- **Option 2**

Coventry City Council would absorb all risk and be responsible for the implementation of the TP, incentives and the appointment of a TP Coordinator. This option requires a non-refundable Travel Plan Monitoring Fee and a contribution, repayable only on expiry of planning permission with no building having started. This option removes any responsibility from the developer for the implementation of the TP (other than hard measures such as walk/cycle links, cycle parking etc., which are separate to the TP).

Further guidance on the tariff of contribution costs and Travel Plan Performance Bonds for Residential Travel Plans will be considered in Coventry City Council's Infrastructure delivery SPD.

4.3.4.9. Construction Travel Plans

Construction Travel Plans (CTPs) are also required as part of the Construction Traffic Management Plan process if the project which you are constructing is subject to a condition as part of planning approval. During the construction process, the workforce will make a considerable number of journeys to and from site. The impact on the highway network that these journeys may have will vary on the number of workers, the mode they take and the timing of the trips. Therefore the introduction of a CTP will provide the mechanism to influence the mode of travel for workers to help mitigate any detrimental impacts of the highway network.

The CTP will identify how the travel impacts of the workforce to a construction site will be managed and how travel to work by sustainable travel modes will be supported. The CTP should therefore include:

- A named Travel Plan Coordinator;
- A commitment to providing a site induction to the workforce to provide details of sustainable travel options to the work site;
- A commitment to promoting and supporting local public transport options to the construction site (where possible);
- A confirmation that safe and secure cycle parking will be provided at the construction site; and
- A commitment to supporting shared vehicle journeys to site by the workforce through car sharing or works buses.

4.3.5. Car Parking Standards

The provision of car parking can influence traffic generation, congestion, ability to encourage the use of sustainable transport modes and visual impact of the built environment. It is therefore important to ensure that developments provide an appropriate level of car parking to address these issues. Appendix 5 of the **Coventry Local Plan (2016)** provides maximum standards based on NPPF criteria, locally determined accessibility criteria and benchmarking against other Local Authorities, by land use and location. These standards also provide requirements for the provision of electric car charging.

Car parking requirements are assessed on a site-by-site basis. If development proposals state that existing public car parking provision will be utilised, it is expected that the developer will contribute towards

maintenance and upkeep of these facilities. This is outlined in Coventry City Council’s Infrastructure Delivery SPD.

The level of car parking (vehicle, disabled, electric car charging) proposed should be discussed as part of the scoping discussions with Coventry City Council’s Highway Development Management Team.

4.3.6. Cycle Parking Standards and Cycle Design Guidance

Cycle Parking Standards are provided in Appendix 5 of the **Coventry Local Plan (2016)**. The standards provided in this policy document apply to all areas of the city and specify different requirements for staff, residents, pupils/students and customers. This policy document also provides guidance relating to the design of cycle parking in terms of lighting, detailed design and location, which should be adhered to in development proposals.

Section Five of this SPD provides additional guidance in relation to walking and cycling (Policy AC4), which should also be consulted when preparing a TA/TS and TP.

4.3.7. Car Clubs

A Car Club is a scheme that offers vehicles to its members for short term hire by the hour. Members pay a small annual or monthly membership fee then have access to vehicles that can be booked and used at short notice. The cars are parked so that they are easily accessible to members.

Car Clubs are supported by Coventry City Council as they encourage a reduction in car ownership and car use. They are relevant to both residential and employment developments and can even be a shared resource between these two types of developments.

Coventry City Council will agree requirements for car clubs with applicants at specific development sites where the characteristics of the development are considered to result in a successful car club, for example, residential developments with restricted car parking.

Further guidance on contribution costs for Car Clubs is provided in Coventry City Council’s Infrastructure Delivery SPD.

4.3.8. Clear Air Zone Development Guidance

Policy EM7 in the Coventry City Council Local Plan requires that major development schemes should promote a shift to the use of sustainable low emission transport (electric vehicles and vehicles that use biofuels) to minimise the impact of vehicle emissions on air quality. Development will be located where it is accessible to support the use of public transport, walking and cycling. All major development proposals should be suitably planned to design out any adverse impact on air quality. Any measures should be set out in the TA / TS, TP and Construction TMP, and should set out how the developer will ensure that the proposed development will encourage travel to and from the site to be undertaken in a way that minimises AQ impacts. This should include minimising car use, and encouraging the use of low emission vehicles where car use is necessary.

Further information is found in Coventry City Council’s Air Quality SPD. If a Clean Air Zone is designated in Coventry, further supporting guidance will be provided to developers.

4.4. Checklist for Applications

Table 4-6 provides a checklist for applications, which applicants should use to ensure that their assessment is robust and meets the standards required by Coventry City Council.

Table 4-6 Checklist for Applications

Topic	Advice
Car and Cycle Parking	On the application form, include the number of cycle parking spaces and number of car parking spaces for different types of vehicle and user.
	On drawings which accompany the application, indicate the location of parking, and dimensions so that the capacity can be verified.
	Ensure that the rationale for the number of spaces is provided, in line with parking standards provided in the Local Plan.

Travel Plans	Include a Travel Plan for developments that exceed development impact threshold (either Full or Framework).
Transport Assessment and Statements	Ensure that an appropriate scale of assessment has been provided for the development proposals, which can be identified by engaging in scoping discussions with Coventry City Council's Highway Development Management Team.
	Clearly identify how the site relates to existing sustainable transport networks and improvements which would enable and encourage use of sustainable modes.

5. Policy AC4: Walking and Cycling

5.1. Introduction

Policy AC4 refers to the role of new developments in supporting the expanding walking and cycling network within Coventry. This includes consideration of traffic management schemes to create a more pleasant environment for pedestrians and cyclists.

Attention should be paid when creating pedestrian walkways through developments to ensure they provide an attractive transition from home to the very beginning/end of every journey as most trips invariably entail a certain amount of walking regardless of the main method of travel.

This chapter outlines the guidance that developers need to follow to ensure that they are incorporating and contributing to safe and convenient walking and cycling routes as part of their development proposals. The guidance sets out the core principles and required provision for supporting the walking and cycling network in Coventry.

Policy AC4 within the Local Plan identifies the following objectives in relation to walking and cycling:

Policy AC4: Walking and Cycling

1. Development proposals should incorporate appropriate safe and convenient access to walking and cycling routes. Where these links do not exist, new and upgraded routes will be required and these must appropriately link into established networks to ensure that routes are continuous. The expected type of provision will depend on the scale, use and location of the site. For larger developments, financial contributions may be required to support improved pedestrian and /or cycling routes on the wider network. Further details will be set out in the Coventry Connected SPD.
2. A complementary network of connected Quiet Streets will be developed which include physical measures to control and restrict certain traffic movements and vehicle speeds to create an environment where walking and cycling are the preferred modes of transport. These will be prioritised through the development of SUE sites, but will also be considered within existing areas of the city which are negatively affected by increased traffic associated with new development. Financial contributions will be sought to deliver those proposals where the predicted impact of development traffic is significant and measures are needed to support an improved pedestrian and cycle environment.
3. Further details will be set out in the Coventry Connected SPD.
4. High quality cycle parking and associated facilities, such as changing, shower and storage, as part of new development proposals. The expected level of provision should be based on the cycle parking standards set out in the Appendix 5.

5.2. Policy and Guidance Overview

Developers and scheme promoters should be aware of the key policies relating to the walking and cycling network outlined in Table 5-1.

Table 5-1 Policy and Guidance Framework

Policy/Guidance	Key Objectives	Link to Document
National Planning Policy Framework (NPPF) 2012	<p>The NPPF states that developments should be located and designed where practical to:</p> <ul style="list-style-type: none"> • Give priority to pedestrian and cycle movements and have access to high quality public transport facilities; • Create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones; and • Consider the needs of people with disabilities by all modes of transport. 	https://goo.gl/KIbX9p
Coventry City Council Local Plan (2016)	<p>The Coventry City Council Local Plan states that development proposals which are expected to generate additional trips on the transport network should:</p> <ul style="list-style-type: none"> • Integrate with existing transport networks. • Consider the transport and accessibility needs of everyone living, working or visiting the city. <p>Support the delivery of new and improved high quality local transport networks (including cycling and walking network) which are closely integrated into the built form.</p>	goo.gl/cBJBNk
Department for Transport Cycling and Walking Investment Strategy (2017)	<p>The aim of the first National Cycling and Walking Strategy is to provide guidance and an overall vision for local authorities to ensure that walking and cycling are the natural choices for shorter journeys, or as part of a longer journey. By 2040, the ambition is to deliver:</p> <ul style="list-style-type: none"> • Better safety (e.g. safer streets, lower speed limits and cycle training). • Better mobility (e.g. walkable urban areas, routes near public transport hubs, more cycling facilities). • Better streets (e.g. better planning for walking and cycling, wider network of routes/paths, improved public realm for all). 	https://goo.gl/jNxc2L
Midlands Connect 'How better connectivity will maximise growth for the Midlands and the nation' (2017)	<p>The aim of Midlands Connect is to create transport networks that are efficient, reliable and resilient. Improving the Midlands transport network will seek to improve the quality of life of those living and working in the West Midlands as follows:</p> <ul style="list-style-type: none"> • People having better access to employment and leisure activities in the region and beyond. • The negative impacts of travel on our lives, such as noise and pollution, could be reduced. 	https://goo.gl/McU4K6
Draft Coventry Cycling Strategy (2019)	<p>The objective of the Cycling Strategy is to lay down the foundations for how the City Council will help to get more people cycling. The strategy provides direction on a range of initiatives that will make cycling a more attractive, safe and practical way to get around the city.</p> <p>The strategy provides strategic direction which supports:</p> <ul style="list-style-type: none"> • The development and delivery of the Coventry cycle network. • The content of future funding bids which include cycling infrastructure. • Cycle infrastructure requirements within new development sites. 	TBC

Policy/Guidance	Key Objectives	Link to Document
	<ul style="list-style-type: none"> Other relevant policies within the Council which are relevant to cycling. 	
TfWM 'Movement for Growth' 2026 Delivery Plan	<p>Movement for Growth sets out an ambitious plan to improve the transport system to support economic growth and to underpin new development and housing.</p> <p>Objectives for TfWM Movement for Growth include:</p> <ul style="list-style-type: none"> Ensure that walking and cycling are a safe and attractive option for many journeys especially short journeys, by delivering a strategic cycle network and enhancing local conditions for active travel. Facilitate the efficient movement of people on our transport networks to enable access to education and employment opportunities and health and leisure services. Maintain and develop our transport infrastructure and services to ensure they are efficient, resilient, safe and easily accessible for all. 	https://goo.gl/vJYTMy
TfWM Cycling Charter (2018)	<p>The vision is to “realise the full potential of cycling’s contribution to the health and wealth of the West Midlands – creating more sustainable suburbs, towns and cities that are healthier, safer and more desirable places to live, work and learn.” Safety is outlined as a key theme to increase cycling. The charter is set out into the following themes:</p> <ul style="list-style-type: none"> Leadership and profile Promoting and encouraging cycling Cycling network: <p>There is a need for a high-quality cycle network and a need for developers to cater for the needs of cyclists. Cycling will be better integrated with public transport to provide end-to-end journey options.</p>	https://www.tfwm.org.uk/media/1067/cycle-charter.pdf
TfWM West Midlands Cycle Design Guidance	This guidance sets out good practice in designing for cycling in different circumstances. It starts by considering what are the ideal conditions are for cycling but also what options can be achieved within constraints of existing highway boundaries and traffic conditions	
Coventry City Council Cycle Parking Standards	Cycle parking must be secure and considered early in the planning process. Further facilities, such as changing areas, should also be provided for cyclists. The requirements for cycle parking spaces are determined by the category of development use.	https://goo.gl/cBJBNk

5.3. Walking and Cycling Requirements for Developments

All new developments will generate trips, dependant on the scale and purpose of the development and this can lead to increasing pressure on the local highway network. It is a requirement that new developments should incorporate good quality walking and cycling routes to an existing network outside of the development in order to maximise the proportion of walking and cycling trips and increase the mode share for this active travel mode in the city.

To ensure that walking and cycling are the most attractive and convenient modes of travel, Coventry City Council requires that the basic principles identified in Figure 5-1 should be applied at the initial design stage in new developments.

Figure 5-1 Initial Design Principles for Walking and Cycling



- **Directness** means direct pedestrian and cycle routes between housing areas and major destinations such as key employment centres, to make active travel an attractive and easy way to travel.
- **Convenience** means convenient walking and cycling infrastructure which avoids 'stop start' travel caused by obstructions and street clutter, lack of priority, and narrow footways shared between pedestrians and cyclists. Good cycle parking must be provided to complete the journey.
- **Speed** means delivering efficient cycling routes which support the fact that travel on a bicycle can be quicker than by car through an urban area if cycling infrastructure is made integral to newly designed streets.

Multiple national policies have influenced the Coventry Local Plan to develop a suite of local policy objectives which seek to reduce the need to travel and promote the use of cycling, walking and public transport.

Developments in Coventry must align to the core principles of sustainable transport as set out in the National Planning Policy Framework. These are to:

- Give priority to pedestrian and cycle movements and to have access to high quality public transport facilities;
- Create safe and secure layouts which minimise the conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones; and
- Consider the needs of people with disabilities by all modes of transport.

Coventry City Council requires new developments to be accessible and permeable by walking and cycling. A key focus of new developments must be to make cycling and walking more convenient and attractive than using a car, particularly for frequent shorter journeys. Coventry City Council also expects developers to consider the existing walking and cycling network at the design stage. This will provide connectivity between the development and established trip generators and attractors (residential areas, education, employment, healthcare, retail destinations, leisure attractions and public transport interchanges) in the surrounding area.

Coventry City Council alongside Transport for West Midlands has published a West Midlands Cycle Design Guidance. In addition the Council continues to support the key principles for cycling and walking in new developments as promoted by Sustrans and Table 5-2 outlines those principles which are relevant to new developments in Coventry.

Table 5-2 Key Principles of Cycling and Walking in New Developments

Function	Principle
Network Design and Promotion	Cycling and walking should be encouraged in all new developments, through the design of high quality walking and cycling networks, the provision of convenient secure cycle parking, active travel promotion delivered through travel plans, and the enforcement of car parking standards.
Key roles in new developments	The planning authority, the highway authority, the developer and occupiers all have key roles to ensure these positive conditions are in place and are maintained.
Improving connectivity to strategic locations	New developments offer opportunities for coherent, high quality network enhancements across an area. Coventry City Council supports developments which seek to enhance the existing network, providing residents and/or employees with an opportunity to travel by sustainable modes.

Function	Principle
Encouraging the use of active travel through design.	New developments should be accessible and permeable by walking and cycling. New developments should aim to make cycling and walking more convenient and attractive than using a car, for people of all ages. The resulting network should provide high standards of connectivity within the site and established trip generators and attractors.
Improving the existing network	Development sites can provide new through routes for pedestrians, cyclists and public transport which can complete missing links or increase the density of the existing cycling and walking networks in the vicinity. Coventry City Council requires developers to assess opportunities to improve the network through missing links or through increasing the density of the existing network.
Cycle parking	Secure and conveniently located cycle parking should be provided throughout the development, to accommodate short and longer stay visitor use and regular long stay use by residents and employees.
Cycling and walking provision within large developments	A design brief for cycling and walking infrastructure is important for larger developments and where more than one developer is involved in developing a site.
Priority for cyclists and pedestrians	Filtered permeability (the use of traffic free connections, bus gates and exemptions for cycles from one-way orders and turning restrictions) is recommended at access points and at strategic locations within new developments.

Coventry City Council is currently developing a Local Cycling and Walking Investment Plan (LCWIP) which will provide a strategic approach to identifying and delivering cycling and walking improvements required across the city. As part of the process, new developments are required to incorporate high quality cycling and walking infrastructure which will contribute significantly to the Coventry LCWIP.

The following guidance provides a broad approach that developers must address when developing high quality cycling and walking infrastructure within new developments. Whilst there will be synergies and overlap between cycling and walking design requirements, the provision for each mode follows separate guidance and therefore, the requirements for walking and cycling infrastructure has been separated in the following paragraphs.

5.3.1. Requirements for Walking Infrastructure for Developments

The Coventry Local Plan identifies that well designed streets have the potential to increase the uptake of active travel and improve the quality and attractiveness of Coventry.

“Well designed and maintained streets and public spaces can help encourage walking and cycling, and can reduce anti-social behaviour and crime including the perception and fear of crime. Furthermore, creating routes and spaces that are green, through the use of trees, living walls, green roofs and, other types of green infrastructure, will not only enhance the quality and attractiveness of the city but will also contribute to ecological diversity” (Chapter 8 – Design).

Coventry City Council expects that an assessment of pedestrian facilities will be undertaken early in the design process of all new developments. This will ensure that the needs of pedestrians are carefully considered and addressed in the planning of new developments. Fundamentally, there should be appropriate pedestrian access to all developments which form part of a comprehensive pedestrian network.

As presented within the Chartered Institution of Highways and Transportation (CIHT) Guidance ‘Planning for Walking’¹, an approach based on the ‘5Cs’ of good walking networks is outlined below. The ‘5Cs’ approach states that walking routes should be:

- Connected;
- Convivial;

¹ <http://www.ciht.org.uk/en/document-summary/index.cfm/docid/082BEF1B-0FD2-44F4-90A0B31EB937899A>

- Conspicuous;
- Comfortable; and
- Convenient.

5Cs Key Principles	Design Guidance
<p>Connected</p>	<p>Pedestrians prefer the shortest, most direct paths to connect their origins and destinations. Sharp changes in direction should be avoided, and it should be noted that pedestrians prefer to see the places to which they are heading. Coventry City Council expects that pedestrian routes/networks within new developments should:</p> <ul style="list-style-type: none"> • Be as direct as practicable in relation to public transport stops, for example railway stations and bus stops. The general accepted maximum distance pedestrians should travel to a bus stop is 400m in a residential area and 200m in the city centre. • Consider access to appropriate railway stations and adjoining local authority areas. • Connect “key attractors”, which includes employment locations, schools/further education, health centres and retail/leisure facilities. • Form part of a comprehensive network, as well as a local connection. <p>In addition, the use of road crossings should not require pedestrians to divert from these direct routes and they should not add excessive delay to the journey. Where possible, surface level crossings should be provided.</p>
<p>Convivial</p>	<p>Walking routes should be made attractive for all users. Developments are required to ensure that pedestrian infrastructure is safe and inviting.</p> <p>In assessing pedestrian’s needs in new developments, the following infrastructure improvements must be considered:</p> <ul style="list-style-type: none"> • Adequate footway and footpath widths in accordance with the Council’s Highway Design Guidance • Preventing parked vehicles blocking footways through better enforcement or physical means of management. • Kerb line build-outs to minimise the time taken to cross carriageways and slow traffic. • Good pedestrian access to public transport stops and stations. • Pelican crossings which provide effective pedestrian priority. • Fully protected pedestrian phases at traffic signals. • Median pedestrian refuges. • 20 mph speed limits (where appropriate).
<p>Conspicuous</p>	<p>Pedestrians are helped if routes are clearly signed through wayfinding. This is imperative for large developments with complex pedestrian networks. The following will be required at new developments in Coventry:</p> <ul style="list-style-type: none"> • Street names should be provided. • Signposting should be incorporated as necessary. It is particularly useful if distances and/or times to main destinations are shown.
<p>Comfortable</p>	<p>In order to make walking routes comfortable, the following measures are required in new developments:</p> <ul style="list-style-type: none"> • Routes should incorporate use of shelters and rest spaces if necessary. • Include high-quality footways. • Where appropriate segregated walking infrastructure from vehicles, and minimise the hazards associated with vehicles. • Consider reduced traffic speeds.

	<ul style="list-style-type: none"> • Footway and footpath widths should be adequate. Parked vehicles should be prevented from blocking footways and there should be pedestrian phases at traffic signals. • Accommodate safely the volume of pedestrians likely to use the route. • Routes should have the easiest possible gradients for all users.
Convenient	As well as routes being direct for all users, road crossings should be provided where necessary. Furthermore, crossings should be convenient and not require the user to add excessive delays to their journey. Developments should provide priority to pedestrians where possible, this will encourage residents to travel on foot.

In conjunction with CIHT guidance, Coventry City Council recommends that developers use the Walking Route Audit Tool developed as part of the Active Travel Wales Guidance (the use of this tool is advocated in the Department for Transport's LCWIP guidance) the primary function of the tool is to assess the condition and suitability of walking routes. Developers should use the tool during or following a site visit of the development/local area and provide evidence of the development's assessed level of scoring achievement at scoping stage.

The tool uses the following criteria to assess a walking route in terms of its design:

- Attractiveness (e.g. traffic noise, fear of crime);
- Comfort (e.g. condition, footway width);
- Directness (e.g. footway provision, location of crossings);
- Safety (e.g. traffic volume and speed); and
- Coherence (e.g. dropped kerbs and tactile paving).

Where a development's walking access will be integrated with existing infrastructure, a score of 70% (i.e. a score of 28 out of 40) will usually be required as a minimum level of provision for a development. Coventry City Council, however, requires developers to seek the maximum score possible. Routes which score less than the minimum requirement or where certain criteria score a zero should be targeted to identify specific route improvement measures. Where a development is providing additional infrastructure, the tool should be used as a guide to ensure that proposed routes are built to a standard which would score a '2' i.e. good quality provision.

In addition, where a residential development is planned, as stated in the CIHT guidance, Coventry City Council requires an analysis of movement within an existing settlement to be undertaken. This enables an understanding of how an existing area functions in terms of movements and ensures that the new development will achieve appropriate connectivity. Mapping both footpaths and streets ensures that areas are not isolated.

Cul-de-sacs should be linked by visible and signed footpaths and connect to local facilities and public transport stops. Roads for new residential developments should be complemented by networks of pedestrian routes, including footways, footpaths and crossings. Maps of these routes should be created early in the design process to understand the "walkability" of the proposed route. Coventry City Council will expect that such maps will show local trip generators, such as bus stops, shops and health centres, to demonstrate that the route provides a connection to such services from residential developments.

Coventry City Council's Sustainable Urban Extension (SUE) SPD provides further information on how SUEs and other major development sites will need to be seamlessly integrated into wider transport networks to encourage the uptake of walking, cycling and public transport.

5.3.2. Requirements for Cycling Infrastructure for Developments

Coventry City Council expects new developments to provide cycling provision which meet the five core principles for cycle routes across all developments regardless of their scale, use or geographical location:

SAFETY	<ul style="list-style-type: none"> • Routes should be safe to use and should feel safe for all users. • Routes along busy and/or high-speed roads are required to offer protection from motor traffic.
DIRECTNESS	<ul style="list-style-type: none"> • Routes should connect origin and key destinations within Coventry using the least distance and least delay as possible. • The alignment should generally cover the minimum distance between two points, however it is sometimes advantageous to avoid steep gradients or major junctions by using an alternative route that is more convenient.
COHERENCE	<ul style="list-style-type: none"> • The aim for new developments should always be the continuous provision of cycling infrastructure, with no 'gaps' at difficult locations. • Clear signing is particularly important where cycle routes use minor roads and tracks that are not signed for other traffic.
ATTRACTIVENESS	<ul style="list-style-type: none"> • Infrastructure should be attractive to the intended users. • Routes or small links within new developments should avoid sharp corners or restricted sightlines and routes must be easy to follow with regular, consistent and clear signage.
COMFORT	<ul style="list-style-type: none"> • Routes should be physically comfortable, with a good quality surface with barriers avoided to provide a steady journey. • Designs should ensure that the route 'feels' safe, with clarity at junctions, protection from opposing traffic movements, separation from pedestrians and clear of street furniture.

5.3.2.1. Requirements for Cycling Infrastructure for Residential Developments

Coventry City Council supports the development of a hierarchy of inter-connected "quiet streets". This will be achieved through the physical control of through-traffic, where appropriate, and implementing measures to minimise vehicle speeds through high quality urban and highways design and infrastructure. This concept will be prioritised through the development of the two SUE sites. Principles are identified in Coventry City Council's SUE Design Guidance SPD.

The scale of a residential development will have a major influence on the levels of cycling trips that are generated. Where a development can incorporate a range of services such as supermarkets, health services, schools and leisure facilities, a higher proportion of journeys should be expected to be undertaken by cycling if the development is designed appropriately.

Coventry City Council requires developments to encourage active travel through increased cycling provision and reduce car parking provision where possible. Reducing car parking will release space and funds for other uses including cycle storage.

Cycling networks serving residential developments should provide direct, safe and attractive connections to cycle to the following local facilities, within and beyond the development site:

- Primary and secondary schools;
- Local amenities: primary healthcare, libraries, banks, sports centres;
- Parks and open spaces;
- Nearby employment areas;
- Local shops and district or town centres; and
- Local and mainline railway stations, bus stops and bus interchanges.

Residential streets generally do not require fully segregated facilities for cyclists. The initial approach should always be to look at what measures can be introduced to address traffic speeds and flows on roads to encourage residents to cycle. Residential developments should incorporate the design elements outlined below.

- Low Speed (20 mph or less) street geometry including narrow carriageway widths and small entry radii;
- 20 mph limits where required, this will include near schools and leisure facilities such as parks and playgrounds;
- Filtered permeability: direct traffic free links between unconnected roads/cul-de sacs; cyclist exemption at road closures and turning restrictions;
- Cycle priority at crossings of roads on key cycling corridors;
- Carriageway narrowing and raised tables at other key crossings;
- Minimal segregation on traffic free tracks; and
- Traffic free routes should be in accordance with TfWM Guidance and provide a comfortable experience for all users and cater for increases in cycling.

5.3.2.2. Requirements for Cycling Infrastructure for Employment and Retail Development

Employment Sites

Employment sites, whether they are industrial, business parks or close to the city centre or strategic corridors, generate significant trips. Key influences to increase the use of cycling include the location of employment, availability and cost of car parking, the quality of cycling infrastructure and facilities and the level and proximity of public transport.

To maximise cycling to new employment sites, the following are required:

- **Accessible site location:** Coventry City Council encourages employment sites that are in close proximity to significant residential catchments and close to frequent rail and bus services.
- **Limit the availability of car parking at new developments:** Limiting car parking (where managed appropriately) will provide employees with a real impetus to travel by active modes.
- **High quality cycling infrastructure:** Developers are expected to provide cycling infrastructure that provides direct, safe and comfortable access to new employment sites. New developments are expected to fund improvements beyond the site, where the existing quality or capacity is not of sufficient quality to mitigate the impacts of additional traffic generated by the development.
- **High quality cycling facilities:** Providing employees with safe and secure cycle parking, showers and changing / storage facilities will support cycling to new developments.

Due to industrial sites generating significant volumes of HGV movements, it is likely these sites will require off road cycling provision. Adequate segregation from HGV traffic within and in close proximity to the site, combined with prioritised crossings to access workplaces and other parts of the network are imperative to encourage increasing levels of cycling at industrial sites. Careful design is required where cycle tracks cross site accesses used by HGVs. Please contact Coventry City Council's Highway Development Management Team to discuss the requirements for a specific development site.

Cycle parking provision at new employment sites is required to meet the design standards and level of provision set out within Appendix 5 'Car and Cycle Parking in Developments' of the Coventry City Council Local Plan.

Retail Developments

Retail and leisure developments that are close to and well connected with housing and other employment sites will help to maximise the potential for cycling usage to increase. Retail and leisure developments are large employers and it is expected that employers undertake a Transport Assessment and Travel Plan (as outlined within Policy AC3 Demand Management of this SPD) to identify a clear plan to mitigate the impact of generated traffic through active travel improvements.

Retail and leisure sites also attract high volumes of customers. Cycle routes and customer cycle parking should cater for a range of cyclists. Cycling infrastructure should be of high quality and access where possible, should enable cycle users to avoid conflict with other users when entering the development. Cycle users should be able to cycle right up to the parking which should be located near to the building and should not be required to dismount. Cycling infrastructure within industrial and retail development sites should meet the high standard set within the West Midlands Cycling Guidance Standards.

5.3.2.3. Requirements for Cycle Parking for Developments

The provision of cycle parking must be considered early in the planning and design process, it is imperative that the standards set out in Table 1 of Appendix 5 of the Local Plan are met. The standards apply to all areas in the city, and specify different requirements for staff, residents, pupils/students and customers or visitors. This is due to different requirements for short and long-term cycle parking. Coventry City Council requires all new developments to incorporate cycle parking within the development site. Where this is not possible, a commuted sum (secured through a legal agreement) may be required by the City Council which will be used to provide appropriate cycle parking facilities off site.

To increase the attraction of commuting by cycle, it is important to provide facilities for cyclists at their destinations. These facilities should include changing areas, storage areas for personal items and space to dry wet clothing and showers. For large developments, or in exceptional circumstances, the cycle parking allocation can be open to negotiation, however, Coventry City Council requires all developments to promote the use of cycling through adequate cycle parking and facilities.

To discourage theft or vandalism, cycle parking should be secure, well lit, clearly signed and situated in prominent, accessible and convenient locations that benefit from casual surveillance by passers-by and more formal surveillance by staff or CCTV. It should also be located within a short distance of the main entrance(s) to the building(s). In most residential developments, the use of suitably sized garages or sheds will be acceptable as cycle storage provision. A method of securing the cycle to a solid wall is encouraged.

The use of 'Sheffield' stands is recommended as a minimum and is especially suitable for customer or visitor parking. For long stay parking for residents, staff and pupils/students, more secure provision will be expected. This should be in the form of cycle lockers, a locked compound with Sheffield Stands provided that they are under cover or Sheffield Stands located within an area that is already secure (with access restricted to staff or similar).

5.3.2.4. Requirements for Assessing Cycling Routes Within a Development

As part of the National Cycling and Walking Infrastructure plans, the DfT has launched a 'Route Assessment Tool' (RST) to help local authorities to assess and compare potential routes for inclusion in a cycling network. The RST has the potential to be useful for developers looking to identify the most suitable cycling routes to include within new developments in Coventry. Whilst the below provides a summary of the tool, Coventry City Council recommends that developers review the RST².

² <https://www.gov.uk/government/publications/local-cycling-and-walking-infrastructure-plans-technical-guidance-and-tools>

The primary function of the RST will allow developers to assess the suitability of a route which may or may not be part of a wider network. The tool allows a comparison between the existing condition (if the route already exists) against the core design outcomes and then a comparison with the potential future condition of the route if implemented. The RST also enables the developer to compare alternative routes to identify preferred options.

The RST has been developed as a spreadsheet which uses a range of criteria to assess how well a route meets the core design outcomes for cycling ranging from 5 (being the highest) to 0 (being the lowest). The criteria are:

- Directness;
- Gradient;
- Safety;
- Connectivity; and
- Comfort.

5.4. Checklist for Applications

Table 5-3 provides a checklist for applications, which applicants should use to ensure that their assessment is robust and meets the standards required by Coventry City Council.

Table 5-3 Checklist for Applications

Topic	Advice
Scoping	Developments based in the city centre must meet the requirements of the Coventry City Centre Area Action Plan.
	Where a residential development is planned, as stated in the CIHT guidance, Coventry City Council will expect an analysis of movement within an existing settlement to be undertaken.
Planning	Developments are required to provide cycling provision which meet the five accepted core principles for cycle routes across all developments regardless of scale, use and geographical location.
	Cycle parking should meet the standards set out within Appendix 5 'Car and Cycle Parking in Developments' of the Coventry City Council Local Plan.
Design	Developers are expected to review the key guidance documents referenced in this SPD.

6. Policy AC5: Bus and Rapid Transit

6.1. Introduction

Bus travel provides the most flexible and cost effective form of public transport to ensure that people can easily move around the city, and it will be expected that all new developments within the city will have good access to local bus services connecting each development site to core public services as well as employment, education and healthcare facilities.

Policy AC5: Bus and Rapid Transit refers to the role of new developments in providing safe and convenient access to the local bus network, and in supporting aspirations for a mass rapid transit network in Coventry including the emerging Very Light Rail (VLR) network. It is vital that the bus network in Coventry can support the growth aspirations of the city and can continue to progress and expand in line with economic development.

This chapter outlines the guidance that developers need to follow to ensure that they are supporting and enhancing the bus and rapid transit network in Coventry. The guidance sets out the core principles and required provision for bus and rapid transit infrastructure and services in new developments.

Policy AC5 within the Local Plan identifies the following objectives in relation to bus and rapid transit:

Policy AC5: Bus and Rapid Transit

1. New major development proposals should have safe and convenient access to the existing bus network. In areas where this is not achieved, new development may be required to include the provision of appropriate bus infrastructure to enable services to be fully integrated into the development site. The level of need and expected provision will be determined through Transport Assessments and Travel Plans.
2. The development of a mass rapid transit network will be supported to improve accessibility to existing and new major trip attractors. Major development proposals which are expected to create significant numbers of additional trips on the network, and are located in close proximity to a proposed rapid transit route should seek to make provision for those routes, including new infrastructure to facilitate the integration of the rapid transit network into the development site. The level of need and expected provision will be determined through Transport Assessments and Travel Plans.
3. Further details will be set out in the Coventry Connected SPD and West Midlands Strategic Transport Plan.

6.2. Policy and Guidance Overview

Developers and scheme promoters should be aware of the key policies relating to the bus and rapid transit / VLR network in the Midlands outlined in Table 6-1.

Table 6-1 Policy and Guidance Framework

Policy/Guidance	Key Objectives	Link to Document
National Planning Policy Framework (2012)	<ul style="list-style-type: none"> • The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. • In preparing Local Plans, local planning authorities should support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport. 	https://goo.gl/KIbX9p

Policy/Guidance	Key Objectives	Link to Document
	<ul style="list-style-type: none"> Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Local planning authorities should identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice. Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable. Developments should be located and designed where practical to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities. 	
Coventry City Council Local Plan (2016)	<ul style="list-style-type: none"> New major development proposals should have safe and convenient access to the existing bus network. In areas where this is not achieved, new development may be required to include the provision of appropriate bus infrastructure to enable services to be fully integrated into the development site. The level of need and expected provision will be determined through Transport Assessments and Travel Plans. The development of a mass rapid transit network will be supported to improve accessibility to existing and new major trip attractors. Major development proposals which are expected to create significant numbers of additional trips on the network, and are located in close proximity to a proposed rapid transit route should seek to make provision for those routes, including new infrastructure to facilitate the integration of the rapid transit network into the development site. The level of need and expected provision will be determined through Transport Assessments and Travel Plans. 	goo.gl/cBJBNk
DfT Bus Services Act (2017)	<ul style="list-style-type: none"> Enables Local Transport Authorities to work with bus operators to set a vision for bus services in their area and a plan to help achieve those improvements, through strengthening the provision for partnership working. Allows Local Transport Authorities to tender operation of services on a network-wide basis. Provides for information on times, fares and punctuality performance to be 'open source' from both bus operators and Local Transport Authorities. 	https://goo.gl/ux7RVk
TfWM: Movement for Growth: The West Midlands Strategy Transport Plan	<ul style="list-style-type: none"> The vision for transport as set out by the West Midlands Combined Authority is to: <i>"Make great progress for a Midlands economic 'Engine for Growth', clean air, improved health and quality of life for the people of the West Midlands. We will do this by creating a transport system befitting a sustainable, attractive and economically vibrant conurbation in the world's sixth largest economy"</i> The Strategic Transport Plan (STP) states that the West Midlands will ensure that local journeys are targeted for transfer from car use to sustainable travel, particularly in congested conditions. The STP highlights the importance of buses across the West Midlands. The bus network plays a vital role in the comprehensive public transport provision in the West Midlands, providing access to local suburban and district centres and to main centres, where (as stated in the STP) superb interchanges will be provided for onward connections across the metropolitan area. 	https://goo.gl/vJYTM

Policy/Guidance	Key Objectives	Link to Document
	<ul style="list-style-type: none"> • A number of targets have been established including a minimum bus operating speed of 16 km/hour at peak hours across the Key Route Network and local roads. These include: <ul style="list-style-type: none"> ○ A performance monitoring process with annual progress reports will be established for the STP. The following monitoring indicators will assess the performance of the local bus network: ○ P2 Reliability of bus services operating between 1 minute early and 5 minutes late on the metropolitan main road (“Key Route”) network; ○ P4 Average commercial speed of key bus services in the AM Peak on the metropolitan main road (“Key Route”) network; ○ P5 Percentage of residents of the Metropolitan Area with 3 or more strategic centres in the Metropolitan Area, including Birmingham city centre, accessible by public transport within 45 minutes’ travel time in the AM peak; ○ C1 Overall Customer Satisfaction with Bus Services; ○ C10 Number of journeys by public transport per person per annum; and ○ C11 Modal share of all journeys. 	
TfWM: Movement for Growth: 2026 Delivery Plan for Transport (2017)	<ul style="list-style-type: none"> • Bus Alliance will see £150 million invested by operators and partners between now and 2021 to deliver the following outcomes: <ul style="list-style-type: none"> ○ Increase in bus patronage by 5% ○ Improvement in peak time journey speeds ○ Fare rises of no more the Retail Price Index +1% per annum ○ Customer satisfaction levels remaining at over 85% ○ Discounted young person’s travel for everyone under 19 years old ○ Integrated ticketless travel in line with intelligent mobility policy ○ Increased investment in highways infrastructure to aid journey times and reliability. The Alliance will provide a framework in which to sustain investment in highway infrastructure on key bus corridors ○ Improvements to on board facilities through improved seating, next stop announcements and Wi-Fi ○ New vehicles and new payment technologies with increased use of Smart and contactless Bank cards ○ Network development plans, meeting future economic objectives • Rapid Transit will be developed in the form of Metro, Sprint and Very Light Rail, which is the development of very light rail vehicles and track to reduce the need to divert utilities and with no overhead electrification. Coventry is the initial focus for public deployment with potential route between the rail station and University of Warwick with a possible extension to new development at Whitley and with the ultimate aim to link to HS2 Interchange and UK Central. • The 190 schemes contained in the Delivery Plan are attributed to one or more delivery corridors and are detailed in the IDP • TfWM will adopt a Mobility for Inclusion Strategy which will set out priorities for balancing mobility needs of excluded groups 	https://goo.gl/vJYTMMy
TfWM Bus Operations Policy	<ul style="list-style-type: none"> • The maximum desirable walking distance to bus services in continuously built-up residential areas is 400 metres 	https://goo.gl/a4c4B1

Policy/Guidance	Key Objectives	Link to Document
	<p>between the hours of 07:00 and 19:00 Monday to Saturday (two journeys per hour), and 700 metres at other times (one journey per hour). Where possible bus services should link to local centres and interchange with the wider public transport network. These distances are reduced in areas of steep sloping streets or where a high number of elderly people or people with mobility difficulties live.</p> <ul style="list-style-type: none"> • In less densely populated built-up areas the maximum desirable walking distance at all times is 700 metres, and in rural areas 1.5km (one journey per hour). 	
West Midlands Bus Alliance (2017)	<ul style="list-style-type: none"> • The West Midlands Bus Alliance was established on 17 September 2015 as the delivery mechanism for local bus improvements. The Bus Alliance further strengthens the relationship between the region's districts, Transport Authorities and private sector bus operators. It is a voluntary partnership arrangement, albeit with strong governance and shared responsibility for the delivery of objectives up to 2020. • The objectives of the Bus Alliance are as follows: <ul style="list-style-type: none"> ○ Improve bus emissions standards ○ Make bus travel more attractive for young people ○ Make bus journeys better value ○ Tackle congestion and make bus journeys quicker ○ Make it easier to buy a ticket ○ Make it easier to catch the bus ○ Shape the bus network to deliver economic growth ○ Make it more pleasant to travel by bus <p>Under these eight key objectives, the Bus Alliance partners will sign up to the delivery of around 50 more detailed deliverables, directly linked to the key objectives.</p>	https://goo.gl/ZQxxoW
Warwickshire Local Transport Plan	<ul style="list-style-type: none"> • The Warwickshire Local Transport Plan presents a strategy for the North-South Corridor. The corridor is both densely populated and highly developed, and includes a number of key travel destinations including Coventry city centre, Warwick University and Coventry Airport. • A number of technical studies have been undertaken which have identified the following measures which are required in relation to public transport provision: <ul style="list-style-type: none"> ○ Support regeneration, by providing efficient links between areas of social deprivation and employment and education opportunities, health and leisure facilities and retail facilities; ○ Meet the accessibility standards and aspirations of the region and sub-region; ○ Provide links from the sub-region to the 'rest of the world', which is essential to its ongoing economic sustainability by attracting new investment and employees; ○ Provide high quality, convenient and reliable access to existing and proposed residential, employment, retail and leisure facilities in all the main centres in the corridor, including major regeneration initiatives in the Coventry to Nuneaton Regeneration; and ○ Encourage use of public transport as a viable sustainable alternative to the private car for journeys within, to and from the North-South Corridor. 	https://goo.gl/pQmiJs

6.3. Coventry Connected Policy and Guidance

6.3.1. Bus Strategy

6.3.1.1. The role of buses in Coventry

Bus services provide the core form of public transport within Coventry, and it is expected that any new development will be served by bus services connecting the development site to key destinations across the city. For residential developments, bus services will be fundamental to getting residents to work, education facilities, and commercial facilities essential for everyday life. At commercial developments, bus services will be an important element of the transport strategy required for getting customers or users of the facilities provided by the development to the site from the catchment area.

Therefore, the Transport Assessment OR Statement for the development will need to fully consider the role that bus services will play in getting people to and from the site, and will identify gaps in the bus service network that will need to be filled to manage demand for travel sustainably. Any supporting infrastructure, such as bus stops, shelters, information provision or bus priority measures will also need to be identified.

To combat the issues facing the bus service and operators in Coventry, such as increased journey times and unreliability, any new proposed development should look to comply with the WMCA Bus Alliance; the first of its kind in the UK. Coventry City Council is a key member of the Bus Alliance.

To meet the requirements of the Bus Alliance, developers need to consider how any proposed bus infrastructure will contribute to the Bus Alliance objectives and to be consistent with the Bus Alliance's Network Development Plans as these emerge. In addition, all proposed developments must meet the objectives of the Coventry Local Plan.

6.3.1.2. Objectives for the bus network in Coventry

To support the objectives set by the Bus Alliance at a local level, Coventry City Council has identified the following objectives for the bus network and service within the city which must be considered for all new developments:

- Providing accessibility through the public transport system, both in terms of physical access to transport and its availability, to the widest cross section of the population, including access to bus stops, physical access onto vehicles, and reasonable service frequency;
- More travel choices for people (including those who do not have access to cars) to access work, education, **healthcare centres**, services and leisure activities;
- Providing affordable fares to passengers;
- Providing an attractive and sustainable travel alternative to the car thereby helping to reduce traffic congestion and pollution levels and improving air quality and the environment; and
- Encouraging integration with other modes of transport.

It is important to note that the bus network in Coventry provides linkages to communities within Warwickshire as well as the West Midlands, therefore the objectives above also apply to bus services linking to neighbouring authorities.

6.3.2. Rapid Transit Strategy

6.3.2.1. The role of rapid transit within Coventry

As outlined within the West Midlands Strategic Transport Plan, the role of the rapid transit network is to integrate with the local bus network to provide a seamless sustainable transport network in the West Midlands. The creation of this single high-quality network will be a major transformation of public transport in the West Midlands.

As outlined in the Coventry Local Plan, the rapid transit / VLR network in Coventry will prioritise major trip generators such as the city centre, Ansty Park, Whitley Business Park, the Hospital, and the Universities. The network is also expected to serve Coventry Railway Station and other key transport interchanges.

6.3.2.2. Objectives for the rapid transit network in Coventry

Coventry City Council is exploring options for rapid transit within the city with a focus on 'Very Light Rail'. The aim of Very Light Rail, as presented in the TfWM Movement Growth Delivery Plan, is to provide an affordable alternative to conventional light rail systems. The concept utilises lightweight technology which has been successfully applied in the automotive sector and the latest propulsion technology. It aims to create a low cost, lightweight tram that is capable of running on-street and negotiate tight corners which will avoid or reduce the need to divert utilities or provide overhead electrification.

Coventry will be the initial research area for a publicly available Very Light Rail system. The development work is expected to last for approximately two years. Dependent on the outcome of the research, it is envisaged that the first route will be between Coventry Railway Station and the University of Warwick. The overall aim of Coventry City Council and TfWM would be to connect the city to HS2 Interchange and UK Central.

The objectives for a rapid transit network in Coventry are as follows:

- To provide a system which provides an affordable alternative to conventional light rail systems with development of Very Light Rail technology identified as an appropriate application to address Coventry's needs;
- To link the city's rapid transit network to major trip generators such as the Hospital and University of Warwick;
- Unlock further growth in the city through improving accessibility, particularly to new housing and employment developments;
- Provide a fully integrated transit network which provides access to strategic regional growth centres such as UK Central; and
- Improve the attractiveness of the overall public transport offer to maximise the opportunity for mode shift from car.

Developers must consider how Very Light Rail vehicles can be accommodated within and outside their site and indicate where any re-design or reallocation of road space will be required. New developments should complement, not hinder, the delivery of a Very Light Rail network in Coventry.

6.3.3. Planning for Bus and Rapid Transit in New Development

6.3.3.1. Guiding Principles

When assessing the likely impact of developments on the highway network, it is anticipated that a developer will be required to undertake a Transport Assessment/and or Statement and a Travel Plan (further guidance can be found in Policy AC3 of this SPD).

Table 6-2 below outlines the thresholds whereby varying levels of mitigation for Bus and Rapid Transit will need to be considered.

Table 6-2 **Thresholds for Bus and Rapid Transit**

Category	Description	Assessment Required
A	Small Scale Development – 2 or fewer dwellings, up to 100sqm commercial floor space, dropped kerb accesses	Need to consider access to bus services, public transport accessibility to services, and access to rail with exception of dropped kerb accesses.
B	Small Scale Development – 3 to 9 dwellings, 100-500sqm commercial floor space, change of use up to 500sqm floor space, telecommunication masts	
		Please contact Coventry City

C	Medium Scale Development – 10 to 49 dwellings, 500sqm to 1,000sqm commercial floor space, change of use of up to 1,000sqm, minerals and waste sites below 1ha	Council's Highway Development Management Team.
D	Large Scale Development – 50 to 79 dwellings, 1,000 to 2,000 sqm commercial floor space, reserved matter applications for those in category E, amendments to previously agreed schemes within category E, change of use between 1,000 and 2,000sqm, minerals and waste sites up to 15ha	Need to consider access to bus services, public transport accessibility to services, and access to rail. Please contact Coventry City Council's Highway Development Management Team.
E	Major Scale Development – 80 -200 dwellings, up to 5,000 sqm commercial floor space, change of use between 2,000 and 5,000 sqm, minerals and waste sites up to 15ha	Need to consider access to bus services, public transport accessibility to services, and access to rail/VLR.
F	Project/Major Work – 200+ dwellings, 5,000sqm or more commercial floor space, minerals and waste sites over 15ha, change of use of over 5,000 sqm	Please contact Coventry City Council's Highway Development Management Team.

The remainder of this chapter's guidance outlines the requirements for developers under four principal considerations:

- Impact of the development on bus and Rapid Transit operating speeds and punctuality;
- Impact of the development of current or proposed Rapid Transit alignment;
- Providing bus and Rapid Transit services to meet the needs of residents, employees, students and other users of new development; and
- Designing appropriate development highway and bus stop infrastructure for bus and Rapid Transit services.

Coventry City Council will, where appropriate, consult neighbouring authorities such as Transport for West Midlands (TfWM) and Warwickshire County Council. This is likely to be in cases where the proposed development:

- Is likely to have a significant adverse effect on existing bus journey times and reliability;
- May impact on a current or proposed Rapid Transit / VLR alignment;
- Where new or modified bus or Rapid Transit / VLR services will be needed either to meet demand or to meet accessibility standards; and
- Where changes to bus stop infrastructure are required.

6.3.4. Assessing the Impact of Development on Bus Operating Speeds and Punctuality on the Existing Highway Network

TfWM has a target minimum end-to-end bus operating speed (i.e. including time spent at bus stops) of 16 km per hour during peak hours, which is supported by Coventry City Council. This target has been set to both promote mode shift from car and maximise the efficiency of the bus network, which in turn will maximise the potential for bus services to be provided on a commercial basis. If successful, it will reduce the need to provide subsidy and in turn allow bus operators to reinvest operating resource into providing improved services for the residents of Coventry.

When Coventry City Council is assessing the impact of development on the operation of the highway network and evaluating developers' proposals for mitigation (where required), it will also consider the likely

impact on end-to-end bus and Rapid Transit operating speeds. The City Council will particularly favour developments which facilitate the following:

- Bus journey operating speeds of at least 16 km / hour in all time periods; and
- Rapid Transit / VLR journey operating speeds of at least 20 km / hour in all time periods.

6.3.5. Rapid Transit Alignments

Where it appears to Coventry City Council that a development is proposed within 200 metres of a current or proposed Rapid Transit corridor, it will notify TfWM and seek its views. The threshold of 200 metres is based on standards for Metro services and may be reviewed for other forms of Rapid Transit including Very Light Rail and SPRINT.

6.3.6. Providing Bus and Rapid Transit Services

This topic is split into two distinct areas:

- Assessing whether there is a need to provide additional capacity on bus and Rapid Transit services to meet demand generated by new development; and
- Assessing whether additional services are required to provide acceptable levels of accessibility.

6.3.6.1. Assessing the need for additional capacity

To manage travel demand in a sustainable manner, it is imperative that developments in Coventry encourage the use of public transport and a well-connected bus network is vital to achieving this aim. At the initial stage of design, developers should assess the available capacity of existing services which could potentially be used to access the development. For large developments in particular, it will be important to assess available capacity on existing local bus and Rapid Transit services to determine the ability of the networks to accommodate additional demand generated by new developments.

The Department for Transport previously recommended the following methodology for assessing the capacity of the public transport network in its 'Guidance for Transport Assessment' document. Whilst this document has now been withdrawn, Coventry City Council considers the approach outlined for assessing developments to be suitable to undertake the following:

- Identify the analysis period, particularly the peak hours of the development and/or the entire transport system;
- Establish the total person trip generation from the proposed development for all travel modes;
- Estimate the likely modal split for the public transport network using agreed data sources (buses, rail and rapid transit);
- Identify the bus services relevant to, and near to the proposed development;
- Estimate the existing capacity across the bus network by multiplying the number of services by the maximum passenger capacity;
- Estimate the current level of patronage or usage on the network using the most comprehensive data publicly available;
- Estimate the spare capacity on the relevant bus services; and
- Identify measures to address any shortfall in capacity, where applicable.

Whilst the methodology outlined above provides a framework for assessing the capacity of the local bus network relevant to a development, it is important that developers contact Coventry City Council's Highway Development Management Team for a more detailed discussion on the site-specific issues to assess at new or expanding development sites.

6.3.6.2. Assessing bus and rapid transit accessibility to new developments

Coventry City Council will assess the accessibility of new developments to public transport services and consider whether there is a need to provide new, diverted, or extended services, using the following criteria:

- The maximum desirable walking distance to bus services in continuously built-up residential areas is 400 metres between the hours of 07:00 and 19:00, Monday to Saturday, and 700 metres on Sundays and during evenings. These distances are reduced in areas of steep sloping streets or where a high number of elderly people or people with mobility difficulties live. However, Coventry City Council recognises that it may not always be practical to ensure that all residents live within 400 metres of a bus route. Nevertheless, the Council will favour development where higher densities are achieved within the 400-metre threshold. In less densely populated built-up areas, the maximum desirable walking distance at all times is 700 metres, and is 1.5km in rural areas. In all cases, the walking distances should be calculated based on the actual walking route, using proposed or existing footways and public footpaths of a suitable standard, to be taken to access the nearest bus stop. Distance calculations based on “crow flies” or straight lines / isochrones will not be acceptable;
- Between 07:00 and 19:00 on Mondays to Saturdays, the minimum service frequency is expected to be two buses per hour in each direction. During evenings and on Sundays, the minimum service frequency is expected to be one bus per hour in each direction; and
- Bus services should link directly, at least, to the nearest major local centre. Access to public transport interchanges, major employment sites, healthcare facilities including district hospitals and GP surgeries, and secondary, and tertiary education establishments should also be considered.

Any proposal for network change will also need to be acceptable to TfWM, the bus operator(s) in question, and existing bus passengers. It follows, therefore, that if a proposal is not acceptable to TfWM or the bus operator(s) concerned, it will not be supported by Coventry City Council. Grounds for not being able to support a proposal on public transport accessibility grounds include:

- A lack of evidence that a bus service, despite meeting the accessibility criteria, would be commercially viable once the development is fully committed;
- The developer not being able or willing to provide ‘pump-priming’ bus network support, to enable a level of service meeting the accessibility criteria above to be met until such time as it can be expected to become commercially viable;
- A proposal to meet accessibility objectives by imposing a significant diversion to an existing bus service, entailing extra journey time for passengers; and
- A development highway layout of insufficient standard to enable a frequent, reliable bus service to operate (see section 6.4.5 for a discussion of these standards).
- A development highway layout that cannot cater for Very Light Rail vehicles, e.g. the carriageway is too narrow.

Coventry City Council is aware of a number of innovative developments in the provision of public transport services, for instance those making use of app-based technology to provide services more tailored to individual users’ needs. CCC will be sympathetic to the potential use of such solutions if the developer can demonstrate, to the Council’s reasonable satisfaction that such services can operate without recourse to public subsidy.

6.3.7. Development of Bus Infrastructure Requirements

6.3.7.1. Highway

The scale and use of a development will determine the requirements for bus provision and access. For large developments, such as major housing and retail sites, it is likely that a bus service running through the site will be required to ensure appropriate access. When designing suitable bus infrastructure for a new development, the following considerations should be observed. We advise that developers should contact Coventry City Council’s Highway Development Management Team at the earliest opportunity to discuss their specific development requirements.

Coventry City Council in consultation with TfWM, where appropriate, will require that new developments provide local residents with good access to public transport, including bus services. If suitable services do not currently exist; new provision will be required. This will include high quality highway design and convenient access to bus services through well designed bus stops in appropriate locations. Key considerations are set out below:

- Operators will always prefer a through route which connects to major trip generators and attractors. Bus routings through developments should be progressive. Routes where buses must turn around or operate along the same stretch of road twice in a development should be avoided. Developments with only one access for buses are unlikely to be acceptable, except for very short diversions taking no more than two minutes;
- Opportunities should be taken to provide priority for bus access over the private vehicle. This could be through bus priority measures including a bus-only lane or a bus gate. Where bus gates are provided, enforcement through physical measures or CCTV is preferred, with the developer meeting any enforcement costs. Rising bollards are unlikely to be acceptable;
- For a two-way bus flow, the carriageway should be 6.5 metres wide at a minimum. If on-street parking is to be permitted, at least seven metres should be allowed. Care should be taken to ensure that at bends, the carriageway is of sufficient width to allow two buses to pass without any part of either bus overhanging the footway, verge, or opposite carriageway;
- For new secondary schools within Coventry, standing and loading areas with shelters are required and turning facilities should be sufficient for a 13m long bus. The facilities should be sufficient for the level of demand for bus services. This will improve safety, increase the attractiveness of sustainable transport to schools, and reduce the impact on the local highway network;
- Large sport, retail, and leisure developments are likely to require bus and/or coach parking. It is expected that bus facilities/infrastructure will be close to the development to encourage the use of buses; and
- For developments expected to be occupied by large numbers of elderly people, particularly areas of sheltered housing or retirement villages, consideration needs to be given to the need to accommodate specialist 'Ring and Ride' vehicles, including the provision of turning circles.

Coventry City Council appreciates that in new developments, there will be circumstances where traffic calming measures are appropriate, particularly where there is potential for high speeds impacting on safety for vulnerable users e.g. pedestrians and cyclists. Developments which are likely to require traffic calming measures include those where straight streets define development blocks within higher-density locations, particularly in close proximity to the city centre.

Where traffic calming measures are required, Coventry City Council will require developers to undertake an assessment of the impact of such measures on bus operations. Developers should consider the following:

- Speed cushions which can be much more desirable than tables or ramps. However, a careful approach needs to be taken to their positioning and specification.
- Full-width speed tables can cause issues if they are too frequently included. Where their use is considered essential, they should be designed to present a ramp height of no more than 75mm, and a transition gradient of no more than 1:15.
- Throttles and narrowing's pose no problems if used sparingly. The most appropriate sites are likely to be found where major pedestrian and cycle routes intersect the street. Coventry City Council encourages measures that protect the safety of vulnerable road users and the overall attractiveness of all modes of sustainable transport.

It is vital for growth in Coventry that the city is seen as a welcoming space for all road users. Therefore, Coventry City Council will encourage developments which apply the 'shared space' approach appropriately, ensuring the safe movement of all users. Thoughtfully-designed shared surfaces can be incorporated on bus routes, particularly within or near the city centre. However, special care is required to permit safe and efficient bus operation in shared space areas and therefore it is advised that developers contact Coventry City Council's Highway Development Management Team to discuss this approach at the initial design stage.

6.3.7.2. Car parking

Car parking on roads intended to be used as bus routes needs to be carefully designed, with particular attention paid to scoping out the potential for parking to obstruct or hinder bus services. Developers should consider providing car park facilities away from bus routes and seek to reduce the number of cars using bus routes to access the site.

6.3.7.3. Bus stops

Within a new development, it is important that developers identify the most appropriate location for bus stops. Providing inadequate or poorly located bus stops will have a detrimental impact on the potential use of bus services. Four general principles are essential when considering the location of bus stops: siting, layout, spacing and accessibility which are explained in the following table. Observing these principles will help to maximise the potential use and benefit for passengers.

Principle	Key Considerations
Siting	<ul style="list-style-type: none"> • Bus stops should be carefully positioned to enable waiting passengers to have a clear view of approaching buses. • Bus stops must be positioned to allow safe and convenient access for all users. • Bus stops must connect to the nearest footway for ease of use. • All new bus stops should be assessed for highway safety. • Bus stops should be placed in areas with high levels of natural surveillance, but where possible not directly outside residential frontages.
Layout and Furniture	<ul style="list-style-type: none"> • A bus stop pole and flag should be provided as a minimum and should be clearly visible for all users and provide an 'aiming point' for bus drivers to stop. • Real Time Passenger Information (RTPI) displays should be provided where these will be of value to passengers and should be sited upstream of a bus stop so that bus information is presented to waiting passengers from the same direction as approaching buses. • The introduction of new bus stops should not restrict the ease of movement of pedestrians with footway width of 1.8 metres reduced to a minimum of 1.2 metres for no longer than six metres footway length. • The introduction of new bus stops should not restrict the ease of movement of cyclists with a minimum footway of three metres. • No bus stop infrastructure should be erected in a manner which prevents or restricts access to street lighting columns etc. • Where possible, shelters should be provided. • No part of the shelter, bus stop, pole/flag, or any other transport infrastructure should be sited within 600mm from the face of the kerb line. • New shelters should be designed to allow for street cleaning and ease of maintenance.
Spacing	<ul style="list-style-type: none"> • Bus stops should be located such that most residents are within 400 metres of a bus stop. In practice, this implies a bus stop spacing of around 250 – 300 metres.
Accessibility	<ul style="list-style-type: none"> • Bus stops must enable buses to comply with the Public Service Vehicle Accessibility Regulations. The bus must be able to pull up no more than 200mm from the kerb and deploy its ramp at a gradient of no more than 1:8. • Kerb heights at boarding areas must be at least 125mm high, and higher if there is a crossfall on the footway sloping away from the kerb. • Bus stops must be protected with clearway markings enforceable during the times bus services are operating and with cages of sufficient length to allow a bus to pull in parallel to the kerb and pull out again without overhanging the footway. This varies according to the kerbside regulations upstream and downstream of a bus stop but where parking is located both upstream and downstream, a cage of 33 metres is required. • In areas with high levels of on-street parking, bus boarders are likely to provide an acceptable design solution. • Bus laybys are generally not acceptable in new developments, except at termini.

6.4. Checklist for Applications

Table 6- provides a checklist for applications which applicants should use to ensure that their assessment is robust and meets the standards required by Coventry City Council.

Table 6-3 Checklist for Applications

Topic	Advice
Principles	Refer to the West Midland Bus Alliance's objectives and Coventry City Council's aims for the bus network and rapid transit network in Coventry when assessing the role of new developments in providing access to the local public transport network.
Designing	Ensure that local highway designs can cater for bus and Very Light Rail vehicles operating and a frequent and reliant service. Highway designs should also identify locations for bus stop infrastructure for bus and rapid transit services.
Mitigation	Consider and address any negative impacts posed by new developments on the public transport network in Coventry, and the public transport network in neighbouring authorities.
Bus services requirements	Assess the available capacity of current public transport services using the recommended DfT guidance and minimum accessibility requirements. Ensure that proposed network changes will be acceptable to TfWM, the bus operator(s), and existing bus passengers.
Bus infrastructure requirements	Ensure that the four guiding considerations are adhered to when identifying a location for a new bus stop.

7. Policy AC6: Rail

7.1. Introduction

Rail provides an important mode of transport for people travelling to and from Coventry either for commuter journeys to neighbouring centres or for longer distance journeys. Therefore, access to local railway stations and services will form an important element of the travel strategy for most new developments within the city.

Policy AC6: Rail refers to the role of new developments in providing safe and convenient access to local rail services from their site. In addition, this chapter also references the role of developers in improving services on the railway network, for example through providing faster, more frequent and higher quality train services.

This chapter outlines the guidance that developers need to follow to ensure that they are supporting and enhancing the local rail network, and supporting aspirations for new railway stations where feasible. The guidance sets out the core principles and required provision for supporting access to railway stations from new developments.

Policy AC6 within the Local Plan identifies the following objectives in relation to rail:

Policy AC6: Rail	
1.	Proposals which improve the quality of local rail services and access to stations and rail interchange facilities will be supported. These include: <ol style="list-style-type: none"> Improved access to rail stations, including HS2, by all modes of travel; Improved interchange facilities between rail and other modes; and Enhancements on the rail network which increase the frequency and quality of rail services which serve Coventry.
2.	Measures which support the delivery of objectives in the Coventry Rail Investment Strategy for improved rail connectivity will be supported. This includes measures which facilitate improved rail services and supporting rail infrastructure on the Coventry north-south corridor between Leamington, Kenilworth, Coventry, Bedworth, Nuneaton and Leicestershire.
3.	Proposals for additional local railway stations on the east-west and north/south rail corridor within Coventry will be supported where they are proven to be viable, support growth objectives and are consistent with the relevant national, regional or local rail strategies.
4.	Further details are set out in the Coventry Connected SPD, Coventry Rail Investment Strategy and the West Midlands Strategic Transport Plan

7.2. Policy and Guidance Overview

Developers and scheme promoters should be aware of the key policies relating to the railway network in the Midlands outlined in Table 7-1.

Table 7-1 Policy and Guidance Framework

Policy/Guidance	Key Objectives	Link to Document
Coventry Rail Story – A Rail Investment Strategy for Coventry (2013)	<ul style="list-style-type: none"> Vision for a transport network that supports the city's economic growth and competitiveness, defining the railway that it wishes to see delivered before and after HS2, rather than being determined by existing rail capacity. For a city of its size, Coventry is poorly served other than in terms of direct services to Birmingham and London. Rail development can and should support the city's UK-wide, regional and local economic connectivity and access to labour markets. HS2 generates significant risks for Coventry and is not a 	https://goo.gl/MxeDNm

Policy/Guidance	Key Objectives	Link to Document
	<p>justification for a reduction in direct West Coast Main Line Coventry to London connectivity. HS2's Birmingham Interchange Railway Station may draw development away from Coventry if the city's own rail connectivity were diminished.</p> <ul style="list-style-type: none"> • HS2 does however generate three opportunities for Coventry, through freeing up capacity on the existing railway network, through offering major journey time benefits to the North of England, and through placing the city within a 'best connected' region and high capacity transport corridor, attracting large investment from which a pro-active Coventry can benefit. • Outlines seven priorities for rail, the further details of which are set out later in this chapter. 	
Coventry City Council Local Plan (2016)	<ul style="list-style-type: none"> • Coventry City Council is investing in the delivery of the Coventry Station Masterplan which will result in improved integration between rail and other modes of transport and the adjacent Friargate regeneration scheme. • Additional local rail stations on the West Coast Main Line (WCML) to the east of the city, serving Willenhall and Binley, would allow some of the strong local rail service demand to be met and support the regeneration and economic growth of this part of the city. These, however, need to be considered in the context of wider rail industry plans. • Line capacity between Coventry and Birmingham is constrained which causes competition between fast long distance and local stopping services. Proposals to expand capacity on the WCML which support Coventry's Rail Investment Strategy priorities will be supported. • It will be important that Coventry is well connected to UK Central and is able to form part of a broader UK Central Plus economic offer supported by excellent highway and public transport services. • Construction of HS2 is likely to affect service patterns on the WCML to reflect the introduction of new high-speed services. It will be important that existing services which support the local growth agenda are protected, and opportunities are seized which support improved connectivity objectives in the Coventry Rail Investment Strategy. 	goo.gl/cBJBNk
Midlands Connect Full Strategy (Midlands Connect Partnership) (2017)	<ul style="list-style-type: none"> • The Midlands Connect Partnership spans local authorities, LEPs, business groups, the region's two main airports, HS2 Ltd, Highways England, Network Rail and the DfT. • Sets out a transport strategy that is focussed on economic outputs, setting out transformational rail, road and digital infrastructure that will power the Midlands Engine for Growth. • Uses 'conditional outputs' to define the desired level of service on the railway network, including outputs around frequency and speed of rail services. • Strategy includes a range of proposals that would benefit the Coventry area, with early priorities for Midlands Connect to develop the business case for more frequent services on the Coventry to Leamington Spa rail corridor and improved rail services between Coventry and Leicester. 	https://goo.gl/rwmqZ9
West Midlands and Chilterns	<ul style="list-style-type: none"> • The purpose of the Route Study is to provide an evidence base to inform funders considering rail industry investment 	https://goo.gl/K5rXeQ

Policy/Guidance	Key Objectives	Link to Document
Route Study (Network Rail) (2017)	<p>for the medium and long term. This means identifying ways in which the industry can meet forecast demand over the coming years, get 'HS2-ready' by 2026, and look ahead to 2043.</p> <ul style="list-style-type: none"> • Outlines the challenges across the West Midlands, including constrained capacity on corridors through Coventry, including the WCML. Crowding plots to 2043 indicate forecast passenger to seat ratios in excess of 140% at peak, denoting acute levels of overcrowding. • Identifies a range of interventions that could be introduced to meet future demand, including enhancements on the Coventry to Leamington Spa Corridor (facilitating improved connectivity into the area from the South of England) and improvements on the Coventry to Leicester corridor (no direct services currently link these cities). 	
Movement for Growth: 2026 Delivery Plan for Transport (Transport for West Midlands) (2016)	<ul style="list-style-type: none"> • The Movement for Growth strategic transport plan (MfG) articulates the vision outlined in the Strategic Economic Plan and provides a high-level policy framework and overall long-term approach for improving the transport system serving the West Midlands. • The plan (currently) contains details of nearly 200 schemes and initiatives representing some £8bn worth of infrastructure and technology investment in the transport system. • Includes key rail schemes in the Midlands that unlock capacity across a range of corridors, including the Midlands Rail Hub scheme in Birmingham which is expected to deliver up to an additional 10 trains per hour through the Birmingham area. • Outlines support for improvements in the Coventry area, including capacity enhancements between Coventry and Leamington Spa and improved service provision on the Coventry to Leicester rail corridor. • Coventry will be the initial area of search for a publicly operated modern Very Light Rail system, as an alternative to tyre based and conventional Metro based connectivity solutions. Subject to the outcome of the development work planned over the next two years, it is envisaged that the first route will be between Coventry Railway Station and the University of Warwick with a potential further route to link up with the proposed growth around Whitley. Ultimately the aim would be to connect the city to HS2 Interchange and UK Central. 	https://goo.gl/m2H7Bm
Coventry & Warwickshire (Updated) Strategic Economic Plan (Coventry & Warwickshire Local Enterprise Partnership)	<ul style="list-style-type: none"> • Sets out how the Coventry & Warwickshire Local Enterprise Partnership, along with its partners in the public, private and third sectors, will grow the economy over the short, medium and longer term. It recognised that co-ordinated action from all sectors will play a key role in stimulating growth and prosperity, increasing the competitiveness of the local economy. • The need to maintain good connectivity both to and within the LEP area requires sustained investment in the transport network at both a strategic and local level. • The LEP will support investment that enhances rail infrastructure and transport corridors. • The priority employment and innovation sites are mainly located within a strongly established north-south travel to work corridor extending from Hinckley – Nuneaton – Coventry – Leamington Spa – Warwick, within which 80% of all travel to work activity occurs. 	www.cwlep.com

Policy/Guidance	Key Objectives	Link to Document
	<ul style="list-style-type: none"> Supportive of delivery of the North-South Rail and Coventry Railway Station scheme, which will improve passenger capacity and secure an increase in train service frequency between Coventry, Bedworth and Nuneaton. 	
The Midlands HS2 Growth Strategy / Connectivity Programme (2015)	<ul style="list-style-type: none"> HS2 presents a once-in-a-generation opportunity to drive economic growth and prosperity across the Midlands. The Growth Strategy outlines how the Midlands is seeking to fully maximise the benefits of the largest infrastructure project in Europe. Outlines a range of interventions to capitalise on HS2, with four key themes of connectivity to HS2 stations; an integrated HS2; Midlands Connect and International Connectivity. Effectively connecting the two high speed stations and their associated development zones to other transport hubs and the wider region will provide momentum for further transformation, radically improving access across the Midlands and accelerating growth and regeneration at key centres and locations. Through the Midlands Connect Partnership, the Midlands will maximise the released capacity HS2 will provide, enhancing the Midlands' ability to attract inward investment through a cluster approach, enabling businesses to draw on a larger base of suppliers for different industries and the widening of labour-pooling opportunities with greater matching of supply and demand for jobs. 	https://goo.gl/TvSTqV
Travel to Work Area Network Study (Transport for West Midlands) (2017)	<ul style="list-style-type: none"> Outlines the results of a technical process to understand the economic implications of differing rail service scenarios across the Midlands, focussing on the balance of local versus regional and long-distance services on key corridors in the Midlands. Includes testing of Midlands Connect's (since superseded) aspirations for an average (stop to stop) speed of 70mph on routes in the Midlands, including the Birmingham to Coventry corridor and the Coventry to Leamington Spa / Oxford corridor. Outlines the benefits associated with: agglomeration (GVA uplift and new jobs generated through enhanced productivity of businesses and workers being located closer to each other); and labour supply jobs, focussing on the number of committed jobs that will be facilitated by changes in rail capacity generated by new services. 	Electronic copy provided by email. Need to provide link once document is formally published

7.3. Coventry Connected Policy and Guidance

This sub-section provides information on the existing level of service provided at Coventry Railway Station (as at September 2017) and an overview of key changes in the future as a result of planned investment in the railway network. This has been informed by the documents outlined in Table 7-1, including Network Rail's West Midlands and Chilterns Route Study and the Coventry Rail Investment Strategy.

7.3.1. Background to Rail in the West Midlands

Coventry benefits from both east-west and north-south rail links, providing links into the West Midlands, the South-East of England, and London. There is however poor service provision to some locations, such as no direct rail links to Leicester, despite the proximity of the two cities. The Coventry Rail Investment Strategy notes that for a city of its size, Coventry is poorly served other than direct services to Birmingham and London.

Existing rail services from Coventry are as follows:

- **Services to Nuneaton** are operated hourly, but will be increased to half-hourly in the future as part of the NUCKLE improvement works. At Nuneaton, interchange is provided with north-south services on the WCML alongside services towards Leicester and the East of England.
- **Services to London** are provided by Virgin Trains and West Midlands Trains, with a combined frequency of six trains per hour. The fastest services, with three trains per hour, are provided by Virgin Trains, with limited stops en-route and journey times of approximately one hour. West Midlands Trains' services operate via Northampton and serve several intermediate stops, with typical journey times to London of 100-120 minutes.
- **Services to the South of England**, including Oxford and Reading, are operated hourly, via Leamington Spa. The route between Coventry and Leamington Spa will also support new shuttle services from February 2018, calling at the newly opened Kenilworth Railway Station. Coventry City Council, alongside partners at Warwickshire County Council and Midlands Connect, is supportive of increased capacity being provided between Coventry and Leamington Spa which would enable long-distance services from the South of England to route via Coventry (post- Phase 1 of HS2), providing a doubling of the existing frequency. Midlands Connect has recently (Summer 2017) undertaken work around the business case for providing new infrastructure on this corridor, including associated levels of wider economic benefits.
- **Services to the West Midlands**, via Birmingham International and Birmingham New Street, are operated regularly by a combination of Virgin Trains, Cross Country, and West Midlands Trains, with a combined frequency of seven trains per hour. These services have a range of stopping patterns, with the fastest services calling at Birmingham International and Birmingham New Street only, and regional and local services calling at additional intermediate locations. Cross Country services continue beyond Birmingham to serve Manchester, while some Virgin Trains services continue beyond Birmingham to serve the North of England and Southern Scotland.

The arrival of HS2 in the Midlands is expected to lead to extensive timetable changes on the 'classic' (non-HS2) network, as a result of demand for fast services between the West Midlands and London switching to HS2. Further details around the challenges and opportunities associated with these changes are outlined later in this chapter.

7.3.2. Priorities in Coventry Rail Investment Strategy

Coventry's Rail Investment Strategy, dated 2013, outlines a vision for a transport network that supports the city's economic growth and competitiveness, defining the railway that it wishes to see delivered pre-and-post HS2.

The Rail Strategy outlines seven key priorities and it is against these priorities that Coventry City Council will assess schemes put forward by developers or scheme promoters. Clear support of one or more of the identified priorities will ensure that Coventry City Council is supportive of a proposal, subject to a viable business case being developed.

Table 7-2 Priorities in Coventry Rail Investment Strategy

Priority	Further Details
1) Think Coventry	'Think Coventry' will encourage national, regional and local marketing of Coventry's rail connectivity which will be a key element in the success of the range of passenger service outputs in the Rail Investment Strategy, as well as the city's developing relationship to the freight and distribution market.
2) Benefitting from HS2	Coventry City Council intends to seek maximum benefit for its economy from the investment being made in HS2 by Government. The four key outputs to support this are: <ul style="list-style-type: none"> • Keeping Coventry and London connected: Coventry City Council would only accept reduction to a two-trains-per-hour fast London service if both journey time enhancements and new local, regional, and national connectivity were coherently planned and delivered. • Connecting to HS2: Coventry City Council will work with all partners to see the development and delivery of a Rapid Transit connection between the city and Birmingham Interchange (HS2) Railway Station. • The Whitacre Link: The June 2013 Marshall / Byng report suggests that

Priority	Further Details
	<p>a re-instated Whitacre Link route between Hampton in Arden and Coleshill offers direct connectivity to Birmingham Interchange (HS2) Railway Station, avoiding Birmingham New Street. Coventry City Council supports ongoing assessment of the benefits and costs of the Whitacre Link and believes the route should be protected for potential future public transport use.</p> <ul style="list-style-type: none"> Using the capacity released by HS2: A key component of the case for HS2 is its provision of wholly new rail capacity and release of capacity on the WCML and wider National Rail network. Actively planned utilisation of this released capacity to enhance Coventry's long-distance services will achieve a step-change in its regional and local connectivity. West Midlands Interchange: Birmingham Interchange (HS2) Railway Station should be renamed 'West Midlands Hub' to reflect its regional role and value beyond Birmingham alone, be more comprehensible to passengers, and be consistent with HS2's East Midlands Hub concept.
3) Long Distance Markets for Coventry before HS2	<p>Coventry City Council seeks or supports three key outputs:</p> <ul style="list-style-type: none"> Connecting Coventry across the UK before HS2: Early implementation of the rail industry plan to divert Reading to Newcastle services via Coventry, in addition to the existing Bournemouth to Coventry to Manchester service, provides Coventry with two trains of Intercity ambience per hour to Reading and provides new connectivity to the East Midlands and North-East. Connecting Coventry and Heathrow Airport before HS2: The High Level Output Scheme (HLOS) commitment to western rail access to Heathrow Airport from Reading by 2019, which together with two direct Cross Country Coventry to Reading services, substantially enhances the city's access to Heathrow at least six years before HS2. Better Connecting Coventry after HS2: Euston to Northampton to Coventry to Birmingham services to Liverpool, will complement the development of HS2 and provide Coventry passengers with a wider range of choice of services.
4) Birmingham and the Transport for West Midlands (TfWM) Area	<p>Birmingham is the principal regional market for Coventry, forming 50% of travel between Coventry and the TfWM area, and 20% of all travel to and from Coventry. Coventry City Council seeks the following three outputs:</p> <ul style="list-style-type: none"> Increasing capacity before HS2 implementation, prospectively via delivery of the second Cross Country service. Increased frequency of services post- HS2, taking advantage of the prospective increase of paths from seven to nine trains per hour. Regular interval departures and calling patterns for local West Midlands Train services.
5) Regional Markets for Coventry	<p>Coventry City Council seeks or supports the following three outputs:</p> <ul style="list-style-type: none"> Greater West Coast Main Line capacity before HS2: Delivery of additional capacity on West Midlands Trains services between Coventry, Rugby, Northampton, Milton Keynes and onwards to London Euston to sustain and stimulate forecast rail growth and development of labour market sharing. The missing link – Coventry and Leicester before and after HS2: To include closer timetabling between Coventry and Nuneaton and between Nuneaton and Leicester; enhanced interchange facilities at Nuneaton Railway Station before 2026; and implementation of direct Coventry to Leicester services after HS2 releases capacity at Nuneaton in 2026. Re-connecting across Nuneaton after HS2: To take the lead in developing direct services, Coventry City Council intends to seek the active support of TfWM and close partnership arrangements not only with the rail industry but with local authorities in Warwickshire, Leicestershire, Northamptonshire and Buckinghamshire via its 'Think Coventry' initiative.
6) Coventry's Local Transport Network	<p>Commuting by rail into Coventry forms less than 2.5% of the c. 50,000 inwards commuters per day; less than one tenth of the 30% of the commuters TfWM report use rail to access Birmingham. Coventry City Council seeks or supports the following three outputs, timed to take account</p>

Priority	Further Details
	of rail developments: <ul style="list-style-type: none"> • Kenilworth Railway Station: Delivery of Kenilworth Railway Station (NUCKLE 2), along with NUCKLE 1, is essential to the progress of employment development schemes such as Friargate, together with the further regeneration of Coventry City Centre. • New stations on the NUCKLE corridor: Assessment of other new station locations on the NUCKLE corridor before or after HS2 implementation will align with development of Coventry's Strategic Regeneration Area. • New stations on the WCML corridor: The release of WCML capacity via HS2 enables consideration of hitherto non-feasible options such as new stations on the WCML. A priority for assessment is the key Willenhall / Binley area to the east of Coventry.
7) Coventry Railway Station – A new Gateway to the City	Coventry Railway Station was extensively re-built in the 1960s WCML electrification. However, it is now tired with limited passenger facilities, poor integration with other forms of transport, limited in its rail capacity for growth, and neither a good gateway for Coventry nor delivering as much commercial benefit to the city as it could do. A planning application for a new station building and associated transport facilities was submitted in December 2017. The new building and facilities are due to be completed during the summer of 2021.

7.3.3. Guidance for Developers and Scheme Promoters

Guidance for developers and scheme promoters is provided in the remainder of this chapter, around the three key topic areas outlined at the beginning of the chapter.

7.3.3.1. Improving Access to Railway Stations

Where a new development is close to the railway network, developers should consider building infrastructure that complements existing railway stations. City Council requires developers promoting developments close to existing stations in Coventry to introduce measures to ensure that sustainable transport is at the forefront of the development. This will help to engrain good travel behaviour from the outset and encourage a good rail mode share. Measures to encourage sustainable transport will be developed through Transport Assessments and Travel Plans. Policy AC3 provides information on the requirements for developers to produce Transport Assessments and Travel Plans. Guidance on developer contributions to sustainable transport will be outlined in Coventry City Council's Infrastructure Delivery SPD.

The existing railway stations at Tile Hill and Canley cater predominantly for local rail services and provide an important park and ride function. However, the car parks at both stations continue to operate at, or near capacity; limiting access to the railway network. Coventry City Council will therefore be supportive of any developments which seek to increase car and cycle parking provision at these locations to facilitate more journeys by rail, subject improved highway access as appropriate.. In line with Policy AC4, Coventry City Council will also be supportive of measures to improve walking and cycling to existing railway stations.

The delivery of the Coventry Railway Station masterplan regeneration, in line with the priorities outlined in Coventry's Rail Investment Strategy, will improve transport interchange facilities and enable the predicted growth in rail passengers to be accommodated. The masterplan includes improvements to pedestrian accesses, car parking, bus interchange facilities, cycle parking, and a new bay platform to facilitate the delivery of the NUCKLE rail scheme. This scheme forms one of the identified priorities in the Coventry Rail Investment Strategy.

7.3.3.2. Improving Services on the Railway Network

Coventry City Council is supportive of improvements to the railway network to provide faster, more frequent and higher quality services, in line with the objectives outlined in the Coventry Rail Investment Strategy. This is also evidenced by the Council's membership of the West Midlands Rail Executive who are currently delivering a significant investment programme across the region. As part of the transport scoping process, developers of large sites may be asked to contribute to railway network improvements, but the approach to any contribution will be subject to detailed discussion with Coventry City Council's Highway Development Management team.

The railway network in the Coventry area supports a variety of service patterns with local, regional, and long-distance services using the railway. With much of the railway network being double track, there is a clear trade-off between providing fast regional and long-distance services, whilst at the same time providing an acceptable level of service frequency for intermediate locations.

The benefits of faster services are well evidenced in the key industry documents, including the Coventry Rail Investment Strategy. Faster services can widen the travel to work area thus placing a higher proportion of the working population within acceptable commuting distances of jobs in and around Coventry and ensuring that new developments have access to the labour market they require so that their development is not compromised. There are also clear benefits in terms of improving business-to-business travel with fast, frequent services maximising the opportunity for efficient business travel to, from, and within the city.

The Midlands Connect Partnership's Full Strategy outlines the aspiration for services on key corridors in the Midlands, including the route from Coventry to Birmingham to have 70mph end-to-end average speeds. This has been promoted due to evidenced economic impacts, including agglomeration benefits associated with businesses being brought closer to one another. Coventry City Council is supportive of this aspiration but acknowledges that it should not be met at the expense of frequency and journey time penalties at intermediate locations.

Coventry City Council will work with partners in the West Midlands to deliver faster rail services. The Council will therefore be supportive of developments which promote measures that seek to increase capacity on the railway network to facilitate faster services, for example through capacity enhancements on the Coventry to Birmingham Rail Corridor.

More Frequent Services

Coventry City Council is supportive of more frequent services being provided on key routes into and through Coventry and is working with partners, including local authorities and Midlands Connect, to investigate provision of additional services to:

- The South of England via Leamington Spa. Services are currently provided hourly but through provision of additional double tracking, Network Rail has indicated that it is possible for a half hourly service to be introduced by diverting the Reading to Newcastle services through Coventry. In addition to doubling the frequency to the South of England, this scheme provides significant benefits to the East Midlands, through directly linking locations such as Derby with Birmingham Airport and Coventry. The Midlands Connect Partnership has undertaken extensive work to assess the wider economic benefits associated with this scheme. This scheme forms part of Priority 3 in the Coventry Rail Investment Strategy; and
- The East Midlands via Nuneaton. No direct services currently link Coventry with Leicester, and Priority 5 of the Coventry Rail Investment Strategy references the need to improve links between these cities. Improved links can be achieved both through closer timetable planning and marketing of Coventry to Nuneaton and Nuneaton to Leicester services, and through longer-term implementation of direct services.

In addition to the routes outlined above, the Coventry Rail Investment Strategy provides support for more frequent services on the WCML corridor through the following:

- Protecting the provision of fast services to London post-HS2; and
- Increasing the provision of services on the Coventry to Birmingham corridor. Prospectively, this could be achieved through delivery of the second Cross Country service pre-HS2 and through increased service provision post-HS2, taking advantage of the prospective increase of paths from seven to nine trains per hour.

Links to HS2

The Government has committed to delivering a new high-speed railway between London, the West Midlands, and the North of England. The first phase of this scheme includes a new station located close to Birmingham International (HS2) Railway Station, approximately four miles from the western boundary of Coventry. In addition to the high-speed railway station, Solihull Metropolitan Borough Council is promoting a growth and infrastructure plan for the UK Central (UKC) Hub which includes plans to create up to 100,000 new jobs and new housing growth. The high-speed station at the UKC Hub is expected to be linked to Birmingham International Railway Station via a new people mover system, that will also connect both railway stations with the National Exhibition Centre and Birmingham Airport.

It is important that Coventry is well connected to UKC Hub and able to form part of a broader UKC economic offer supported by excellent highway and public transport services. This will enable Coventry to achieve the following:

- Develop and be a major sub-regional hub for growth supporting services and economic activity across the whole area;
- Form a key part of the labour market for the proposed UKC Hub development, ensuring that people from Coventry are able to access new jobs, including those in the professional services sector, quickly and efficiently; and
- Maximise the benefit associated with being located close to the proposed Birmingham Interchange Railway Station. The provision of a new railway station at the UKC Hub will facilitate much faster journeys from the West Midlands, including Coventry to Manchester, Leeds, and locations further north.

The Coventry Rail Investment Strategy identifies clear challenges and opportunities associated with the development of HS2 and proposes a range of priorities related to them.

7.3.3.3. Providing new Railway Stations

New railway stations have recently been successfully introduced to the north of the city as part of NUCKLE, enabling new public journeys to be made by rail.

Proposals for additional local railway stations on the WCML and north-south routes will be supported by Coventry City Council, in line with the Coventry Rail Investment Strategy, where they can achieve the following:

- A business case that provides a viable level of value for money, in line with the Government's value for money criteria;
- Support growth objectives in the city, for example through linking new development with the railway network allowing new journeys to be made on the railway network; and
- Consistency with the relevant national, regional, or local rail strategies. Proposals should show strong alignment with the priorities outlined in the Coventry Rail Investment Strategy.

Additional local rail stations on the WCML to the east of the city serving Willenhall and Binley would allow some of the high local rail service demand to be met, and support the regeneration and economic growth of this area of the city. However, additional stations will need to be considered in the context of wider strategic rail industry plans which plan for capacity on the busy WCML. Options are also being explored for a new station in the south of the city to support new development growth in that area. These stations are identified in the West Midlands Strategic Plan.

Where a new development is of a significant magnitude³, there may be opportunities for developers to part or fully fund new railway stations. However, Coventry City Council appreciates that this would need to be in conjunction with wider aspirations for a new railway station and as such, it is recommended that the developer liaises with Coventry City Council as part of the transport scoping process to understand if this may be appropriate.

7.4. Checklist for Applications

Table 7-3 provides a checklist for applications which applicants should use to ensure that their assessment is robust and meets the standards required by Coventry City Council.

Table 7-3 Checklist for Applications

Topic	Advice
Rail investment priorities	Consider and demonstrate that your proposal aligns with the priorities

³ Coventry City Council does not have a defined threshold in terms of magnitude of development or distance from the railway network, but would expect this to be agreed as part of the transport scoping process

Topic	Advice
	set out in Coventry's Rail Investment Strategy. Clear support for at least one of the priorities will gain support from Coventry City Council.
Improving accessibility	Ensure that developments located close to railway stations are developed in a way that encourages sustainable transport and provides excellent access to the local railway station. Develop measures through a tailored Transport Assessment and Travel Plan.
Improving rail services	Explore the opportunity for a development to support aspirations for the West Midlands rail network, as outlined by the Midlands Connect Partnership. Where possible, seek to maximise the benefits of HS2 for Coventry by protecting non-high-speed rail services and providing improved connectivity to the UK Central Hub.
New railway stations	Examine the need for a new railway station to be provided to serve a development site.

8. Policy AC7: Freight

8.1. Introduction

Policy AC7: Freight refers to the role of developers in limiting the impact of freight on the local highway network and encouraging the use of rail and air freight facilities where possible. This guidance refers to the movement of commercial goods and ranges from the use of cycle couriers, through to heavy good vehicles and abnormal loads.

This chapter outlines the guidance that developers need to follow to ensure that they are controlling freight movements to and from their site, whilst providing facilities for freight on-site. The guidance sets out the core principles for managing freight movements and utilising alternative methods of freight movements where appropriate.

Policy AC7 within the Local Plan identifies the following objectives in relation to freight.

Policy AC7: Freight
<ol style="list-style-type: none"> 1. New developments on sites which generate or are likely to generate significant HGV movements must accommodate appropriate on-site lorry parking and turning facilities to minimise disruption and safety issues on the public highway. 2. New development which supports the use of rail and air freight facilities will be supported where there is an evidenced demand, proposals are consistent with the relevant air and rail industry plans, have an acceptable environmental impact and do not significantly compromise the capacity and safety of the local highway network.

8.2. Policy and Guidance Overview

Table 8-1 presents a summary of the key policies relating to the movement of freight in Coventry.

Table 8-1 Policy and Guidance Framework

Policy/Guidance	Key Objectives	Link to Document
National Planning Policy Framework (NPPF) (2012)	<ul style="list-style-type: none"> • All developments that generate significant amounts of vehicle movement should be supported by a Transport Statement or Transport Assessment. • Transport Assessments and Statements are ways of assessing the potential impacts of developments (and they may propose mitigation measures to promote sustainable development). • Policy AC3 provides further details around CTMPs and CTPs, which are plans tailored to minimising the impact of development construction sites. 	https://goo.gl/KIbX9p
Coventry City Council Local Plan (2016)	<ul style="list-style-type: none"> • The efficient movement of freight is essential to support economic growth. In addition to supporting existing businesses, freight movements provide opportunities to generate additional employment through the creation of logistical and freight industries. • Where new developments are expected to require large numbers of lorry movements, appropriate parking and turning facilities must be provided onsite to minimise disruption on the public highway. • Opportunities for additional rail freight facilities which arise within the plan period will generally be 	goo.gl/cBJBNk

Policy/Guidance	Key Objectives	Link to Document
	<p>supported, but will need to be assessed on their individual merit and be consistent with relevant rail industry plans.</p> <ul style="list-style-type: none"> • Having good local access to air freight facilities offers opportunities to improve supply chains and therefore attract new investment into the area. 	
Draft West Midlands Freight Strategy: Supporting our Economy, Tackling Carbon (2016)	<ul style="list-style-type: none"> • Outlines an approach for freight in the region and seeks to present the West Midlands as a leader in best practice in freight management. • In order to deliver the ‘vision’, the strategy uses nine objectives from the Movement for Growth – the West Midlands Strategic Transport Plan, based around economic growth and inclusion, population growth and housing development, environment, public health, and social wellbeing. • Supports a range of measures spanning national, regional, metropolitan, and local tiers, including maximising the economic benefits of our national airports and encouraging the development and growth of rail freight interchanges. It also calls for appropriate freight vehicle routings on the highway network. 	https://goo.gl/aer923
Guidelines for the Environmental Assessment of Road Traffic ‘Institute of Environmental Assessment’	<ul style="list-style-type: none"> • Guidelines to encourage a more comprehensive and consistent approach to assessing the environmental impacts of traffic from major new developments. • Environmental appraisals should form an integral part of the project planning and design exercise. • Provides advice around the treatment of noise, vibration, driver severance and delay, pedestrian severance and delay, pedestrian amenity, accidents and safety, hazardous and dangerous loads, dust, and dirt. • In drawing up constraints, the assessor should consult widely with the local planning/ highway authorities, representative bodies, and affected groups. 	https://goo.gl/F7TEZg

8.3. Coventry Connected Policy and Guidance

8.3.1. Construction Traffic Management Plans

A Construction Traffic Management Plan (CTMP) is required where a development is expected to generate a significant volume of construction vehicles. This includes vehicles delivering freight to and from the site and vehicles transporting the workforce to and from the site. The plan will outline details to ensure that any adverse impacts associated with these movements are mitigated, as far as practicably possible.

In line with many local authorities, Coventry City Council does not have a specific threshold that defines whether a development is ‘significant’, and will assign a planning condition to a development if it believes that a CTMP is required. This will be communicated in response to a transport scoping report submitted by the developer. Policy AC3 provides further guidance around this scoping process.

Should Coventry City Council deem that a CTMP is appropriate for a development, the developer will be required to submit a CTMP document, adopting the structure outlined in Table 8-2. Note that the CTMP is expected to include a Construction Travel Plan (CTP), details of which are provided in Policy AC3 Demand Management of this SPD.

Table 8-2 Required Content of a Construction Traffic Management Plan

Construction Traffic Management Plan Section	Content
Overview of the development	The location and magnitude of development by land use, including access arrangements and phasing.
Preferred CTMP route	The preferred CTMP route(s) from the strategic road network to the site, providing details on any routings that have been dismissed and the reasons for this dismissal. This may include details around consolidation opportunities if Coventry City Council deems that this is appropriate (see details later in this chapter).
Measures to ensure safe access	The measures in the site vicinity to ensure that construction vehicles do not impede traffic on the highway network, with construction vehicles being guided into the site by a qualified and certified banksman into parking and turning areas. This must also include the need for wheel cleaning facilities to prevent mud from migrating onto the adjacent highway.
Timing of movements	The proposed magnitude and times of movement into the site, noting the need to minimise the impact on the surrounding highway network.
Engagement with local residents and businesses	The approach to consulting with local residents and businesses, to ensure they are aware of the development and associated construction traffic.
Construction Travel Plan (CTP)	The measures to ensure that the workforce is able to access the site sustainably. Policy AC3 provides further details around the expected content of the CTP, including the need to specify parking provision for site related worker vehicles and to maximise the opportunities for the workforce to travel to a construction site by non-single occupancy private vehicle modes.
Contact details for the site	The contact details for the site supervisor responsible for on-site works.

Each CTMP submitted, in line with the above structure, will need to be approved by Coventry City Council before site works are permitted to commence.

In addition to a CTMP there may be a requirement, dependant on site location, scale of development etc. for the provision of a delivery/servicing plan to be submitted and controlled under a planning condition. The delivery/service plan should include all of the standard requirement of the CTMP but will enforced for the lifetime of the development.

8.3.2. Parking Provision for Goods Vehicles

As part of a Transport Assessment, and following the transport scoping report, the developer will be expected to demonstrate that the new development delivers the following for freight vehicles:

- Sufficient parking and turning space off the public highway to provide safe access and egress with minimal interference to other road users. This will include providing swept path drawings to confirm that goods vehicles are able to safely access facilities; and
- Sufficient 'stacking' capacity to accommodate the number of goods vehicles expected to be at the site at any one time, to avoid a situation whereby goods vehicles are queuing into the site and impeding other road users on the public highway. This may be through stacking space at the site itself or through development of a formal plan where appropriate lay-bys, adjacent premises, or servicing areas are identified should unexpected/ additional deliveries arrive, exceeding the capacity provided on site.

Should the development be in a sensitive location, for example close to a neighbouring residential area, Coventry City Council may require deliveries to be limited to certain times of the day as part of the scoping process.

8.3.3. Consolidation of Freight

Some cities, both within the UK and overseas, have successfully introduced Freight Consolidation Centres (FCCs) whereby inbound and/or outbound deliveries are consolidated to reduce the number of goods vehicle movements, either:

- Temporarily, during construction, to reduce the number of goods vehicle movements to and from construction sites; or
- In the longer term, to ensure that sites or wider areas are sustainably served. For example, some cities have consolidation centres that serve specific areas of a city to avoid instances whereby multiple deliveries are made to adjacent premises where one consolidated delivery could serve all locations.

Coventry City Council is supportive of initiatives that will encourage the consolidation of goods and will engage with developers as part of the transport scoping process to understand whether consolidation may be appropriate. Regarding construction, if the development site has clear constraints; Coventry City Council may request that the CTMP specifies the way in which deliveries will be consolidated to minimise the number of goods vehicle movements.

8.3.4. Supporting the Use of Rail and Air Freight Facilities

8.3.4.1. Support for Rail Freight Facilities

In principle, Coventry City Council is supportive of new developments that do the following:

- Expect to use rail freight facilities to service their needs, for example with inbound and outbound deliveries using rail for as much of the journey as practicably possible; or
- Comprise of new rail freight facilities, be it in the form of simple facilities that allow rail freight to be loaded, or more formal facilities such as Intermodal Rail Freight Interchanges (IRFIs) or Strategic Rail Freight Interchanges (SRFIs).

The West Midlands Draft Freight Strategy notes that given the strategic location and importance of the West Midlands, it should undoubtedly be seen as a best practice beacon for the management of freight movements. In practice, this means having policies in place to proactively promote safe, efficient, and sustainable freight movements and a clear set of objectives to work towards.

There are currently no rail freight facilities in Coventry and there is limited scope to develop new locations, given the relatively constrained nature of the railway network. Nevertheless, should development proposals arise during the plan period, Coventry City Council will support the provision of new facilities provided a robust assessment has been undertaken, including evidence of the following:

- There is a compelling case for investment in new rail freight facilities in the city, including any clear opportunity for mode shift from highway modes;
- The plans are consistent with wider industry plans. In practice, this means that a workable number of freight trains are able to access the facility without wider network capacity being comprised. Policy AC6 provides further detail around Coventry City Council's support for passenger rail improvements within and beyond the city;
- Associated increases in road freight movements on the highway network can be accommodated either through existing infrastructure or through new supporting infrastructure to mitigate the impact of additional traffic; and
- There is a 'fit' with wider policy, for example through a new rail freight facility forming part of a solution to overcome the rail freight facility shortfall identified in the West Midlands Draft Freight Strategy.

8.3.4.2. Support for Air Freight Facilities

The role of Coventry Airport has fluctuated over time, but it continues to cater for business/ general aviation, air mail, bulk freight, and other niche functions. Having good local access to air freight facilities offers opportunities to improve supply chains and therefore attract new investment into the area.

Coventry City Council is supportive of developments that provide improved access into Coventry Airport.

8.4. Checklist for Applications

Table 8-3 provides a checklist for applications which applicants should use to ensure that their assessment is robust and meets the standards required by Coventry City Council.

Table 8-3 Checklist for Applications

Topic	Advice
Construction traffic management plans	Liaise with Coventry City Council's Highways Development Management Team to determine whether a construction traffic management plan (CTMP) is required. If so, produce a CTMP using the guidance outlined earlier in this chapter.
Delivery/Service Plan	Liaise with Coventry City Council's Highways Development Management Team to determine whether a Delivery/Service plan is required. If so, produce a Delivery/Service using the guidance outlined earlier in this chapter.
Parking provision	Demonstrate that a proposed development has sufficient parking and turning space off the public highway for freight vehicles to enter and exit the site. Prove that the proposed site has sufficient capacity to accommodate the expected number of freight vehicles at any one time, without impacting the public highway.
Freight consolidation	Liaise with Coventry City Council's Highways Development Management Team to determine whether freight consolidation is appropriate. If so, consider how goods can be consolidated in the temporary and longer term.
Rail and air freight	Consider and demonstrate the requirement for rail freight facilities to serve the development site. Consider the opportunity to use air freight facilities at Coventry Airport.

Coventry Local Plan 2016

Appendix 5

Car and Cycle Parking Standards for New Development

(Updated January 2019)

1. Introduction

- 1.1 This appendix sets out standards for levels of car and cycle parking associated with new development in Coventry. The standards include requirements for electric car charging points and the provision of parking for people with disabilities.
- 1.2 These standards should be applied in combination with the main policies set out in the Coventry Development Plan, and specifically policy Acc 3 which deals with car parking. The City Centre Area Action Plan also contains policies relating to the provision of public car parking in the City Centre.

Relevant Local and National Car Parking Policy

- 1.3 The National Planning Policy Framework (NPPF) (2012) sets out the Government's approach to car parking standards stating that in setting local standards, local planning authorities should take into account:
- the accessibility of a site
 - the type and mix of the proposed development
 - the availability of and opportunities for public transport
 - local car ownership levels
 - an overall need to reduce the use of high-emission vehicles
- 1.4 In March 2015 the government provided additional detail on the NPPF parking policy which stated that, "Local planning authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network".
- 1.5 There is very clear evidence locally that the under provision of car parking can be attributed to road safety and congestion issues in numerous areas across the city. Most notably, inadequate levels of car parking have been shown to cause unacceptable levels of on-street parking causing obstructions to other road users including refuse and emergency vehicles. A review of the current parking situation is outlined in more detail below.
- 1.6 It has been determined that the provision of car parking standards is required locally to address those issues whilst also providing additional guidance to developers to help maintain appropriate and consistent levels of car parking across the city and with surrounding areas.

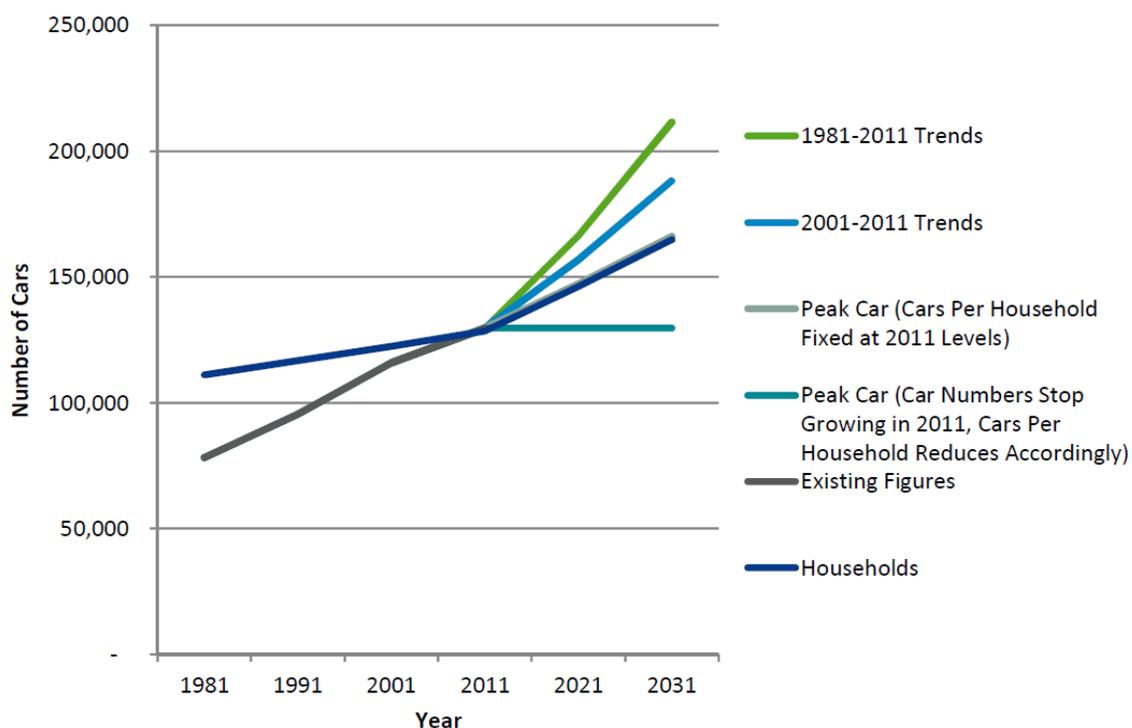
Background

- 1.7 Coventry is a compact highly accessible city with a well-developed and maintained road network. The density, type and accessibility of housing varies greatly across the city, but typically Coventry is made up of large areas of terraced and semi-detached housing, in many cases with little or no off-street car parking. In more suburban lower density areas of the city, levels of car ownership levels are typically higher, but even with an increased availability of off-street parking, levels of on-street parking frequently remain high.
- 1.8 Patterns of commercial development over the past twenty years have seen an increase in out of town businesses and retail sites. In some cases there has been an overspill of car parking into local residential areas necessitating the introduction of residents parking zones. This overspill effect is also an issue in residential areas located around the periphery of the city centre. It is considered that the application of appropriate levels of car parking and the completion of a ring of residents parking zones around the edge of the city centre alongside a continued programme of promoting sustainable travel modes will help to address this.
- 1.9 The City Council has undertaken a review of current car parking issues to inform the formulation of these standards. The review considered:
- The existing parking situation in a variety of areas across the city in terms of on-street parking, and associated highway safety and traffic management issues.
 - The effectiveness and impact of recent car parking provision on new development
 - Car parking standards adopted by other local authorities including those with comparable characteristics to Coventry and those in the locality
 - Other relevant planning and transportation policies related to car parking
 - Car ownership levels and usage levels in different parts of the City
 - The availability of public transport
- 1.10 The review has shown that the provision of inadequate levels of car parking, most notably in residential areas, has increased occurrences of inappropriate and obstructive informal on-street car parking. This indicates that restricting levels of car parking does not necessarily have a material impact on reducing levels of car ownership. The location and design of car parking also appears to have an impact on its usage and occurrences of on-street parking.
- 1.11 The increase in on-street parking has caused a variety of issues including:
- Blocked access routes for emergency, refuse and delivery vehicles
 - Blocked footways preventing access for pedestrians
 - Reduced visibility for all road users at junctions and for pedestrians crossing the road
 - Negative impacts from parking on the overall visual appearance of the street scene
- 1.12 Over recent years, the typical standard applied has been to restrict parking to two spaces per dwelling, not necessarily linked to the number of bedrooms. There is also evidence which indicates that a high proportion of garages, counted as part of the total parking provision, are frequently used for general storage rather than for parking vehicles.

Accessibility and Car Ownership

1.13 The City Council continues to promote a number of positive initiatives to encourage an uptake in walking, cycling and public transport usage. There is also evidence that overall levels of vehicular mileage in the city have reduced slightly over recent years. Despite this, over the past 30 years levels of car ownership in Coventry have continued to increase. Projecting this forward, it is expected that this trend will continue in line with an increase in the number of households.

Numbers of Cars and Housholds in Coventry



Approach of these Standards

1.14 As outlined above, the availability of car parking can have a major impact on local traffic management and safety issues. It is therefore essential to try and get the balance right of ensuring that adequate levels are provided to manage inappropriate parking without providing excessive levels which dominate the built environment and overtly encourage car use.

1.15 The Local Plan includes policies setting out a balanced approach to supporting the movement needs of local residents and businesses in a growing city. Those policies recognise the role of the car in supporting connectivity to areas in and around Coventry, but also actively encourage sustainable and active modes of travel to help address traffic congestion, air quality and health issues.

1.16 The quality and accessibility of public transport, walking and cycling routes to key services can influence how people travel, for example, people living in or near the city centre are less likely

to be reliant on car use, hence there will be a reduced need for car parking compared to less accessible areas of the city. The City Council is also exploring options for the introduction of car clubs, with a focus on the City centre, which support more efficient and flexible models of car ownership.

1.17 2011 census information clearly shows a wide variance in levels of car ownership in different parts of the city.

<u>City Centre</u>		<u>Ward in the South of the City</u>	
0 cars or vans in household	69.1%	0 cars or vans in household	7.8%
1 car or van in household	24.6%	1 car or van in household	35.3%
2 cars or vans in household	5.2%	2 cars or vans in household	43.2%
3 cars or vans in household	0.9%	3 cars or vans in household	10.2%
4+ cars or vans in household	0.2%	4+ cars or vans in household	3.5%

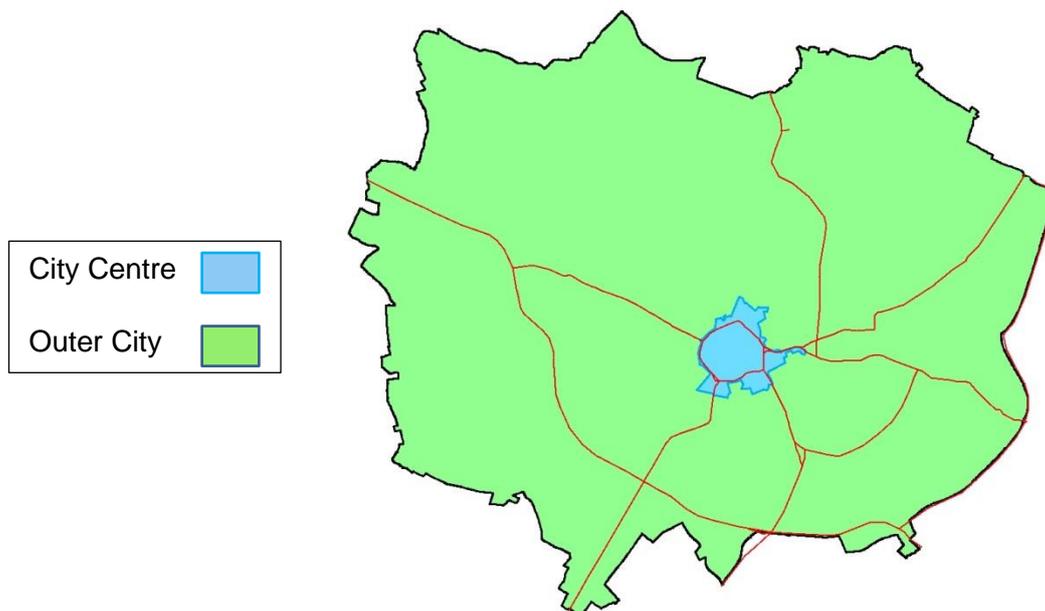
1.18 Recognising the variances in car ownership and accessibility across the city, the standards set out in this document are based on two distinct zones:

1) **City Centre** (all sites within the defined City Centre)

The level of car parking permitted for applications within the City Centre will be determined on a site by site basis on the merits of the application and criteria in the NPPF, as set out in para 1.3 above.

2) **Outer City** (all other areas within the city boundary)

The level of car parking permitted for applications in the Outer City will be determined on the basis of the standards set out in table 1 below.



- 1.19 The car parking standards in this document should be considered as a maximum. However it is recognised that in exceptional circumstances there may be occasions when it could be appropriate to have a lower or higher level of parking depending on the specific details of the application. In all cases, any departures from the parking standards should be fully and appropriately justified with detailed supporting evidence. In most cases this should be included within the associated Transport Statement or Assessments which should include:
- Surveys of parking capacity and occupancy levels on surrounding streets and parking areas
 - Consideration of likely trip generation and parking accumulations for the proposed development with supporting evidence
 - Details of how the parking will be managed and how that will mitigate any under or over-provision
- 1.20 This is not considered to be an exhaustive list, and there may be other factors associated with the specific characteristics of each site which may need to be considered. In all cases, where an applicant is considering a departure from the standards, the Council encourages early pre-application discussions.
- 1.21 Where a reduction in parking could lead to a transfer of parking into other locations, appropriate financial contributions may also be required for the introduction or expansion of Residents Parking Zones.

2. Car Parking Standards

- 2.1 The standards set out in Table 1 below show the detailed car parking standards expected for each type of land use. These should be treated as maximum standards and applied in accordance with the supporting guidance notes provided below.
- 2.2 Care should be taken to ensure that parking is well designed, easily accessible and is sympathetic to the surrounding environment, particularly in residential areas. Unallocated parking spaces required for visitor parking in residential areas should be seamlessly integrated into the public realm to reduce the visual impact, and be suitably located so that they do not cause obstructions to the highway.

Car Parking in the City Centre

- 2.3 The level of privately allocated car parking for applications within the City Centre will be determined on a site by site basis on the merits of the application and criteria in the NPPF.
- 2.4 The provision of private car parking will not generally be promoted within City centre as it is highly accessible by a range of transport modes and there is already an adequate supply of publically available car parking. However it is recognised that in some cases a small allocation may be appropriate. The justification of any provision should be set out in the accompanying Transport Assessment or Statement as appropriate. In cases where private car parking is provided, opportunities should be sought to provide parking as part of the building, underground, or as a multi storey arrangement to maximise the density of development.
- 2.5 The promotion of Travel Plans (where required) will be expected to support the promotion of demand management measures including public transport, walking and cycling and the encouragement of communal car facilities such publically available car parking and car clubs. This helps to reduce the impact of car parking on the local environment and increase the overall density of development in the city centre. For residential developments in the city centre, it is recommended that the purchase of long-term car parking passes for public car parks is promoted through the relevant Travel Plan.

Parking for Electric Vehicles

- 2.6 As set out in policy Acc 3, the City Council is supportive of an uptake in low emission and electric vehicles. In order to ensure that all new developments are equipped with the necessary infrastructure, new developments will be expected to include, where practical, appropriate provision for electric car charging points. Electric vehicle parking should be counted as part of the total parking provision, and bays should be clearly marked.
- 2.7 5% of all new parking spaces should include provision for electric car charging points. In cases where the provision of this allocation is demonstrated to be impractical, 5% of spaces should have the capacity to easily retrofit recharging points. This should include the provision of ducting to accommodate a suitable power supply which facilitates high speed recharging.
- 2.8 For larger developments, details of how electric vehicle charging will be allocated, located and managed should, where applicable, be included within the relevant Transport Assessments or

Transport Statement. The management of the charging points, including the mechanism/procedure for charging, will be the responsibility of the developer/occupier

- 2.9 In cases where charging points, including infrastructure to enable retrofitting, cannot be provided within the development site, developer contributions may be sought to enable those facilities to be suitably provided in other locations including public car parks or on-street parking spaces.
- 2.10 The West Midlands Good Practice Air Quality Planning Guidance (2014) provides details on a recommended technical specification for electric charging points and should therefore be referred to in conjunction with these standards.

Parking for People with Disabilities

- 2.11 In accordance with the City Council's objectives to promote equality, accessibility and to be an Age Friendly City, new developments must incorporate provision for blue badge holders. New developments, excluding individual dwellings with private off street parking, will be expected to allocate 5% of the total parking provision for blue badge holders. These spaces should be appropriately designed to meet the requirements of people with reduced mobility in accordance with good practice such as the Department for Transport's Inclusive Mobility (2005).

Parking for Goods Vehicles

- 2.12 In accordance with Local Plan Policy Acc 7 appropriate off-street parking, loading/unloading, waiting and turning areas should be provided for HGV's to prevent obstructions to the highway causing delays and road safety issues. Each application will be assessed on its own merits.
- 2.13 It will be necessary to demonstrate in the application and through Transport Statements / Transport Assessments how goods vehicles will be managed as part of the proposed development, particularly in areas where the presence of HGV's has the potential to cause traffic management and road safety issues.

Drop-Off and Loading Areas

- 2.14 Parking for coaches to set passengers down and pick them up will be considered appropriate and necessary for certain uses and developments, most notably those which are leisure related. However, this requirement will be unique to each site and therefore will be considered on a case by case basis.
- 2.15 For class D1 education establishments, appropriate provision for safe drop-off facilities should be considered to discourage inappropriate on-street parking. The level of provision will be determined on the merits of the application and the characteristics of the site and surrounding area.

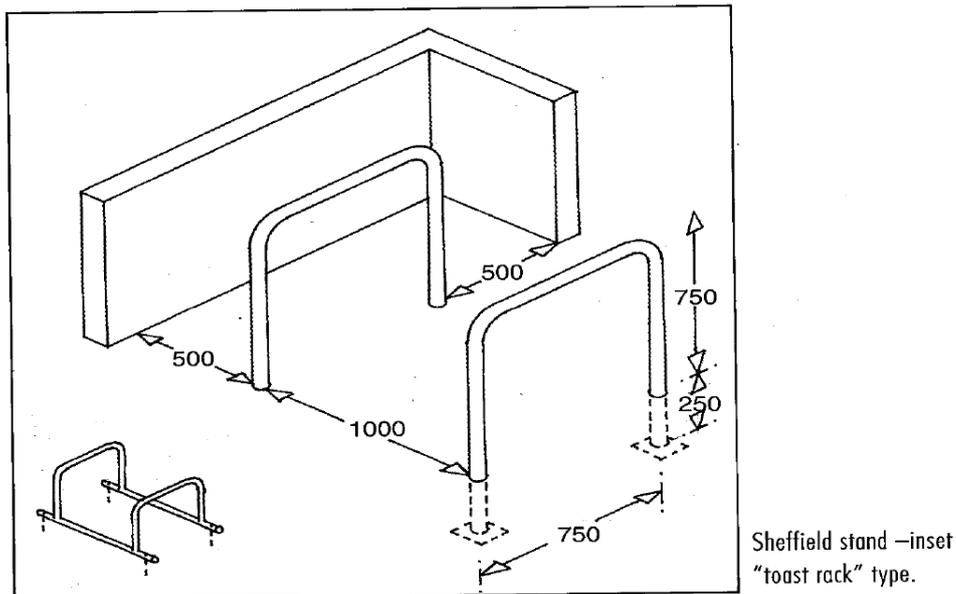
3. Cycle Parking Standards

- 3.1 Fear of theft or damage to the cycle is often cited as a major deterrent to cycling. Well-planned and secure cycle parking is therefore an essential element in increasing the level of cycle use. The provision of cycle parking must be considered early in the planning and design process.
- 3.2 The standards in table 1 apply to all areas in the city, and specify different requirements for staff, residents, pupils/students and customers or visitors. This is because staff, residents and pupils/students require cycle parking that is more secure for long-stay use whereas customers or visitors will usually be parking for a shorter period.
- 3.3 It should usually be possible to provide cycle parking spaces within the development site. In cases where this is not possible, a commuted sum (secured through a legal agreement) may be required by the City Council which will be used to provide appropriate cycle parking facilities off-site.
- 3.4 To increase the attraction of commuting by cycle, it is important to provide facilities for cyclists at their destinations. These facilities should include changing areas, storage areas for personal items and space to dry wet clothing and showers.
- 3.5 For large developments, or in exceptional circumstances, the cycle parking allocation can be open to negotiation. In these cases the applicant will be required to provide justification regarding the level of expected provision bearing in mind the characteristics of the development site and the nature of the proposed development. The phasing of provision may be appropriate in some instances.

Design Details

- 3.6 To discourage theft or vandalism, cycle parking should be secure, well lit, clearly signed and situated in prominent, accessible and convenient locations that benefit from casual surveillance by passers-by and more formal surveillance by staff or CCTV. It should also be located within a short distance of the main entrance(s) to the building(s).
- 3.7 The use of 'Sheffield' stands is recommended as a minimum and is especially suitable for customer or visitor parking. The 'Sheffield' stand is a single 50mm diameter tube with two right angle bends and provides for two cycles. A detailed specification is shown at Figure 1 below.
- 3.8 At any site where 10 or more spaces are provided, they should be covered, well lit and clearly signed. The detailed design and lighting of these facilities must have regard to the locality and setting of the proposed development.

Figure 1: Sheffield Stand design specification (copyright Institution for Highways and Transportation)



3.9 Cycle parking equipment which only holds one wheel of a bicycle e.g. 'butterfly' clips or concrete slots will not be acceptable. They provide inadequate security and can damage the wheels of a bicycle.

3.10 For long-stay parking for residents, staff and pupils/students, more secure provision will be expected. This should be in the form of cycle lockers, a locked compound with Sheffield Stands provided that they are under cover or Sheffield Stands located within an area that is already secure (access restricted to staff or similar). Design specifications for cycle lockers and locked compounds are shown in Figures 2 and 3.

Figure 2: Cycle Lockers Design Specification

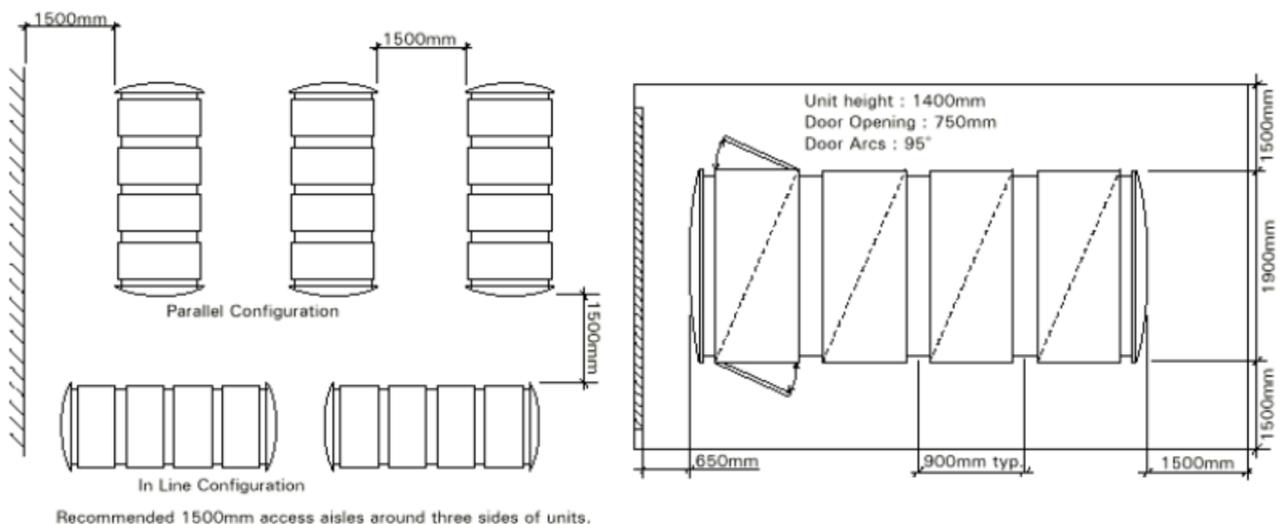
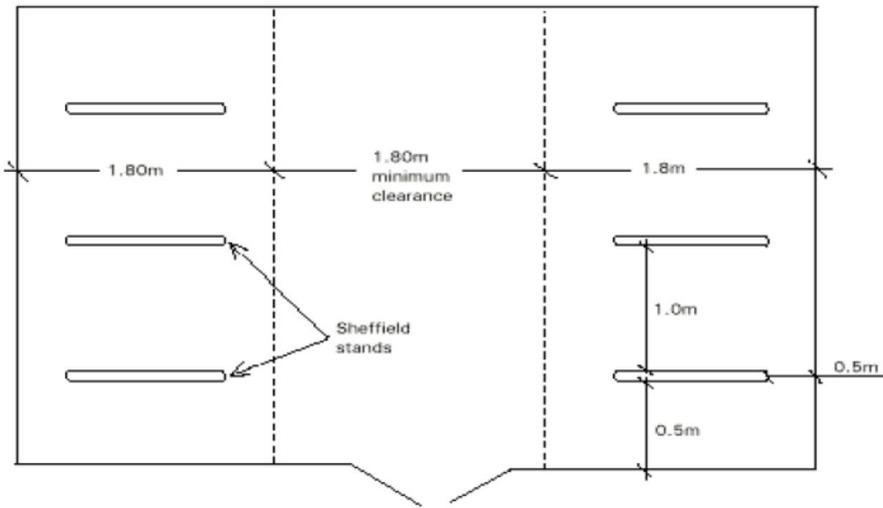


Figure 3 Locked Compound Design



Notes for Table 1

Car Parking Standards

1. All standards should be calculated on external gross floor space (m²) unless otherwise stated.
2. In order for garages in residential developments to qualify as part of the parking provision they must be a minimum of 3m x 6m internally.
3. Unallocated visitor car parking for C3 residential dwellings should be provided in the form of appropriately marked publically available spaces. In cases where this is provided as part of the highway, spaces must be seamlessly integrated into the public realm to reduce the visual impact, and be suitably located so that they do not cause obstructions to other highway users.
4. FTE means Full Time Equivalent.
5. Where it is calculated that part of a space is required, this should be rounded up.
6. Provision should be allocated for Blue Badge holders, in accordance with para 2.11 above.
7. Provision should be allocated for electric car charging in accordance with paras 2.6 to 2.10 above.
8. 5% of the total car parking provision should be allocated for people with disabilities / blue badge holders
9. Parking spaces for people with disabilities should be at least 3.6 metres wide and 6.0 metres long. This is equivalent to 2.4m x 4.8m, with an additional 1.2 metres at the side and end of the bay.

Cycle Parking Standards

10. A Sheffield type stand (see Figure 2 below) is capable of allowing two bicycles to be parked if correctly installed (2 spaces).
11. In most residential developments, the use of suitably sized garages or sheds will be acceptable as cycle storage provision. A method of securing the cycle to a solid wall is encouraged.
12. For flats, maisonettes and managed schemes, secure communal space(s) should be provided on the ground floor or in a basement area provided that ramped access is available.
13. FTE means Full Time Equivalent.
14. All standards should be calculated on external gross floor (m²) space unless otherwise stated.

Table 1 - Car and Cycle Parking Standards

Use Class	Outer City Car Parking spaces	Inner and Outer City Cycle Parking spaces
A1 - Shops (m ²) Food	1 per 25 m ²	Under 2500 m² 1 per 200 m ² for customers 1 per 400 m ² for staff Minimum of 2 spaces
		Over 2500 m² 1 per 400 for customers 1 per 600 m ² for staff
A1 - Shops (m ²) Non-food	1 per 35 m ²	1 per 400 m ² for customers 1 per 400 m ² for staff Minimum of 2 spaces
A2 - Financial and Professional Services	1 per 30 m ²	1 per 400 m ² for customers 1 per 400 m ² for staff A minimum of 2 spaces
A3 - Restaurants and Cafes (dining area m ²)	1 per /10 m ²	1 per 10 staff members (FTE)
A4 - Drinking Establishments (bar area m ²)		1 per 200 m ² for customers
A5 - Hot Food Takeaways (public area m ²)		Minimum of 2 spaces

Use Class	Outer City Car Parking spaces	Inner and Outer City Cycle Parking spaces
B1- Business/Research & Development	1 per 45 m ²	1 per 400 m ² for staff 1 per 400 m ² for visitors Minimum of 2 spaces
B1/B2 - Light or General Industrial	1 per 60 m ²	Under 4000 m² 1 per 400 m ² for staff 1 per 750 m ² for visitors Minimum of 2 spaces
		Over 4000 m² 1 per 500 m ² for staff 1 per 1000 m ² for visitors
B8 - Storage and Distribution	1 per 100 m ²	Under 4000 m² 1 per 400 m ² for staff 1 per 750 m ² for visitors A minimum of 2 spaces
		Over 4000 m² 1 per 500 m ² for staff 1 per 1000 m ² for visitors

Use Class	Outer City Car Parking spaces	Inner and Outer City Cycle Parking spaces
C1- Hotels	1 per 2 bedrooms + parking provision for any A3 and D2 uses	1 per 10 staff members (FTE) 1 per 8 bedrooms for customers Minimum of 2 spaces
C2 - Residential Institutions Care & Nursing Homes	1 per 4 bed spaces + 1 per 2 staff members (FTE)	1 per 10 staff members (FTE) 1 per 8 bedrooms for visitors Minimum of 2 spaces
C2 - Hospital	1 per 2 staff members (FTE) + and 1 per 2 bed spaces	1 per 10 staff members (FTE) 1 per 20 beds for visitors Minimum of 2 spaces
C2A - Secure Residential Institutions	Parking provision will be considered on a site by site basis.	
Purpose built Student Accommodation & Residential Schools/Colleges	1 per 4 bedrooms	1 per 4 bedrooms for students 1 per 20 bedrooms for visitors (See note 12 above)
C3- Residential Dwellings (per unit) 1 bedroom house/flat	1 per dwelling + 1 unallocated space per 5 dwellings for visitors (See note 3 above)	1 per dwelling (See notes 11&12 above)
C3- Residential Dwellings (per unit) 2 bedroom house/flat	2 per dwelling + 1 unallocated space per 10 dwellings for visitors (See note 3 above)	1 per dwelling (See notes 11&12 above)
C3- Residential Dwellings (per unit) 3 or more bedroom house/flat	2 per dwelling + 1 unallocated space per 5 dwellings for visitors (See note 3 above)	2 per dwelling (See notes 11&12 above)
- Houses in Multiple Occupancy (HiMOs) (C4 and Sui Generis)	0.75 per bedroom	1 per 3 bedrooms (See notes 11&12 above)

Use Class	Outer City Car Parking spaces	Inner and Outer City Cycle Parking spaces
D1- Medical or Health Services (Non Residential)	Parking provision will be considered on a site by site basis.	1 per 6 staff members (FTE) 0.5 per treatment room for visitors Minimum of 2 spaces
D1- Creche, Nursery	1 per 2 FTE staff + appropriate drop off facilities	1 per 10 staff members (FTE), 1 per 15 children for visitors Minimum of 2 spaces
D1- Education Establishment Primary schools	1 per 2 FTE staff + appropriate drop off facilities	1 per 10 staff members (FTE) and 1 per 500 students for visitors 1 per 5 students for student use.
Secondary Schools	1 per 2 FTE staff + appropriate drop off facilities	1 per 10 staff members (FTE) and 1 per 500 students for visitors 1 per 5 students for student use.
Further / higher education (Colleges and Universities)	1 per 2 FTE staff + appropriate drop off facilities	1 per 10 staff members (FTE) and 1 per 500 students for visitors 1 per 5 students for student use
D1 - Art Gallery/ Museum/ Library/ Public Hall	1 per 30 m ²	1 per 10 staff members (FTE) 1 per 20 people expected to use the facility at any one time
D1 - Place of Worship	1 per 10m ²	1 per 10 staff members (FTE) 1 per 20 people expected to use the facility at any one time

Use Class	Outer City Car Parking spaces	Inner and Outer City Cycle Parking spaces
D2 - Assembly and Leisure Cinema	1 per 8 seats	1 per 10 staff members (FTE) 1 per 20 people expected to use the facility at any one time
Gym/ Fitness Centre	1 per 15 m ² public areas	1 per 10 staff members (FTE) 1 per 20 people expected to use the facility at any one time
Sports Hall	1 per 20 m ² public areas	1 per 10 staff members (FTE) 1 per 20 people expected to use the facility at any one time
Concert / Bingo Hall	1 per 8 seats	1 per 10 staff members (FTE) 1 per 20 people expected to use the facility at any one time
Sui Generis*	Parking provision will be considered on a site by site basis.	

* Please note that for the purposes of parking provisions the Sui Generic category excludes HiMOs and purpose built student accommodation. These are both covered by the standards identified specifically within Table 1.

Health Impact Assessment Supplementary Planning Document (HIA SPD)

1. Purpose of this SPD

This SPD is aimed at individuals and organisations involved in submitting a planning application as well as those involved in the determination and enforcement of planning applications, for all proposed developments (for the purposes of this document, this refers to residential, commercial and mixed developments).

Under policy HW1 of the Coventry Local Plan (see chapter 4.2 of this SPD), the Council requires applicants to mitigate against potentially significant negative health impacts. A HIA is a tool that is used to identify these impacts (and their potential severity) and to inform design of a development during the decision making process. This leads to a development which is sustainable and healthy with a strong, vibrant community. A HIA would also identify positive impacts that the proposed development might have on health and allow them to be recorded and highlighted to the community and stakeholders. This could lead to a development that is more attractive and appealing to potential customers and visitors, which can lead to an increased interest for, and value of, the proposed development.

To ensure that the potential impacts on health (during construction and long term) are considered and mitigated against for all proposed developments, the Coventry Local Plan 2011 – 2031 also encourages and recommends the completion of a health toolkit for all development proposals, including those below the threshold in the Coventry Local Plan (see Chapter 4.2).

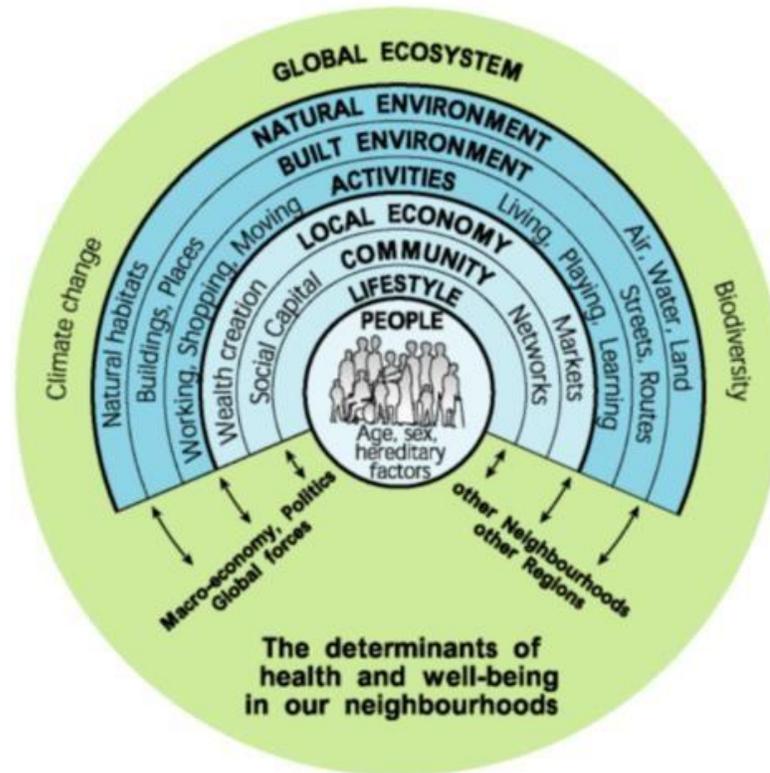
This SPD will provide information and guidance on completing the relevant health toolkit and the HIA. This SPD will also identify sources of data to consider, provide examples of health impacts of the built environment to take into consideration and examples of how to mitigate against negative health impacts and enhance positive ones.

2. Coventry. Health and the Built Environment

Health refers to a “state of complete physical, mental and social well-being and not merely the absence of disease or infirmity”.¹ As well as access to healthcare services, the wider determinants of health also influence a population’s health. Wider determinants of health include physical and social conditions and good quality lifestyle choices, which can be impacted by the built environment (for example housing quality and design, social infrastructure, access to open space and nature, air quality, noise, neighbourhood amenity, accessibility, active travel, crime, community safety, access to healthy food, work, training and social cohesion). The health map for the local human habitat² shows the relationship between health and the physical, social and economic environment.

¹ World Health Organisation, Constitution of WHO: principles <http://www.who.int/about/mission/en/>

² Barton, H. and Grant, M. (2006) A health map for the local human habitat. The Journal for the Royal Society for the Promotion of Health, 126 (6). pp 252-253. ISSN 1466-4240 developed from the model by Dahlgren and Whitehead, 1991



This supports the World Health Organisation definition of a healthy city as “one that continually creates and improves its physical and social environments and expands the community resources that enable people to mutually support each other in performing all the functions of life and developing to their maximum potential.”³

Health inequalities (the differences in health status between different population groups) exist in Coventry. Men in the most affluent areas of Coventry will live, on average, 9.7 years longer than men in the most deprived areas, while for women the difference is 8.7 years. Although potential health impacts in all areas of Coventry should be considered and mitigated against, and positive impacts enhanced, this is particularly important in deprived areas of the city to contribute toward reducing this inequality gap.

The Joint Strategic Needs Assessment 2016 (JSNA) looks at the current and future health and care needs of the local community. It is intended to inform and guide the planning and commissioning of health, wellbeing and social care services within a local area. It also considers factors that impact on the health and wellbeing of the local community including economic, education, housing and environmental factors; as well as local assets that can help improve health and reduce inequalities. One of the priorities from the JSNA is working together as a Marmot City to reduce health and wellbeing inequalities.

Coventry became a Marmot City in 2013. Being a Marmot City has brought together partners from different parts of Coventry City Council and from other public sector and voluntary organisations,

³ <http://www.euro.who.int/en/health-topics/environment-and-health/urban-health/activities/healthy-cities/who-european-healthy-cities-network/what-is-a-healthy-city>

whose decisions and activities have an impact on health and who can work together to reduce health and wellbeing inequalities.

The Marmot principles from the Marmot Review (Fair Society, Healthy Lives) aim to reduce health inequality and improve health outcomes for all and have been embedded into the core functions of the council and its partners. Objectives within this review include creating and developing healthy and sustainable places and communities. Completing a HIA contributes towards meeting this objective.

Appendix A provides information on sources for data and information on the health and population in Coventry and nationally.

3. National Supporting Policy

3.1 National Planning Policy Framework (NPPF)

The NPPF, released in March 2012, is considered a key part of the Government's reforms to make the planning system less complex and more accessible, to protect the environment and to promote healthy communities and sustainable growth.

Within the NPPF there is a section on promoting healthy communities (chapter 8, paragraphs 69 – 78) which covers, amongst other topics, green space, national trails & rights of way, community cohesion and education. All of these are areas that contribute to the health and wellbeing of individuals and the community. Health and the wider determinants of health are also a key part of other sections of the NPPF, including the 12 core planning principles.

Paragraph 66 states that "Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably." Completing a HIA is an ideal way for the developers to engage with the community and evidence the outcome of this as well as to account for the wider determinants of health in the consideration of a new development.

3.2 National Planning Practice Guidance (NPPG)

The NPPG provides guidance on how local planning authorities should ensure that health and wellbeing, and health infrastructure, are considered in local and neighbourhood plans and in planning decision-making and that there is recognition of the role that new developments can have on health.

The NPPG also provides information on the range of issues to consider through the decision-making process in developments in respect of health and healthcare infrastructure. There is also reference in the NPPG to the HIA and acknowledgement as to how a HIA can be a useful tool where there might be significant health impacts, therefore supporting Coventry's HIA policy.

3.3 Localism Act (2011)

The Localism Act empowers community and voluntary groups to get involved and work innovatively to support new ideas. A HIA can help to create very good stakeholder engagement, including with the community.

3.4 Health and Social Care Act 2012

Local Authorities are required to use all levers at their disposal to improve health and wellbeing through the Health and Social Care Act and therefore the promotion of health and wellbeing is being addressed in all departments in the council, which includes the Planning department.

3.5 Social Value Act 2012

This requires public authorities to have regard to economic, social and environmental well-being in connection with public services contracts and for connected purposes. A recommendation from national work to develop a path for integrating social value into Planning recommends that Social Value is explicitly linked to new developments to ensure that the community and social factors are considered. Social Value is therefore referred to in Chapter 5.2 – Considerations and possible effects of planning on health.

4. Locally Supporting Policy

4.1 Coventry and Warwickshire Sustainability and Transformation Plan

This aims to deliver the NHS Five Year Forward View and make health services sustainable for the future. Preventing people from becoming ill is crucial to managing demand. Using a HIA to inform the design of a development will help to maximise the positive health impacts and minimise the adverse ones, contributing to preventing ill-health and improving the health and wellbeing of the population, therefore contributing to the delivery of the Sustainability and Transformation Plan.

4.2 Coventry Local Plan 2011 - 2031

The development of the Coventry Local Plan has identified nine key objectives, all of which impact on the wider determinants of health. The introduction to the Coventry Local Plan lists the supporting policies to these key objectives.

For the first time in over fifty years, the Local Plan for Coventry has a chapter and policy explicitly based on health – “*Improve the health and wellbeing of local residents*” and *Policy HW1*. This reinforces the Government approach to having health in all policies and enables health implications to be taken into consideration during the decision making in development design.

Policy HW1: Health Impact Assessments (HIA)

1. All major development proposals will be required to demonstrate that they would have an acceptable impact on health and wellbeing. This should be demonstrated through a:
 - a. HIA where significant impacts on health and wellbeing would arise from that proposal; or
 - b. HIA Screening Report which demonstrates that the proposed development would not overall give rise to negative impacts in respect of health and wellbeing.
2. All HIAs shall be undertaken in accordance with the Council’s HIA Supplementary Planning Document.
3. Where a development has significant negative or positive impacts on health and wellbeing the Council may require applicants to provide for the mitigation or provision of such impacts through planning conditions and/or financial/other contributions secured via planning obligations and/or the Council’s CIL Charging Schedule

The Coventry Local Plan defines major development proposals, for these purposes, as:

- a) The use of land for mineral-working deposits;
- b) Waste development;
- c) All forms of residential development where:
 - (i) The number of homes to be provided is 150 or more; or
 - (ii) The site area is 5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i)
- d) All forms of urban development (not involving housing) where:
 - (i) The area of development exceeds 1 hectare; or
 - (ii) In the case of industrial estate development exceeds 5 hectares

For the purposes of this SPD a home, mentioned in c) (i) above, refers to a dwelling that comes under C3(a), C3(b), C3(c) classes of use and Sui Generis (for example, a student accommodation block consisting of 150 bedrooms would meet the threshold for a HIA, regardless of the layout).

The Local Plan will be supported by a variety of additional documents, as well as this HIA SPD. These also need to be followed by applicants (when applicable to the proposed development) and can impact the health of new and existing populations, in particular:

- City Centre Area Action Plan
- Affordable Housing and Infrastructure SPD
- Air Quality SPD
- Coventry Connected (Transport) SPD
- Delivering a More Sustainable City SPD
- Hot Food Takeaways SPD
- Sustainable Urban Extension Design Guide SPD
- Tree Protection SPD
- The Community Infrastructure Levy
- Sustainable urban Drainage Systems (SuDS) Design Guide

4.3 Coventry Health and Wellbeing Strategy 2016 -2019

This identifies priorities that the Health and Wellbeing Board believe will make the biggest difference to the lives of people in Coventry.

This strategy recognises that creating health, wealth and happiness in Coventry requires more than simply managing people's health problems. People who have good jobs, good housing and are connected to families and their communities feel and stay healthier and live longer lives. The priorities in this strategy have been identified as:

- Working together as a Marmot City to reduce health and wellbeing inequalities
- Improving the health and wellbeing of individuals with multiple complex needs
- Developing an integrated health and care system that provides the right help and support to enable people to live their lives well.

Carrying out a HIA will allow an applicant to identify where impacts might have a negative impact on one or more of these three priorities and therefore gives the opportunity for mitigating actions to be put in place.

5. Toolkit to Identify Health Impacts

The Coventry Local Plan states that all developments (notwithstanding the thresholds identified for the HIA policy) will be encouraged and recommended to complete a Health Impacts Toolkit created by Birmingham City Council. At the time of publishing this SPD, the toolkit from Birmingham City Council was still in development. In its absence, Coventry City Council advise that developers complete the Healthy Developments Template (Appendix B) and submit it with all development applications (adapted from an Assessment Matrix created by the Healthy Urban Development Unit⁴).

The Healthy Developments Template is designed to be used as early as possible in the planning process (i.e. by the pre-application stage) to help inform decision making, for a development proposal to have the best possible impact on health, and it is an overview of some of the broad determinants that impact health and wellbeing. The Healthy Developments Template has not been designed to create extra work, but to compliment a variety of policies contained in the Coventry Local Plan that can impact the wider determinants of health and is a tool to allow existing work to be recorded, from a health perspective.

5.1 Process for using the Healthy Developments Template for proposed developments:

- 1) Consider each of the criteria listed (in the 11 different categories) in the Healthy Development Template early in the planning stage of the proposed development and then identify which criteria are relevant to the development. The 'Details/evidence' column needs to be completed for each of the criteria, including those that are deemed to be not relevant. Some of these criteria could be subjective and therefore the detail to be provided should be as clear as possible.

If the Healthy Development Template is completed in the very early stages of a proposed development, it may not be clear whether some of the criteria in the Template are going to be met. If this is the case, the 'Details/evidence' column should be used to record this information.

- 2) Investigate these relevant criteria in more depth, looking at why the criteria is, or is not, relevant to the proposal and the evidence. This evidence can come from a wide range of sources, many of which will be collected as part of the planning application (for example, the design and access statement, environmental statement, transport assessment, Environmental Impact Assessment). Some other possible sources of evidence are listed in Appendix A.
- 3) This evidence can then be used to inform whether the potential health impact is likely to be positive, negative or neutral. These health impacts may be short-term (for example, relating to construction) or longer-term (for example, the ongoing management of the development), or both. Similarly, some impacts may have a local impact, whilst others may have a wider impact. This information should be used to complete the 'Potential Health Impact' column.

⁴ <http://www.healthyurbandevelopment.nhs.uk/wp-content/uploads/2017/05/HUDU-Rapid-HIA-Tool-3rd-edition-April-2017.pdf>

On occasion there may be a lack of data on certain aspects of the proposed development, in which case the potential impact should be marked as uncertain, and further investigations should be done.

- 4) The last criteria for each of the 11 categories refers to the potential impact on health inequalities of the proposed development. As with the other criteria, the 'Details/evidence' column needs to be completed, including those that are not relevant.
- 5) Where a potential health impact (including health inequality impact) is identified, the recommended mitigations (for negative health impacts) and recommended enhancement actions (for positive health impacts) column on the Healthy Development Template should be completed.

Whether the evidence indicates that the impact (either positive or negative) is likely to be significant or not should also be recorded in the 'Recommended mitigation or enhancement actions' column on the Healthy Developments Template. Recommended actions to mitigate against negative (or enhance positive) health impacts only need to be completed on the Healthy Development Template when the impacts are likely to be significant.

This gives the opportunity for the development plans to be updated accordingly at an early stage (avoiding potentially costly adjustments to design further down the line).

The completed Healthy Development Template should be submitted to Coventry City Council with the Planning Application.

Although the Healthy Developments Template shows categories and criteria that are likely to influence health and wellbeing, it should not be taken as an exhaustive list. Extra criteria can be added to the template as necessary for a particular proposed development.

5.2 Considerations and possible effects of planning on health

Table 1, adapted from the Healthy Urban Development Unit, shows some of the potential health impacts that planning can have on the 11 different categories within the toolkit and some potential areas for a developer to consider during the planning process, including recommendations from the HIA carried out on the draft Coventry Local Plan and draft City Centre Area Action Plan in 2016.

The considerations and potential health impacts will help support the completion of the Healthy Development Template and therefore the design of the proposed development.

Table 1: Considerations and possible impacts on Health

Category 1: Housing Quality and Design

Access to decent and adequate housing is critically important for health and wellbeing, especially for the very young and very old. Environmental factors, overcrowding and sanitation in buildings as well as unhealthy urban spaces have been widely recognised as causing illness since urban planning was formally introduced. Post-construction management also has an impact on community welfare, cohesion and mental wellbeing.

Considerations	Negative effects	Positive Effects	Relevant Local Plan Policies and Supplementary Planning Documents
<ul style="list-style-type: none"> • Accessible and adaptable dwellings • Internal space standards, orientation and layout • Affordable housing and dwelling mix • Energy efficiency • High Quality Design 	<p>A lack of affordable housing within communities may compromise the health of low-income residents as they are likely to spend more on housing costs and less on other daily living needs.</p>	<p>Making provision for affordable housing has the potential to improve wellbeing, while housing quality can be improved by use of appropriate construction methods. This includes use of good materials for noise insulation and energy-efficiency, and detailed design considerations to make sure that homes are accessible, adaptable and well oriented.</p>	<ul style="list-style-type: none"> • AC2: Road Network • DE1: Ensuring High Quality Design • DS3: Sustainable Development Policy • EM2: Building Standards • EM5: Sustainable Drainage Systems SuDS • H3: Provision of New Housing • H4: Securing a Mix of Housing • H5: Managing Existing Housing Stock • H6: Affordable Housing • H8: Care Homes, Supported Housing, Nursing Homes and Older Persons accommodation • Coventry Connected (Transport) SPD • Delivering a more Sustainable City SPD
	<p>Poor choice of location, design and orientation of housing developments can be detrimental to physical and mental health.</p>	<p>Providing a sufficient range of housing tenures with good basic services is also essential. Adaptable buildings for community uses such as health, education and leisure can contribute towards a sustainable community.</p>	
	<p>The quality of design, including internal sound insulation, daylighting and provision of private space can influence the health and wellbeing of occupiers.</p>	<p>Providing adaptable homes allows residents to remain in their home despite changing accommodation requirements. In this context, adaptable housing allows care to be</p>	

		provided in the community more easily.	<ul style="list-style-type: none"> Sustainable Urban Extension Design Guide SPD
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Category 2: Access to healthcare services and other social infrastructure

Social infrastructure includes; education (primary, secondary, higher and special needs); health facilities (hospitals and primary care providers); social services; emergency services (police, fire and ambulance); and other community facilities, such as cultural facilities, libraries, cemeteries and community halls.

Strong, vibrant, sustainable and cohesive communities require good quality, accessible public services and infrastructure. Access to social infrastructure and other services is a key component of Lifetime Neighbourhoods.

Encouraging the use of local services is influenced by accessibility, in terms of transport and access to and into a building, and the range and quality of services offered. Access to good quality health and social care, education (primary, secondary and post-19) and community facilities has a direct positive effect on human health. Opportunities for the community to participate in the planning of these services has the potential to impact positively on mental health and wellbeing and can lead to greater community cohesion.

Considerations	Negative effects	Positive Effects	Relevant Local Plan Policies and Supplementary Planning Documents
<ul style="list-style-type: none"> Needs and demand for services Capacity of existing healthcare services, education services and social infrastructure Timing, location and accessibility and developer contributions Reconfiguring health and social care services Access and use of buildings by disabled and older people 	Failing to plan for the social infrastructure needs in an area can exacerbate pressure of existing services and worsen health outcomes and inequalities	The provision of accessible healthcare services and other social infrastructure to support population growth and change is an essential component of creating sustainable, healthy communities	<ul style="list-style-type: none"> AC1: Accessible Transport Network CO1: New or improved social community and leisure premises CO2: Re-Use of or Redevelopment of facilities H3: Provision of New Housing H8: Care Homes, Supported Housing, Nursing Homes and Older Persons accommodation IM1: Developer Contributions for Infrastructure JE1: Overall Economy and Employment Strategy
	The under-provision of key services can contribute towards unnecessary extra travel, which can damage the environment and social cohesion	The planning system can help modernise facilities and improve the quality of services. Developer contributions can help provide and fund new facilities.	
	For those with mobility problems, including older people, poor access to local services could limit opportunities for social	Co-locating some services can improve the effectiveness and efficiency of service delivery, for example, primary health and social care, dentistry and pharmacies	

<ul style="list-style-type: none"> Public Access Automated External Defibrillators 	interaction and lead to isolation and depression.		<ul style="list-style-type: none"> JE7: Accessibility to Employment Opportunities R2: Coventry City Centre – Development Strategy Coventry Connected (Transport) SPD Community Infrastructure Levy
		Access to a range of education, primary, secondary and post-19 improves self-esteem, job opportunities, support to residents in applying for jobs and earning capability.	
		Rapid access to CPR and defibrillation can save lives.	

Category 3: Access to open space and nature

Providing secure, convenient and attractive open/green space can lead to more physical activity and reduce levels of heart disease, strokes and other ill-health problems that are associated with both sedentary occupations and stressful lifestyles. There is growing evidence that access to parks and open spaces and nature can help to maintain or improve mental health.

The patterns of physical activity established in childhood are perceived to be a key determinant of adult behaviour; a growing number of children are missing out on regular exercise, and an increasing number of children are being diagnosed as overweight and obese. Access to play spaces, community or sport facilities such as sport pitches can encourage physical activity. There is a strong correlation between the quality of open space and the frequency of use for physical activity, social interaction or relaxation.

Considerations	Negative effects	Positive Effects	Relevant Local Plan Policies and Supplementary Planning Documents
<ul style="list-style-type: none"> Opportunities for physical activity Access to open and natural space, including water fronts Formal and informal outdoor play spaces Maintenance of open space and sports facilities Integration with other outdoor uses such as growing food 	Failing to protect local green spaces and playing fields near to communities can limit opportunities for physical activity.	The provision of publicly accessible blue space, green spaces and play spaces can encourage physical activity and maintain or improve mental health	<ul style="list-style-type: none"> DE1: Ensuring High Quality Design DS3: Sustainable Development Policy EM4: Flood Risk Management EM5: Sustainable Drainage Systems (SuDS) H3: Provision of New Housing GE1: Green Infrastructure GE2: Green Space IM1: Developer Contributions for Infrastructure
	Green spaces that are of poor quality, feel unsafe, or are inaccessible will discourage physical activity and social interaction	A growing population, particularly an increase in children will require a range of formal and informal play spaces and equipment	
	Failing to provide a range of different types of open and play spaces may place pressure on	Natural spaces and tree cover provide areas of shade and can improve air quality in urban areas	

<ul style="list-style-type: none"> Maximising green infrastructure in urban environments (including green roof systems and gardens and green walls) 	existing spaces where formal and informal activities may conflict with each other		<ul style="list-style-type: none"> R2: Coventry City Centre – Development Strategy Community Infrastructure Levy
		There may be opportunities to integrate play spaces with other related health and environmental programmes such as food growing and increasing biodiversity	
		Green walls can also provide insulation or shading and cooling	
		Green infrastructure can reduce flood risk	

Category 4: Air quality, noise and neighbourhood amenity

The quality of the local environment can have a significant impact on physical and mental health. Pollution caused by construction, traffic and commercial activity can result in poor air quality, noise nuisance and vibration. Poor air quality is linked to incidence of chronic lung disease (chronic bronchitis or emphysema) and heart conditions and asthma levels among children. Noise pollution can have a detrimental impact on health resulting in sleep disturbance, cardiovascular and psycho-physiological effects. Good design and planning, and the separation of land uses can lessen noise impacts.

Considerations	Negative effects	Positive Effects	Relevant Local Plan Policies and Supplementary Planning Documents
<ul style="list-style-type: none"> Construction impacts Air quality Land contamination Noise, vibration and odour Quality of local environment Provision of green space and trees 	The construction process can result in exposure to land contamination, deterioration in air quality and nuisance from noise, dust, vibration and odours.	The use of construction management plans can lessen construction impacts, particularly hours of working and construction traffic movements	<ul style="list-style-type: none"> AC1: Accessible Transport Network AC2: Road Network AC3: Demand Management DE1: Ensuring High Quality Design DS4: General Masterplan Principles EM4: Sustainable Drainage Systems EM7: Air Quality GE1: Green Infrastructure GE2: Green Space GE4: Tree Protection
	High level of road traffic and congestion generated by new developments can result in higher levels of air pollution and noise	Travel plans for construction and the future community and reduced levels of car parking which encourage the use of public transport, cycling and walking will result in better local environmental conditions	
	The close proximity of residential units to industrial	Good design and the sensitive location and orientation of	

	uses or uses generating late night noise can cause nuisance	residential units can lessen noise impacts	<ul style="list-style-type: none"> • H3: Provision of New Housing • Air Quality SPD • Coventry Connected (Transport) SPD • Delivering a Sustainable City SPD • Sustainable Urban Extension Design Guidance SPD
		Natural spaces and trees can improve the air quality in urban areas	

Category 5: Accessibility and active travel

Convenient access to a range of services and facilities minimises the need to travel and provides greater opportunities for social interaction. Buildings and spaces that are easily accessible and safe can also encourage all groups, including older people and people with a disability, to use them. Discouraging car use and providing opportunities for walking and cycling can increase physical activity and help prevent chronic diseases, reduce risk of premature death and improve mental health.

Considerations	Negative effects	Positive Effects	Relevant Local Plan Policies and Supplementary Planning Documents
<ul style="list-style-type: none"> • Streetscape (visual element of the street) • Opportunities for walking and cycling • Access to public transport • Minimising the need to travel • Discouraging car use • Road Traffic Injuries 	Greater traffic volumes and speeds have increased the risk of road traffic injuries, with pedestrians and cyclists being particularly vulnerable.	Combining active travel and public transport options can help people achieve recommended daily physical activity levels.	<ul style="list-style-type: none"> • AC1: Accessible Transport Network • AC3: Demand Management • AC4: Walking and Cycling • AC5 Bus and Rapid Transport • AC6: Rail • CO1: New or improved social community and leisure premises • DE1: Ensuring High Quality Design • DS3: Sustainable Development Policy • DS4: General Masterplan Principles
	Poor urban planning can prioritise the car over pedestrians and cyclists, and increase community severance.	Consideration inclusive design, access, orientation and streetscape during the design process can make it easier for people to access facilities using public transport, walking or cycling.	
	Over provision of car parking in a development can undermine other travel modes such as public transport and cycling.	Reduced levels of car parking and travel plans which encourage the use of public transport, cycling and walking will result in increased opportunities for active travel.	

		<p>Cycling and walking can be promoted by connecting routes and public to wider networks, providing safe junctions, 20mph speed limits in new residential developments and calming traffic and providing secure cycle parking spaces.</p> <p>Provision of secure cycle parking, showers and cycle lanes and suitable routes can also promote walking and cycling, as can provision of routes and spaces that are green</p>	<ul style="list-style-type: none"> • EM7: Air Quality • H3: Provision of New Housing • IM1: Developer Contribution for Infrastructure • R2: Coventry City Centre – Development Strategy • Air Quality SPD • Coventry Connected SPD • Delivering a Sustainable City SPD • Community Infrastructure Levy • Sustainable Urban Extension Design Guide SPD
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Category 6: Crime reduction and community safety

Thoughtful planning and urban design that promotes natural surveillance and social interaction can help to reduce crime and the perception and ‘fear’ of crime, all of which impact on the mental wellbeing of residents. As well as the immediate physical and psychological impact of being a victim of crime, people can also suffer indirect long-term health consequences, including disability, victimisation and isolation because of fear. Community engagement in development proposals can lessen fears and concerns.

Considerations	Negative effects	Positive Effects	Relevant Local Plan Policies and Supplementary Planning Documents
<ul style="list-style-type: none"> • Designing out crime • Security and street surveillance • Mix of uses • Community engagements • Major accidents/disasters 	Poor urban design can exacerbate crime and community safety by creating under-used, isolated spaces without natural surveillance and segregate places by creating barriers such as roads.	The detailed design and layout of residential and commercial areas can ensure natural surveillance over public space. This can be assisted by creating places which enable possibilities for community interaction and avoiding social exclusion.	<ul style="list-style-type: none"> • DE1: Ensuring High Quality Design • DS4: General Masterplan Principles
	Where the local pedestrian environment is intimidating and inconvenient people are more likely to use cars more or go out less. This can reduce social	Active use of street and public spaces, combined with effective lighting, is likely to decrease opportunities for ant-social behaviour or criminal activity	

	interaction and reduce physical activity.		
	The introduction of new or more intensive uses, particularly in locations where large numbers of people congregate or where additional housing is proposed, can place pressure on existing police infrastructure which can exacerbate crime, anti-social behaviour, reduce security and increase the fear of crime.	Developers can work with the police to get their advice on making development proposals 'secure by design'. They can also involve communities to foster a sense of ownership and empowerment, which can also help to enhance community safety.	

Category 7: Access to healthy food

Access to healthy and nutritious food can improve diet and prevent chronic diseases related to obesity, People on low incomes, including young families and older people, are the least able to eat well because of a lack of access to nutritious food. They are more likely to have access to food that is high in salt, oil, energy-dense fat and sugar.

Opportunities to purchase and grow local healthy food and limiting concentrations of hot food takeaways can change eating behaviour and improve physical and mental health.

Considerations	Negative effects	Positive Effects	Relevant Local Plan Policies and Supplementary Planning Documents
<ul style="list-style-type: none"> • Healthy, localised food supply • Hot Food Takeaways • Social enterprises • Allotments and community food growing spaces 	The centralisation of shopping facilities and growth of large supermarkets can reduce the variety of foods available locally and disadvantage those on limited income to afford a healthy diet	By considering food access, location and how to facilitate social enterprises, planners can help to create the conditions that enable low income people to have better and affordable access to nutritious food.	<ul style="list-style-type: none"> • H3: Provision of New Housing • R6: Restaurants, bars and Hot Food Takeaways • Hot Food Take Away SPD
	Redevelopment of local allotments, gardens or agricultural land can also reduce the potential for locally grown food	Urban planning can preserve and protect areas for small-scale community projects and local food production, including allotments	

	An overconcentration of hot food takeaways can restrict healthy eating choices	Urban planning can promote and increase the diversity of shopping facilities in local centres, and limit concentrations of hot food takeaways.	
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Category 8: Access to work and training

Employment and income is a key determinant of health and wellbeing. Unemployment generally leads to poverty, illness and a reduction in personal and social esteem.

Work can aid recovery from physical and mental illnesses.

Considerations	Negative effects	Positive Effects	Relevant Local Plan Policies and Supplementary Planning Documents
<ul style="list-style-type: none"> • Access to employment and training • Job diversity • Business support • Social Value 	Locating employment in inaccessible locations or failing to provide diversity of local jobs or training opportunities can negatively affect health, including mental wellbeing, both directly and indirectly.	Urban planning linked to clear strategies for economic regeneration, allocation of appropriate sites and coordination of infrastructure provision can help to facilitate attractive opportunities for business, encourage diversity in employment and ensure that local jobs are retained.	<ul style="list-style-type: none"> • AC1: Accessible Transport Network • AC2: Road Network • DS3: Sustainable Development Policy) • DS4: General Masterplan Principles • JE1: Overall Economy and Employment Strategy • JE2: Provision of Employment Land and Premises • JE4: Location of Office Development • JE5: Location of R & D, Industrial and Storage/Distribution Development • JE7: Accessibility to Employment Opportunities • R1: Delivering Retail Growth
	A poor quality environment and lack of infrastructure can make places less competitive or attractive to business investment.	Equitable transport strategies can play an important role in providing access to job opportunities. The provision of local work can encourage shorter trip lengths, reduce emissions from transport and enable people to walk or cycle.	
	A lack of business and employee support through affordable business space and childcare provision can hinder economic	Access to other support services, notably childcare, can make employment opportunities easier to access	

	and growth and employment opportunities.		<ul style="list-style-type: none"> • Air Quality SPD • Coventry Connected (Transport) SPD
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Category 9: Social cohesion and lifetime neighbourhoods

Friendship and supportive networks in a community can help to reduce depression and levels of chronic illness as well as speed recovery after illness and improve wellbeing. Fragmentation of social structures can lead to communities demarcated by socio-economic status, age and/or ethnicity, which can lead to isolation, insecurity and a lack of cohesion.

Voluntary and community groups, properly supported, can help to build up networks for people who are isolated and disconnected, and to provide meaningful interaction to improve mental wellbeing.

Lifetime Neighbourhoods places the design criteria of Lifetime Homes into a wider context. It encourages planners to help create environments that people of all ages and abilities can access and enjoy

Considerations	Negative effects	Positive Effects	Relevant Local Plan Policies and Supplementary Planning Documents
<ul style="list-style-type: none"> • Social interaction • Mixed Communities • Access to community facilities • Voluntary sector involvement • Community Severance • Lifetime neighbourhoods • Social Value 	Social cohesion can be undermined by intensive housing redevelopment and dispersal of resident communities	Urban planning can help to facilitate social cohesion by creating safe and permeable environments with places where people can meet informally	<ul style="list-style-type: none"> • AC4: Walking and Cycling • CO1: New or improved social community and leisure premises • CO2: Re-Use of or Redevelopment of Facilities • DS3: Sustainable Development Policy) • DS4: General Masterplan Principles • H3: Provision of New Housing • IM1: Developer Contributions for Infrastructure • JE1: Overall Economy and Employment Strategy
	Community cohesion can also be affected by infrastructure such as roads or other development that severs community links. Large schemes may disrupt familiar walking routes, or create a barrier to movement	Mixed-use developments in town centres and residential neighbourhoods can help to widen social options for people.	
	Poor planning may also result in the loss of community facilities	The provision of a range of diverse local employment opportunities (paid and unpaid) can also improve both social cohesion and mental wellbeing.	

		The planning system can be used to help the process of providing a range of facilities and providing opportunities for improving levels of equity.	<ul style="list-style-type: none"> Coventry Connected (Transport) SPD Community Infrastructure Levy
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Category 10: Minimising the use of resources

Reducing or minimising waste including disposal, processes for construction as well as encouraging recycling at all levels can improve human health directly and indirectly by minimising environment impact, such as air pollution.

Considerations	Negative effects	Positive Effects	Relevant Local Plan Policies and Supplementary Planning Documents
<ul style="list-style-type: none"> Making the best use of existing land Recycling and reuse Sustainable design and construction Waste management Potential hazards Social Value 	If left unchecked, disposal of significant hazardous waste can have a serious impact on the health of those communities living near to collection or disposal sites.	Correct hazardous waste disposal, as well as using local recycled and renewable materials whenever possible in the building construction process minimises the environment impact	<ul style="list-style-type: none"> DS3: Sustainable Development Policy EM3: Renewable Energy Generation EM8: Waste Management EM6: Redevelopment of previously developed land EM1: Planning for Climate Change Adaptation EM2: Building Standards EM9: Safeguarding Mineral Resources R2: Coventry City Centre: Development Strategy Delivering a More sustainable City SPD
	Sending out waste from a redevelopment site to be sorted or disposed of can increase vehicle movements, emissions and cause significant disruption including noise and dust which can contribute towards health problems for residents.	Redevelopment on brownfield sites or derelict urban land also ensures that land is effectively used, recycled and enhanced.	
	There are also ecological impacts (stripping of materials, mining for minerals etc.) through excessive use of resources from a scarce global environment.	Through encouraging reduction, reuse and recycling, resource minimisation can be better realised and contribute towards a better environment. Examples of various standards to consider include BREEAM (Building Research	

		Establishment Environmental Assessment Method) and CEEQUAL (Civil Engineering Environmental Quality assessment), which are benchmarking tools for non-residential building and infrastructure projects as well as considering water efficiency measures	
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Category 11: Climate Change

There is a clear link between climate change and health. Coventry is a Marmot City and the Marmot Review is clear that local areas should prioritise policies and interventions that ‘reduce health inequalities and mitigate climate change’ because of the likelihood that people with the poorest health would be hit hardest by the impacts of climate change.

The planning system is at the forefront of both trying to reduce carbon emissions and to adapt urban environments to cope with higher temperatures, more uncertain rainfall, and more extreme weather events and their impacts such as flooding. Poorly designed homes can lead to fuel poverty in winter and overheating in summer, contributing to excess winter and summer deaths. Developments that take advantage of sunlight, tree planting and accessible green/brown roofs have the potential to contribute towards the mental wellbeing of residents, as well as their physical wellbeing.

Considerations	Negative effects	Positive effects	Relevant Local Plan Policies and Supplementary Planning Documents
<ul style="list-style-type: none"> • Renewable energy • Sustainable transport • Building design • Biodiversity • Flood risk and drainage • Social Value 	Proposed developments can exacerbate the impacts of climate change by failing to consider relevant influences such as location, materials, designs or technologies that could help to reduce energy consumption or reduce the environmental impact of energy generation.	Proposed developments can help to reduce greenhouse gas emissions by requiring lower energy use in buildings and transport, and by encouraging renewable energy sources	<ul style="list-style-type: none"> • AC3: Demand Management • AC4: Walking and Cycling • AC5 Bus and Rapid Transport • AC6: Rail • DS3: Sustainable Development Policy • DS4: General Masterplan Principles

	Building in flood plain areas or a lack of local sustainable drainage systems (SuDS) may lead to greater flood risk.	Proposed developments can address sustainability and environmental considerations through the use of standards that will help to reduce energy demands and increase the amount of renewable energy	<ul style="list-style-type: none"> • EM1: Planning for Climate Change Adaptation • EM2: Building Standards • EM3: Renewable Energy Generation • EM4: Flood Risk Management • EM5: Sustainable Drainage Systems (SuDS) • EM7: Air Quality • GE1: Green Infrastructure • GE3: Biodiversity, Geological, Landscape and Archaeological Conservation
	Neglecting to consider the microclimate for the siting of a proposed development, and the influence the development might have on that microclimate, could lead to new buildings that are neither suitable nor adaptable to their environment.	Design techniques can ensure that new housing and public realm can adapt to changes in temperature.	
		Flood risk can be reduced through a sequential approach to locating development and by introducing mitigation measures, such as sustainable drainage systems in new developments.	<ul style="list-style-type: none"> • Air Quality SPD • Coventry Connected (Transport) SPD • Delivering a More Sustainable City SPD
		Designing Sustainable Drainage Systems and other flood alleviation measures to mitigate against potential future flooding through more extreme events caused by climate change, will minimise the risk of future flooding and/or the need for costly retrofitting of drainage infrastructure or property level resilience.	

Although completion of the Healthy Development Template is the responsibility of the applicant, Public Health at Coventry City Council are available to provide further guidance during the process. It is recommended that the Healthy Developments Template is discussed with Public Health as early as possible in the design process. Frequently asked Questions and further information around pre-application advice can be found at www.coventry.gov.uk/planningapplications.

6. Health Impact Assessment (HIA)

6.1 Introduction to HIA

A HIA is “a combination of procedures, methods and tools by which a policy, programme or project may be judged as to its potential effects on the health of a population, and the distribution of those effects within the population”⁵

Another definition is “A structured method for assessing and improving the health consequences of projects and policies in the non-health sector. It is a multidisciplinary process combining a range of qualitative and quantitative evidence in a decision making framework”⁶

There is an increased understanding on how the environment we live in, including the built environment, can impact our health. A HIA contributes towards improving the wider determinants of health (for example, by working towards sustainable development, aiming for fairness and equity for all, targeting disadvantaged and marginalised groups, encouraging the full participation of those likely to be affected by the development and making use of both qualitative and quantitative evidence). A HIA is a democratic tool, with good quality community consultation, and by carrying out a HIA as early as possible it can be used to inform decisions during the planning of a new development.

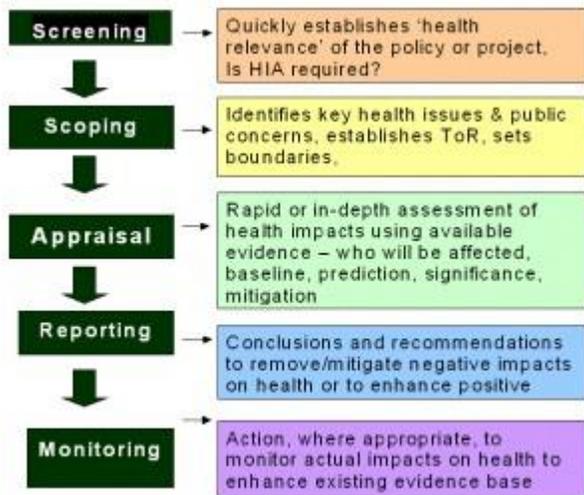
6.2 Carrying out a HIA

Useful resources describing the HIA process and the different stages involved are listed in Appendix A. These guides offer a detailed description of the process, and also emphasise the importance of when a HIA should be carried out. It is recommended that a HIA is carried out as early as possible (i.e. at the pre-application stage) in the design process. This is to inform decision making to allow the maximum mitigation of any health impacts identified. Any intervention at this early stage can allow for early adjustments to the design, preventing potentially costly amendments in the future.

The following is a brief overview to carrying out a HIA and is not meant as a thorough guide to complete a HIA. Although there is no set methodology for a HIA, most follow the stages mentioned below. There are normally five stages involved in a HIA and they are briefly described below (please note, this is a summary and Appendix A has existing, detailed, guidance on completing HIAs):

⁵ World Health Organisation, Definitions of HIA, www.who.int/hia/about/defin/en/

⁶ Karen Lock. British Medical Journal, 320, pp 1395 – 1398 (2000)



1) Screening

This stage identifies whether or not the remaining stages of a HIA are necessary for a particular proposal, by a quick review of any potential health impacts. Although other methods can be used for screening for a HIA, Coventry City Council recommend that the Healthy Developments Template (see Chapter 5) is used for the screening. Stages one to four of the process in Chapter 5.1 should be completed for the Screening stage of the HIA.

If the evidence shows that all of the relevant assessment criteria in the 11 categories are likely to have neutral or positive impact on health (or a reduction in the case of health inequalities) or no significant negative impact on health, the results can be recorded on the Healthy Developments Template and the HIA can be ended at this stage. It is best practice to still consider and record actions to enhance potential positive impacts and feed this in to decision-making. If there is no need to continue to the other stages of the HIA, a screening report should be completed (consisting of the Healthy Developments Template, if used and a summary explaining why a full HIA does not need to be undertaken) and submitted with the Planning Application to Coventry City Council.

If the evidence shows that any of the assessment criteria are likely to have a significant negative health impact (or the health impact is uncertain), this must be recorded and the remaining stages of the HIA completed.

2) Scoping

The Scoping stage allows for the design and planning of the HIA, it determines the focus, methods and work plan. Areas for consideration include timescales, geographical boundaries, resources available, who should be involved (in terms of stakeholders, a steering group and decision makers), how they should be involved, the type of HIA (desktop, rapid or comprehensive), whether it is to be carried out internally or commissioned externally and methods for collecting evidence.

⁷ <http://www.who.int/hia/tools/en/>

By the end of the scoping stage, the chosen methodology for the specific HIA will have been identified (having the greatest potential influence on the decision-making process), as will the stakeholders to be involved and evidence to be appraised. This information will be recorded in a scoping report.

3) Appraisal (of the evidence)

This stage involves establishing the potential type, magnitude, probability and distribution of both the potential positive and negative health impacts identified in the screening stage, using the knowledge and evidence available. This will include analysing data from a variety of sources (some sources of health and population data are listed in Appendix A) and through engagement with stakeholders and the community as appropriate. To successfully complete a HIA there needs to be an understanding of the demographic, health and economic situation in the area.

At the end of this stage there will be a list of the potential health impacts (positive and negative) that the development might have on different populations of the existing community, new community and visitors to the area. These impacts will include cumulative impacts that might emerge through combined effects of nearby developments.

4) Reporting and Recommendations

The report should include the methodology used at different stages of the HIA and the evidence and information gathered. This should be collated and presented appropriately. As the purpose of a HIA is not only to identify whether or not there is a significant health impact, but also help recommend mitigating actions, this report must include a list of recommendations, based on and showing the evidence gathered through the previous stages of the HIA. These recommendations should enhance positive impacts that the development might have on health and wellbeing as well as recommend actions to mitigate against potential negative impacts on health that have been identified.

Chapter 5.2, shows some of the potential health impacts that planning can have on the 11 different categories within the toolkit and some potential areas for a developer to consider during the planning process.

5) Monitoring and Evaluation

Stage 5 of a HIA provides an opportunity to both monitor and evaluate. Evaluation is concerned with looking at the production of the HIA, the extent to which the HIA has influenced the decision making process, i.e. whether the recommendations were adopted. This is important as it identifies where the process of producing HIAs can be improved in the future.

Monitoring provides an opportunity to identify how the development affected the health and wellbeing of the community (the existing community in the area and the new community of the development). The report and recommendations from stage 4 should include the recommendations for monitoring the health impact of the development in the future and sharing this information with Coventry City Council.

The HIA should be submitted with the Planning Application to Coventry City Council.

Public Health will assess all HIAs that they receive, using the “Review package for Health Impact Assessment Reports of Development Projects” (see Appendix A). This will allow for a robust and consistent review method and ensure that all HIAs are thorough, fit for purpose, and give an accurate assessment of likely health impacts. If a HIA has omitted key points or if it does not receive a Grade A or B through this assessment, this will be communicated with the applicant and Coventry City Council may request that the applicant carries out the HIA again or resubmits the HIA with the required extra information as necessary. If these issues remain and the HIA does not meet these required standards for an application over the threshold described for policy HW1 (see section 4.2), it may be refused.

Although completing the HIA is the responsibility of the applicant, Public Health at Coventry City Council are able to provide further guidance on carrying out the HIA throughout the process, including identifying potential mitigating factors. It is recommended that a proposed development is discussed as early as possible with Public Health during the design process. Such advice may incur a fee, primarily at the pre-application stage. The nature of this fee will be developed in due course, but will be reflective of the Council’s other pre-application schedules. Further information can be found at www.coventry.gov.uk.

Appendix A – Useful Resources

Some of these documents will be updated during the lifetime of this SPD. Care should therefore be taken to ensure that the up to date sources of information are used. For further information please contact Public Health at Coventry City Council.

HIA Guides

Title	Organisation	Link	Comments
Health Impact Assessment – A Practical Guide	WHIASU	http://www.wales.nhs.uk/sites3/Documents/522/Whiasu%20Guidance%20Report%20%28English%29%20V2%20WEB.pdf	Guide to carrying out a HIA
Health Impact Assessment Guidance for Practitioners	Scottish Health and Inequality Impact Assessment Network	https://www.scotphn.net/wp-content/uploads/2016/09/Health-Impact-Assessment-Guidance-for-Practitioners-SHIIAN-2016.pdf	Guide to carrying out a HIA
Introducing health impact assessment (HIA): Informing the decision-making process	NHS Health Development Agency	http://www.impactsante.ch/pdf/NHS_HDA_Introducing%20HIA_2002	Guide to carrying out a HIA
Health Impact Assessment Tools	Gov.UK	https://www.gov.uk/government/publications/health-impact-assessment-tools	Guide to carrying out a HIA
Urban Health Impact Assessment (UrHIA)	Impact (University of Liverpool)	https://www.liverpool.ac.uk/media/livacuk/instituteofpsychology/Urban_HIA_guide_2015.pdf	Guide to carrying out a HIA

Data Sources

2011 Census	ONS	https://www.ons.gov.uk/census/2011census	Census statistics paint a picture of the nation and how they live
Coventry City Council: Council Plan	Coventry City Council	www.coventry.gov.uk/councilplan/	This plan sets up the vision and priorities for the city
Coventry City Council: Insight	Coventry City Council	www.coventry.gov.uk/infoandstats/ <ul style="list-style-type: none"> • www.coventry.gov.uk/factsaboutcoventry/ • www.coventry.gov.uk/performance/ • www.coventry.gov.uk/equality/ • www.coventry.gov.uk/policy/ www.coventry.gov.uk/opendata/	A variety of data available to help provide a picture of the population in Coventry and the areas within Coventry
Coventry Joint Strategic Needs Assessment	Coventry City Council	www.coventry.gov.uk/jsna/	Report showing the current and future health and care needs of the local community

Health Profiles	PHE	https://fingertips.phe.org.uk/profile/health-profiles	Provides a snapshot overview of health for each local authority for England
Local Sport Profile	Sport England	http://localsportprofile.sportengland.org/	Provides a profile of up-to-date data for the local area, covering sports participation, facilities, health, economic and demographics
Measuring Well-being	ONS	http://webarchive.nationalarchives.gov.uk/20160105160711/http://www.ons.gov.uk/ons/guide-method/user-guidance/well-being/index.html	ONS aims to produce accepted and trusted measures of the well-being of the nation
National General Practice Profiles	PHE	PHE GP Practice Profiles	Data on the population demographic and health by GP practice
Office for National Statistics	ONS	https://www.ons.gov.uk/	Producer of official statistics and the recognised national statistical institute of the UK
Shape Up Coventry – Director of Public Health’s Annual Report 2016	Coventry City Council	www.coventry.gov.uk/publichealthreports/	Data, information and ideas around healthy weight among children and young people
Tbc	Coventry & Rugby Clinical Commissioning Group	tbc	Emerging document showing population profiles for the catchment areas of different GP surgeries and Medical Centres

Health and the Built Environment

Active Design-Planning for health and wellbeing through sport and physical activity	Sport England	https://www.sportengland.org/media/3964/spe003-active-design-published-october-2015-high-quality-for-web-2.pdf	Guidance on planning for the built environment to encourage and promote the role of sport and physical activity in creating healthy and sustainable communities
Building For Life 12	Built for Life Homes	http://www.designcouncil.org.uk/sites/default/files/asset/document/Building%20for%20Life%2012_0.pdf	A government-endorsed industry standard for well-deigned homes and neighbourhoods. Local communities, local authorities and developers are encouraged to use it to guide discussions about creating good places to live

Building our Future: Laying the Foundation for Healthy Homes and Buildings	APPG for Healthy Homes and Buildings	http://healthyhomesbuildings.org.uk/	A draft document setting out key recommendations on what needs to be done to ensure that all homes and buildings are healthy and do not create or exacerbate health issues
Dementia and Town Planning	RTPI	http://www.rtpi.org.uk/media/2213533/dementia_and_town_planning_final.compressed.pdf	A dementia and planning practice advice note
Design for Mental Health	Health Service Executive and Housing Agency	https://www.housingagency.ie/getattachment/79134c89-ba3c-4a6d-bae4-28560e2abe9a/Design-for-Mental-Health-Housing-Design-Guidelines.pdf	Identifies ways in which homes can be designed to help overcome the barriers to independent living experienced by people diagnosed with certain mental health conditions
Guidance on Healthy Environments	TCPA	https://www.tcpa.org.uk/healthy-environments	A range of interventions set out that can be used by decision makers for both policies and planning and design of a new development
Lifetime Neighbourhoods	GOV.UK	https://www.gov.uk/government/publications/lifetime-neighbourhoods--2	Guidance on how a development can meet the needs of all sections of the community, initially and in the future
Physical Activity and the Environment	NICE	https://www.nice.org.uk/guidance/ph8/chapter/1-recommendations	Guidance on promoting and creating built or natural environments that encourage and support physical activity
Reuniting Health with Planning	TCPA	https://www.tcpa.org.uk/Pages/Category/health	A series of publications and resources for policy development and considerations in development proposals
Secure By Design	SBD	http://www.securedbydesign.com/downloads/	A series of downloads identifying how to prevent crime by design.
Spatial Planning for Health: An evidence resource for planning and designing healthier places	PHE	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/625568/Spatial_planning_for_health_an_evidence_resource.pdf	This document aims to inform the design of places from a health improvement perspective and has been written for a wide range of audiences
Technical Housing Standards – Nationally described space standard	GOV.UK	https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard	This standard deals with internal space within new dwellings and is suitable for application across all tenures

The Journal of the Town and Country Planning Association November 2016. Vol. 85, No. 11	TCPA		Special Issue on Healthy Planning, securing outcomes from united action
<u>Health and Transport</u>	<u>TfWM</u>	<u>Not yet published</u>	

Other Resources

A review package for Health Impact Assessment reports of development projects	Ben Cave	http://bcahealth.eu/wp-content/uploads/2017/05/ReviewPackageforHIAreports.pdf	Methodology to be used by Public Health at Coventry City Council to assess the quality of a HIA (see Chapter 6.1)
Coventry Health and Wellbeing Strategy 2016 – 2018	Coventry City Council	http://www.coventry.gov.uk/info/190/health_and_wellbeing/2864/coventry_health_and_wellbeing_strategy	Provides a picture of what the Health and Wellbeing Board will deliver and how they will work with partners to achieve this

Appendix B – Healthy Development Template

Name of proposed development	
Contact Name and contact details	
Location of project	
Planning Reference (if applicable)	
Date Template completed	

Category 1: Housing Quality and Design

Criteria	Relevant to this proposal?	Details/evidence	Potential health impact?	Recommended mitigation or enhancement actions
Does the proposed development to meet (or exceed) Building Regulation M4 (2)?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development address the housing needs of older people, i.e. extra care housing,	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative	

sheltered housing, lifetime homes and wheelchair accessible homes?			<input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development include homes that can be adapted to support independent living for older and disabled people?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development promote good design through layout and orientation, meeting internal space standards?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development include a range of housing types and sizes, including affordable housing responding to local housing needs?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development contain homes that are highly energy efficient (e.g. a high SAP rating)?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the <i>housing quality and design</i> of the proposal impact on health inequalities?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Reduces health inequalities <input type="checkbox"/> Increases health inequalities <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

Category 2: Access to healthcare services and other social infrastructure

Criteria	Relevant to this proposal?	Details/evidence	Potential health impact?	Recommended mitigation or enhancement actions
Does the proposed development retain or re-provide existing social infrastructure?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

Does the proposed development assess the impact on healthcare services (both primary and acute)?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development include the provision, or replacement, of a healthcare facility meeting NHS requirements (and/or does the proposed development provide a financial contribution for this)?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development assess the capacity, location and accessibility of other social infrastructure, eg schools, social care and community facilities?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development explore opportunities for shared community use and co-location of services?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development contribute to meeting primary, secondary and post 19 education needs (either financially or in kind)?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Do the effects of the proposed development on <i>access to healthcare services and other social infrastructure</i> impact on health inequalities?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Reduces health inequalities <input type="checkbox"/> Increases health inequalities <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

Category 3: Access to open space and nature

Criteria	Relevant to this proposal?	Details/evidence	Potential health impact?	Recommended mitigation or enhancement actions
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Does the proposed development retain and enhance existing open and natural spaces?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
In areas where they are deficient, does the proposed development provide new open or natural space, or improve access to existing spaces?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development provide a range of accessible play spaces for children and young people?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development provide links between open and natural spaces and the public realm?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Are the open and natural spaces welcoming and safe and accessible for all?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development set out how new open space will be managed and maintained?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Do the effects of the proposed development on <i>access to open space and nature</i> impact on health inequalities?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Reduces health inequalities <input type="checkbox"/> Increases health inequalities <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

Category 4: Air quality, noise and neighbourhood amenity

Criteria	Relevant to this proposal?	Details/evidence	Potential health impact?	Recommended mitigation or enhancement actions
Does the proposed development minimise construction impacts such as air pollution, dust, noise, vibration and odours?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development minimise long term air pollution caused by traffic and energy facilities (e.g. power stations)?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development minimise long term noise pollution caused by traffic and commercial uses?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Has the proposed development been assessed for any potential risk to construction workers and/or the future users of the development by possible land contamination (e.g. by a desk study or site investigation)?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Do the effects of the proposed development on <i>air quality, noise and neighbourhood amenity</i> impact on health inequalities?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Reduces health inequalities <input type="checkbox"/> Increases health inequalities <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

Category 5: Accessibility and active travel

Criteria	Relevant to this proposal?	Details/evidence	Potential health impact?	Recommended mitigation or enhancement actions

Does the proposed development prioritise and encourage walking and cycling?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development connect public realm and internal routes to local and strategic cycle and walking networks?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development include traffic management and calming measures to help reduce and minimise road injuries, e.g. designed to 20mph zones?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Is the proposed development well connected to public transport, local services and facilities?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development seek to reduce car use e.g. by using travel plans to maximise single car use and other alternatives?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development allow people with mobility problems or a disability to access places and buildings?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Do the effects of the proposed development on <i>accessibility and active travel</i> impact on health inequalities?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Reduces health inequalities <input type="checkbox"/> Increases health inequalities <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

Category 6: Crime reduction and community safety

Criteria	Relevant to this proposal?	Details/evidence	Potential health impact?	Recommended mitigation or enhancement actions
Is the proposed development designed in ways that reduce the opportunities for crime?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development incorporate design techniques to help people feel secure and avoid creating 'gated communities'?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development include attractive, multi-use public spaces and buildings?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Has engagement and consultation been carried out with the local community?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral	
Does the proposed development assess the impact on Police Infrastructure?	<input type="checkbox"/>		<input type="checkbox"/> <input type="checkbox"/> Uncertain	
Do the effects of the <i>crime reduction and the community safety</i> design elements of the proposed development impact on health inequalities?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Reduces health inequalities <input type="checkbox"/> Increases health inequalities <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

Category 7: Access to healthy food

Criteria	Relevant to this proposal?	Details/evidence	Potential health impact?	Recommended mitigation or enhancement actions
Does the proposed development facilitate the supply of local food, i.e. allotments, community farms and farmers' markets?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral	

			<input type="checkbox"/> Uncertain	
Is there a range of retail uses, including food stores and smaller affordable shops for social enterprises, either within the scheme or nearby and easily accessible?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development avoid contributing towards an over concentration of hot food takeaways in the local area and in close proximity to schools and learning centres?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Do the effects of the proposed development on <i>access to healthy food</i> impact health inequalities?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Reduces health inequalities <input type="checkbox"/> Increases health inequalities <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

Category 8: Access to work and training

Criteria	Relevant to this proposal?	Details/evidence	Potential health impact?	Recommended mitigation or enhancement actions
Does the proposed development provide access to employment and training opportunities for local people, including temporary construction and permanent 'end-use' jobs?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development provide childcare facilities?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development include managed and affordable workspace for local businesses?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

Do the effects of the proposed development on <i>access to work and training</i> impact on health inequalities?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Reduces health inequalities <input type="checkbox"/> Increases health inequalities <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
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Category 9: Social cohesion and lifetime neighbourhoods

Criteria	Relevant to this proposal?	Details/evidence	Potential health impact?	Recommended mitigation or enhancement actions
Does the proposed development connect with existing communities, ie layout and movement which avoids physical barriers and severance and land uses and spaces which encourage social interaction?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development include a mix of uses and a range of community facilities?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development provide opportunities for the voluntary and community sectors?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development address the key components of Lifetime Neighbourhoods?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Do the effects of the proposed development on <i>social cohesion</i> impact on health inequalities?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Reduces health inequalities <input type="checkbox"/> Increases health	

			inequalities <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
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Category 10: Minimising the use of resources

Criteria	Relevant to this proposal?	Details/evidence	Potential health impact?	Recommended mitigation or enhancement actions
Does the proposed development make the most efficient and effective use of existing land?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development encourage recycling (including building materials)?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development incorporate sustainable design and construction techniques?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Do the effects of <i>minimising the use of resources</i> for the proposed development impact on health inequalities?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Reduces health inequalities <input type="checkbox"/> Increases health inequalities <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

Category 11: Climate Change

Criteria	Relevant to this proposal?	Details/evidence	Potential health impact?	Recommended mitigation or enhancement actions

Does the proposed development incorporate renewable energy?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development ensure that buildings and public spaces are designed to respond to winter and summer temperatures, i.e. shading, ventilation and landscaping	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development maintain and/or enhance biodiversity?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Does the proposed development incorporate sustainable urban drainage techniques?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
Do the effects of considering <i>climate change</i> impact on health inequalities?	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Reduces health inequalities <input type="checkbox"/> Increases health inequalities <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

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Cabinet

8 January 2018

Name of Cabinet Member:

Cabinet Member for Housing and Communities – Councillor E Ruane

Director Approving Submission of the report:

Deputy Chief Executive (People)

Ward(s) affected:

All

Title:

West Midlands Combined Authority Housing First Pilot Programme and Delivery in Coventry

Is this a key decision?

Yes - The Housing First Pilot is a West Midlands Combined Authority wide programme, and will be significant in terms of its effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the City

Executive Summary:

The West Midlands Combined Authority (WMCA) is engaged in a pilot programme of Housing First to deal with the increasing number of people sleeping rough in the region. The Ministry for Housing Communities and Local Government has allocated £9.6m to the West Midlands Combined Authority area to provide support for up to 206 entrenched Rough Sleepers per year to provide support packages to help prevent them going back on the streets. Coventry's share of this programme is £1,673,725 for up to 110 people altogether or up to 37 per year for the three years of the pilot (2018-2021). This grant will also provide support for up to a further two years following the end of the 3 year pilot period (2021-2023 based on financial years).

This report provides details of the Housing First Pilot for the West Midlands Combined Authority and details of the City Council's responsibilities for the funding allocation and implementation of the pilot. This covers the principles of Housing First, the governance arrangements, financial envelope and assessment criteria.

Recommendations:

The Cabinet is requested to:

- 1) Authorise that the Council accepts the funding allocation of £1,673,725 from the Ministry of Housing, Communities and Local Government (MHCLG) via the West Midlands Combined Authority (WMCA).

- 2) Delegate authority to the Deputy Chief Executive (People), following consultation with the Director of Finance and Corporate Services, to accept the terms and condition of the grant, to enter into the necessary partnership agreement.
- 3) Approve the implementation of the Housing First Pilot to help deliver and sustain tenancies for up to 110 rough sleepers across the City of Coventry as set out in the Implementation Plan (Appendix 2 to the report).
- 4) Authorise the Deputy Chief Executive (People), following consultation with the Cabinet Member for Housing and Communities, to undertake the appropriate procurement process to appoint the necessary support services and secure appropriate accommodation options.

List of Appendices included:

Appendix 1 - Partnership Agreement

Appendix 2 - WMCA Implementation Plan

Background papers:

None

Other useful documents

The delivery of the Housing First Pilot Programme is identified as a key action within the draft Housing and Homelessness Strategy. It is expected to be an important element in helping prevent and end rough sleeping across Coventry.

The draft Housing and Homelessness Strategy was issued for consultation until the 18th December 2018 having been considered by Cabinet at its meeting on the 30th October 2018.

<http://democraticservices.coventry.gov.uk/ieListDocuments.aspx?CId=124&MId=11807&Ver=4>
agenda item 67

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title:**West Midlands Combined Authority Housing First Pilot Programme and Delivery in Coventry****1. Context (or background)**

1.1 Housing First is an approach to meeting the housing and subsequent support issues of some of the most vulnerable and excluded people in society. Housing First has substantial history in New York, and other areas of USA, Norway, the Netherlands, and in relatively small scale around part of the UK. The prevailing view in the UK is that the model has evidenced success with some cohorts of people whilst for others more traditional supported housing mechanisms will continue to be required.

1.2 Housing First has seven key principles:

- People have a right to a home;
- Flexible support is provided for as long as it is needed;
- Housing and support are separated;
- Individuals have choice and control;
- An active engagement approach is used;
- The service is based on people's strengths, goals and aspirations;
- A harm reduction approach is used.

1.3 Birmingham City Council, in consultation with other Local Authorities within the WMCA, produced and submitted a Housing First bid to MHCLG in summer 2017. Subsequently the Secretary of State invited WMCA to submit a bid for Housing First for the region. This bid was developed by Birmingham City Council in consultation with the Homelessness Taskforce and constituent members (including Coventry City Council) and submitted by WMCA, for a total value of £10.8m.

1.4 In October 2017 Government announced £28m for three Housing First pilots, to be shared between Greater Manchester, Merseyside region and the WMCA. Following subsequent discussions, the WMCA has been awarded £9.6m, the largest of the allocations. This is to deliver Housing First for the three year period 2018-21 with a further two years of legacy support.

1.5 Although it is a pilot programme, Housing First is intended to have a significant and visible impact upon the number of people sleeping rough on the streets. Housing First is also being viewed by central government as a potential mechanism for savings in the Supported Housing sector.

1.6 The WMCA bid is deemed sufficient to enable up to 206 people to be supported in Housing First each year for three years. Coventry's share of this is £1.674m for up to 37 people per year. The grant is essentially to fund a three year programme but the last year will fund years 4 and 5 so the programme is essentially 3 plus 1 plus 1. Birmingham City Council is the accountable body. The funds primarily pay for intensive support for people in mainstream housing. This is not 'supported housing' but more akin to floating support. Additional funds are provided for street outreach, nursing, substance support, accommodation access support and crisis interventions and includes support for property sourcing, a bond scheme for landlords, evaluation costs and commissioning costs. An implementation plan has been developed for the regional pilot (Appendix 1). Alongside this each authority is expected to produce its own mobilisation plan. The draft Coventry Plan is attached to this report (Appendix 2).

- 1.7 Although the initial headline number of people is high, MHCLG has clarified that the primary driver of the Housing First pilot should be the successful delivery of the programme and the number of successful outputs. It is accepted that this may therefore require greater levels of support across fewer individuals. Such a situation would arise if the support costs for individuals are higher than expected or the amount of support time required per individual is higher than originally expected. Numbers will be reviewed on an annual basis and the final number housed may, therefore, be fewer than anticipated.
- 1.8 The cohorts of people identified as benefitting from this model include primarily rough sleepers and people with street lifestyles, together with those with a strong trajectory towards the streets, who continually struggle to engage, or are continually excluded from services. This includes younger adults with multiple and complex needs, people with histories of repeat offending and known to rough sleep as part of their pattern of behaviours and will include people with enduring mental health conditions. For the avoidance of doubt the Housing First programme will focus on single households.
- 1.9 In order for an individual to access the Housing First programme they need to meet specific criteria. This criteria requires the individual to be:
- a. homeless or entrenched rough sleepers – 3 months or longer
 - b. going to be homeless within 56 days
 - c. have at least one additional need – mental health, substance misuse or offending
 - d. at risk of exclusion from mainstream or supported housing due to behaviour
- 1.10 Given that a supply of tenancies is key to the delivery of a Housing First model, each local authority has to consider how this will be achieved with up to 37 per annum being provided in Coventry. The WMCA has sought in principle support from housing association leads across the region to provide tenancies for the Housing First Pilot. A providers' event was hosted by the WMCA on the 15th November, to discuss issues, answer queries and to reassure that sufficient support will be available to prevent problems and failed tenancies.
- 1.11 Within the funding for each authority is a small provision for a property sourcing role, expansion to existing private sector leasing arrangements, a bond pot and crisis fund. Within Coventry this will be supported through the new housing and homelessness team structure and link in with the Councils wider work on multiple complex needs, combating homelessness and delivering sustainable homes. As the city council has no stock of its own it will be reliant upon the external housing providers, which will be achieved through partnership working with housing associations and private landlords across the city. Only a very small number of properties have been identified to date but discussions with providers are still continuing.
- 1.12 The intended areas of commissioning will include progression coaches to support; individuals accessing Housing First; mental health support interventions; nurse practitioners/prescribers; outreach support to address substance misuse and the use of Psychologically Informed Environments (PIE) as a training tool for staff. A Psychologically Informed Environment is one that takes into account the psychological makeup - the thinking, emotions, personalities and past experience – of its participants in the way it operates. It is an approach to supporting people out of homelessness. Birmingham is tendering PIE on behalf of the pilot authorities and will set up training sessions for staff in all participating authorities.

2. Options considered and recommended proposal

- 2.1 Option 1 is the preferred option and forms the basis for the recommendations within this report. This would see the city council accept the funding to implement the Housing First Pilot across Coventry. This will enable funding and accommodation to be directed to support a particularly vulnerable cohort of people back into independence. This group of people is known to be difficult to engage with and yet represent one of the most vulnerable.

People living on the streets are most likely to suffer from a variety of health issues and complex needs and have a reduced life expectancy.

- 2.2** Option 2 would be to not accept the funding to implement Housing First Pilot. This is not recommended, given that the level of street homelessness within the region and the city is rising and this funding provides a real opportunity to explore a radically different approach to both accommodation and support. The level of support required is considerable and, therefore, expensive. This funding stream is therefore essential to help deliver this pilot programme.

3. Results of consultation undertaken

- 3.1** While no formal consultation has been undertaken, a Project Team has been convened to implement the Council's response to the initiative. The Team consists of representatives from all appropriate departments within the Council, including Children's and Adults Services, Housing Options, Community Safety, Legal and Finance, in addition to external agencies including the Police, Whitefriars and the Salvation Army.

The Combined Authority has also convened a regional Steering Group to oversee the implementation of the Pilot Programme. The City Council is represented on this group. In Coventry this will be led by the Director of Public Health and Wellbeing, reporting to the Strategic Housing Board chaired by the Chief Executive.

4. Timetable for implementing this decision

- 4.1** The funding for the Pilot Programme was first made available from April 2018 to the end of March 2021, with the potential to extend to 2023.

Given the late start in year 1, the current financial year, the outputs have been adjusted accordingly. Coventry has a reduced target of 10 individuals within properties to be delivered by the end of March 2019 – it is expected that just 5 will actually be possible. The uncommitted balance will roll over into subsequent years.

Subject to the approval of the recommendations in this report, commissioning will commence with immediate effect to procure support services. The Councils project group will then look to identify properties and individual rough sleepers who are already engaging with existing services with a view to them joining the programme.

5. Comments from Director of Finance and Corporate Services

5.1 Financial implications

West Midlands Combined Authority was awarded £9.6m of funding from the Housing First pilot programme of which £1.674m relates to Coventry. Birmingham City Council is the Accountable Body for the grant and will be responsible for paying the grant to Coventry over the life of the project.

5.2 Legal implications

The Council will need to ensure that it is able to fulfil the terms and conditions of the grant with MHCLG and the obligations set out in the partnership agreement between the participating local authorities.

Any procurement processes required to implement the decision contained in this report will be undertaken in accordance with the Council's Rules for Contract and/or the Public Contract Regulations (as applicable).

Legal Services will continue to work closely with colleagues to ensure that compliance is achieved in relation to any procurement and contractual matters as well as mitigating any risks which may arise.

6. Other implications

6.1 How will this contribute to the Council Plan? (www.coventry.gov.uk/councilplan/)

Housing First will contribute to the Council Plan by helping to improve the health and wellbeing of a very vulnerable group of people. It will help to reduce health inequalities and will help to protect some of the most vulnerable members of society.

6.2 How is risk being managed?

The key risks to the scheme are:

- That there are insufficient people to achieve the numbers. There is known to be a reluctance amongst rough sleepers and people with multiple complex needs to engage with mainstream services. This will be addressed by building on the multiple complex needs work to date, including MEAM (Make Every Adult Matter) and the 'City's Steps for Change' facility, and the progression coaches and outreach workers who will be employed to address this issue.
- That insufficient properties can be sourced for the numbers of people involved. As it is a requirement of Housing First that Assured Tenancies are issued and not licences, Registered Providers are likely to be the principle source of accommodation. Housing Associations working in Coventry also work in the other WMCA council areas and the Chief Executives have indicated in principle that they are supporting the pilot. While there has been some reluctance at local level from housing associations as clients will not be tenancy ready, there will be as much support as is required to help individuals maintain their tenancies. The Combined Authority held a meeting with providers, attended by the West Midlands Mayor, to explain the programme and to encourage them to support the initiative. The level of support available to tenants to help them sustain their tenancies was emphasised and will be key to managing this risk.
- That the amount of grant available does not cover the level of support that is required. The amount of support necessary to sustain a tenancy can be considerable and one principle of Housing First is that support is available for as long as it is needed. This could reduce the number of people helped and affect continuation of support into years 4 and 5. However, MHCLG has confirmed that the fidelity of the Housing First model is of primary importance.
- A suitable support provider cannot be identified. Although each authority will commission support independently, a standard specification, role specifications and job descriptions for the various workers required, will be used as the basis of individual tenders.
- Birmingham City Council, as lead authority, will be directly accountable to MHCLG for the funds, programme and outcomes. The WMCA will also maintain an oversight and scrutiny of the Housing First programme through the Homelessness Task Force. Birmingham will provide a report on a quarterly basis detailing programme status, services commissioned, units filled, outcomes achieved, risks to programme and opportunities. This will help provide a coordinated management of risks across the region.

7.1 Heriot Watt University has secured the contract with MHCLG, along with expertise from Homeless Link, to undertake the evaluation of the Housing First Pilot. This will be a continuous process during the term of the pilot programme. The evaluator will report formally on an annual basis and will report following the end of the programme.

6.3 What is the impact on the organisation?

Although the Housing First is labour intensive, once up and running, most of the work is supporting individuals to be undertaken by support providers and this will be commissioned in due course. The main impact will be in the commissioning of the support provider/s, monitoring the outcomes and ensuring the fidelity of the programme.

6.4 Equalities / EIA

Housing First is a very positive approach that deals with some of the most disadvantaged and needy groups in society. As such, it addresses issues of inequality. The subjects for the programme will be chosen strictly in accordance with the definition outlined above as this is a requirement of the funding and those considered too vulnerable for a tenancy of their own will be referred to other agencies. Individuals on the programme will be given the opportunity of a home and sufficient support to ensure that their tenancy can be sustained.

6.5 Implications for (or impact on) the environment

There are no implications for the environment.

6.6 Implications for partner organisations?

Housing Association partners will be expected to assist by providing properties and granting tenancies to the individuals, in addition to housing management. Tenancies will be general needs and on the same terms as other affordable housing tenancies. The cohort will have multiple complex needs, which can create difficulties for housing management and tenancy sustainment. However, the success of the programme is predicated on a great deal of support being provided, which will be available for as long as it is needed. This will reduce the risk for the housing provider.

Report author(s):**Name and job title:**

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 Planning and Housing Policy Officer

Directorate:

People

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Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Michelle Salmon	Governance Services Officer	Place	29/11/2018	29/11/18
Mark Andrews	Planning and Housing Policy Manager	Place	26/11/18	28/11/18
Pete Fahy	Director of Adult Services	People	29/11/18	4/12/18
David Ashmore	Director of Customer Service and Transformation	People	29/11/18	4/12/18
Mick Burn	Head of Procurement and Commissioning	People	26/11/18	4/12/18
Liz Gaulton	Director of Health and Well Being	People	29/11/18	30/11/18
Julie Fairbrother	Communications Manager - Place	Place	29/11/18	30/11/18
Andrew Walster	Director of Streetscene and Regulatory Services	Place	29/11/18	6/12/18
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Names of approvers for submission: (officers and members)				
Barry Hastie	Director of Finance and Corporate Services	Place	11/12/18	12/12/18
Julie Newman	City Solicitor and Monitoring Officer	Place	29/11/18	3/12/18
Gail Quinton	Deputy Chief Executive	People	29/11/18	02/12/18
Councillor E Ruane	Cabinet Member for Housing and Communities		10/11/18	11/12/18

This report is published on the council's website: www.coventry.gov.uk/councilmeetings

APPENDIX 1

PARTNERSHIP AGREEMENT WEST MIDLANDS HOUSING FIRST PILOT ALLOCATIONS

AGREEMENT PERIOD [_____]

Birmingham City Council (1)

and

Dudley Metropolitan Borough Council (2)

And

Walsall Council (3)

And

Wolverhampton City Council (4)

And

Coventry City Council (5)

And

Sandwell Metropolitan Borough Council (6)

And

Solihull Metropolitan Borough Council (7)

THIS AGREEMENT is made on the _____ day of 2009 and takes effect from the Commencement Date.

BETWEEN:

- (1) Birmingham City Council of Council House, Victoria Square, Birmingham, B1 1BB (“**BCC**”)
- (2) Dudley Metropolitan Borough Council of Council House, Priory road, Dudley, DY1 1HF (“**DMBC**”)
- (3) Walsall Council of Civic Centre, Darwall Street, Walsall, WS1 1TP (“**WC**”)
- (4) Wolverhampton City Council of Civic centre, St Peter’s Square, Wolverhampton, WV1 1SH (“**WCC**”)
- (5) Coventry City Council of [insert address] (**CCC**)
- (6) Sandwell Metropolitan Borough Council of [insert address] (**SMBC**)
- (7) Solihull Metropolitan Borough Council of [insert address] (**SoIMBC**) (together being “**the Partners**”)

WHEREAS:

- (A) The Partners have agreed to enter into this Partnership Agreement for the purpose of delivering a Housing First Pilot within the West Midlands combined Authority areas as set out in the successful BID and implementation plan to MHCLG.
- (B) Funding for the Housing First Pilot has been received by BCC from the Ministry of Housing, Communities and Local Government (MHCLG). BCC is acting as the administrative authority for and on behalf of the WMCA.
- (D) BCC will be responsible for allocating the funding to each of the Partners and each Partner will be responsible for delivering the objectives of the Housing First Pilot as set out at schedule 1 and 3 and the reporting requirements at schedule 2.
- (E) The provisions of this Agreement shall take effect on the Commencement Date.
- (F) The Parties are empowered to enter into this Agreement pursuant to Section 2 of Local Government Act 2000.

IT IS HEREBY AGREED BETWEEN THE PARTNERS:

1 **Definitions**

1.1 In “**this Agreement**”, unless the context otherwise requires:

“**this Agreement**” means this Agreement and any schedules, appendices and annexes that may be attached to it.

“**HFPB** ” means the Housing First Project Board

“**the Commencement Date**” means October 2018. .

“**Commissioned Services** means the Services that each Partner will need to procure for the purpose of delivering the Housing First Pilot.

“Constitution” means the relevant Constitution of each of the Partners as may be in force from time to time.

“the Data protection Legislation” means All legislation and regulatory requirements in force from time to time relating to the use of personal data and the privacy of electronic communications, including, without limitation (i) any data protection legislation from time to time in force in the UK including the Data Protection Act 2018 or any successor legislation, as well as (ii) the General Data Protection Regulation ((EU 2016/679) and any other directly applicable European Union regulation relating to data protection and privacy (for so long as and to the extent that the law of the European Union has legal effect in the UK)

“MHCLA” means the Ministry of Housing Communities and Local Government .

“FOIA” means the Freedom of Information Act 2000 and any subordinate legislation made under this Act from time to time together with any guidance and or codes of practice issued by the Information Commissioner or relevant government department in relation to such legislation.

“the Lead Council” means the lead council for the purposes of this Agreement being BCC as the administrative authority.

“the Project Manager” means an officer appointed by BCC who shall be responsible for overseeing the delivery of the Services and Commissioned Services during the Term and in accordance with Schedule 1, 2 and 3 of this Agreement.

“the Memorandum Account” the record of the running total of each partner’s obligations.

“the Partnership Arrangements” means the arrangements jointly agreed by the Partners pursuant to this Agreement for the purposes of providing the Commissioned Services and Services.

“the Procurement Regulations” means the law, standing orders, financial and any other relevant procedures relating to the procurement of the Commissioned Services and Services with which the Lead Council is required to comply.

“HFP” means the Housing First Pilot and the provision of the Commissioned Services and Services as set out at Schedules 1 and 3 of this Agreement.

“the Service” means the service to be provided by the Partners in accordance with the terms of this Agreement and as more particularly defined in Schedule 1 and 3.

“the Service Users” means individuals who will receive support services in accordance with this Agreement.

“the Term” means the term of the Agreement namely 5 years from October 2018.

“Working Day” means a day (other than a Saturday or Sunday) on which banks are open for general business in the City of London.

1.2 The headings of the Clauses in this Agreement are for reference purposes only and should not be construed as part of this Agreement or deemed to indicate the meaning of the relevant Clauses to which they relate.

1.3 References to Clauses or Schedule are references to the Clauses and Schedules to this Agreement and reference to a paragraph is a reference to the paragraph in the Schedule containing such reference.

1.4 References to a person or body shall not be restricted to natural persons and shall include a company, corporation or organisation, firms, partnerships and their successors and permitted assignees or transferees.

1.5 Words importing the one gender shall include the other genders and words importing the singular number only shall include the plural.

- 1.6 References to any enactment, order, regulation or other similar instrument shall be construed as a reference to the enactment, order, regulation or other similar instrument as amended, replaced, consolidated or re-enacted.

2 Service Provision

- 2.1 The Services to be provided under this Agreement are as set out in Schedule 1 of this Agreement.
- 2.2 Each Partner agrees that it shall exercise due skill, care and diligence in the performance of this Agreement.
- 2.3 The Parties are subject to the duty of Best Value under the Local Government Act 1999. The Commissioned Services will be subject to the Partners responsibility for Best Value. The Partners will agree the detailed process and procedures for Best Value reviews.
- 2.4 The Lead Council will ensure that following any Best Value Review, the results of such Review are incorporated and reflected in its delivery and performance of the Services and the Commissioned Services.
- 2.5 Each Partner shall maintain such insurances in respect of its participation in this Agreement as may be required by law.

3 Joint Structures, Responsibilities and Obligations

- 3.1 The agreed roles and responsibilities of the Partners in respect of the delivery of the Services and Commissioned Services are detailed at Schedule 3 of this Agreement.
- 3.2 Each Partner shall deliver the Services and Commissioned Services in accordance with the detail set out at Schedule 1 and 3 of this Agreement;
- 3.3 Each Partner shall comply with the reporting requirements as set out at Schedule 2 of this Agreement;
- 3.4 Each Partner shall cooperate and comply with the requirements of the HFPB as set out at Schedule 4 of this Agreement for the purpose of delivery of the Housing First Pilot. The Partners acknowledge and agree that the HFPB is a decision making body and any decision of the HFPB is final;
- 3.5 Each Partner shall cooperate with and report to the Project Manager in accordance with the provisions stated at Schedule 2 of this Agreement.

4 Services

- 4.1 The Partners agree as follows:
- a) In the delivery of the Services, each partner shall be responsible for ensuring compliance within its own Constitution.
- b) The Partners shall comply with all relevant HM Revenue and Customs Legislation at all times.

5 Funding

- 5.1 The Housing First Pilot is funded by a grant from MHCLG. The grant has been awarded to the WMCA and the Lead Council is acting as the administrative authority for and on behalf of the WMCA. The amount of the grant is in the sum of £9.6m.

5.2 The Lead Council will make one payment per annum to each Partner in accordance with Schedule 5 for the purpose of delivering the Housing First Pilot in accordance with the requirements set out at schedule 1 and 3 unless amended as agreed by the HFPB.

5.3

5.4

6 Budgets

6.1 The Partners agree that the figures stated and set out in Schedule 5 is the set amount that each Partner will receive each year during the term of the Agreement and as stated at Schedule 6. The Partners agree that no other funding is available for delivery of the Service.

34 Costs

7.1 Each of the Partners shall pay any costs and expenses incurred in connection with the management of this Agreement.

8 Termination and Disputes

8.1 This Agreement shall take effect on the Commencement Date and shall expire:

8.1.1 automatically on the expiry of the term; or

8.1.2 automatically if the funding is withdrawn from MHCLG. In the event that the circumstances under this clause 8.1.2 take place, any winding down arrangements and provisions will be negotiated by the Lead Council as the administrative authority on behalf of the Partners with the WMCA. Upon such provisions being negotiated and finalised, the Lead Council will communicate any winding down arrangements for implementation with the Partners,

8.1.3 A Partner cannot terminate their involvement in the Agreement part way through any year and may only issue a notice to terminate at the end of the first anniversary, second anniversary, third anniversary, fourth anniversary and expiry of the Term.

8.1.4 Subject to clause 8.1.3 above, a Partner may serve three (3) months notice to withdraw from the HFP in writing on the other Partners setting out the reasons why it wishes to withdraw together with submitting a decommissioning plan and timescales. (the "**Termination Notice**"). The Partner serving the Termination Notice must also submit a mobilisation plan, independent evaluation and any other relevant documents detailing the exiting Partners delivery progress up to the date of expiry of the Termination Notice. For the notice to be valid, the notice shall be served three (3) months before the anniversary date of each year of the Agreement. Upon the expiry of the validly served Termination Notice (the "**Effective Withdrawal Date**"), that outgoing Partner shall cease to be a party to this Agreement and subject to **Clauses 33 Survival of Rights and Obligations** shall no longer be bound by this Agreement as from the Effective Withdrawal Date.

8.1.5 The Partners may collectively and unanimously decide to terminate the partnership Agreement at the end of the anniversary of each year of the Term. In the event that the provisions under this clause are invoked, any winding down arrangements and provisions will be negotiated by the Lead Council as the administrative authority on behalf of the Partners with the WMCA. Upon such provisions being negotiated, the Lead Council will communicate any winding down arrangements for implementation with the Partners,

- 8.2 Whenever a Partner ceases to be a Partner in accordance with the terms of this Agreement, then, unless the continuing Partners otherwise decide, this Agreement shall not terminate and shall continue in full force and effect between the continuing Partners.

9 Dispute Resolution

- 9.1 Should the Partners have concerns that the Lead Council or a Partner representative is failing to exercise any of its obligations under this Agreement or should a dispute in relation to this Agreement arise between any of the Partners, the Partners concerned shall immediately raise their concerns without delay to the HFPB

- 9.2 If the HFBB fails to resolve the dispute through consultation within three (3) Working Days of referral to them, then any relevant Partner may by serving written notice on all other relevant Partners refer the matter to mediation. The relevant Partners shall agree the identity of the mediator within three (3) Working days of the service of such notice. In default the mediator shall be appointed by the Centre for Effective Dispute Resolution. The mediation shall be conducted in accordance with the terms of reference set by the mediator provided that:

- (a) each Partner to the dispute shall bear its own costs in to the mediation; and
- (b) the costs of the mediator and the Centre for Effective Dispute Resolution shall be borne as the mediator specifies.

- 9.3 If any Partner is dissatisfied with or otherwise wishes to challenge the mediator's decision made in accordance with Clause 9.2 then any relevant Partner may within twenty (20) Working Days of receipt of the mediator's decision, where appropriate, and subject to Clause 9.4 notify the other relevant Partners of its intention to refer the dispute to arbitration. Such notification shall invite the other relevant Partners to concur in the appointment of a sole arbitrator who shall be a solicitor, barrister or arbitrator recognised by the Chartered Institute of Arbitrators of not less than ten (10) years' standing (the "**Arbitrator**"). If the relevant Partners are unable within ten (10) Working Days to agree the identity of the Arbitrator, any relevant Partner may request the President of the Chartered Institute of Arbitrators to make the appointment.

The arbitration shall be conducted in accordance with the Arbitration Act 1996.

- 9.4 If agreed by all Partners to the relevant dispute, such dispute may be referred to the appropriate Court rather than be subject to arbitration under Clause 9.3

10 Winding Down Arrangements

- 10.1 In the event that this Agreement is terminated in whole or in part (whether by effluxion of time or by termination in accordance with its terms) the following provisions shall apply in relation to the winding down of this Agreement or the relevant part in relation to which this Agreement is terminated and the exiting Partner(s) shall submit with the termination notice a decommissioning plan, mobilisation plan, independent evaluation and shall include the following information;

- 10.1.1 the impact of termination on Service Users;

- 10.1.2 the impact of termination on other agencies;
- 10.1.3 the Exiting Partner(s) will communicate with the other Partners in producing a jointly agreed media communication statement;
- 10.1.4 the exiting Partner(s) will cooperate and engage fully with the independent evaluators

11 Liabilities and Indemnity

- 11.1 Without prejudice to the primary liability of each Partner for its respective functions, the following indemnity provisions will apply:
- 11.2 References in this Clause to damages, claims and liabilities shall include the obligation to pay sums recommended by an Ombudsman or under any other complaint resolution process.
- 11.3 Each Partner will indemnify the others from and against any direct loss and expense suffered and reasonable legal fees and costs incurred by the other Partners as a result of any breach of this Agreement by it, except to the extent that such loss etc is caused by the breach of contract or the act, neglect or default of the other Partners, its employees, agents or contractors.
 - 11.4 The Partners shall use their reasonable endeavours to inform each other promptly of any circumstances reasonably thought likely to give rise to any claim or proceedings which is or maybe subject to an indemnity under this Agreement and any material developments. The Partners shall co-operate in the defence of any such claim or proceedings. No settlement or admission properly made by any Partner in dealing with a complaint or in connection with any professional or disciplinary proceedings shall vitiate its right to be indemnified by the other Partners under this Agreement.
- 11.5 If more than one Partner commits a breach of any obligation under this Agreement the liability for any resulting direct loss, damage, costs and expenses shall be apportioned between the Partners that have committed the breach in a fair and equitable manner after a valuation has been prepared and approved and provided to the HFPB in writing by the Lead Council setting out how the direct loss, damages, costs and expenses are calculated together with the Lead Council's recommendation for their apportionment between the Partners. To the extent that it is the Lead Council that is liable for any direct loss, damage, costs or expenses then the valuation and apportionment of liability between the Partners shall be determined solely by the HFPB.

12 Insurance

- 12.1 In respect of liabilities arising under any indemnity in this Agreement, the Partners shall maintain such insurance as it considers appropriate.
- 12.2 The Partners shall co-operate with each other in the defence of any claim arising under this Agreement.
- 12.3 Each Partner shall maintain such insurances in respect of this Agreement as may be required by law or in accordance with its Constitution.

13 Sub-Contracting/Assignment

- 13.1 The Partners acknowledge that neither of them shall be entitled to assign the whole or part of their rights or obligations under this Agreement unless permitted or required to

do so by any statutory provision in consequence of any transfer of their respective Functions to another body or agency.

14 Complaints

- 14.1 The Partners shall each continue to deal with complaints falling within the ambit of their statutory functions, duties and powers in accordance with their own complaints procedure.
- 14.2 Each Partner shall ensure that the other Partners are kept fully informed of the progress of any complaints related to their functions and to the arrangements under this Agreement.
- 14.3 The Partners recognise the need for expediency of responding to a complaint as quickly as possible and will therefore deal with any complaints as speedily as possible.
- 14.4 Prior to the issue of any press release or making any contact with the press on any issue attracting media attention the Partners shall consult with each other to agree a joint strategy for the release and handling of the issue and in accordance with clause 22.
- 14.5 In the event of any potential legal action or complaint to the Local Government Ombudsman relating to this Agreement, the Partner notified of the potential legal action or complaint shall notify the other Partners immediately and if possible agree a joint strategy for dealing with the action.
- 14.6 Notwithstanding Clause 14.5 above all other complaints regarding the Services and the Commissioned Services will be recorded and co-ordinated by The Lead Council. The Partners will assess the complaint and agree which Partner will take the lead in investigating the complaint. All Partners will notify each other immediately should any complaint relating to any part of the Services or the Commissioned Services be made directly to them.
- 14.7 The Partners will work together to follow their respective policy and procedures to ensure a co-ordinated approach towards the safeguarding of children and vulnerable adults.

15 Sharing and Handling of Information

- 15.1 Each Partner undertakes to observe and comply with all applicable requirements of the Data Protection Legislation. The obligation under this clause is in addition to and does not relieve, remove or replace a Partner's obligations under the Data Protection Legislation.
- 15.2 Without prejudice to Clause 15.3 except as required by the law the Partners agree at all times during the continuance of this Agreement and after its termination to keep confidential all documents or papers which one Partner receives or otherwise acquired in connection with the other and which are marked "Commercial – in confidence" or such other similar words signifying that they should not be disclosed.
- 15.3 The Parties being public bodies are subject to the Freedom of Information Act (FOIA). In compliance with the FOIA, the Partners agree that requests under the Act will be dealt with as follows:

15.3.1 When the request is received by a Partner (the "**Receiving Partner**"), that Receiving Partner is responsible for the reply to the request.

However,

- (34) if the request relates solely to information the Receiving Partner does not have and which is owned by any other Partner the request will be transferred within 2 Working days to the respective Partner;
- (ii) if the request relates to information being held by one Partner on behalf of another Partner, the relevant Partners will consult on the request but the responsibility for the request will remain with the Receiving Partner;
- (iii) the Partners will co-operate in locating any relevant information and a Partner shall supply such relevant information as it holds when requested to do so by any other Partner.
- 15.4 The Partners undertake not to disclose any exempt information as defined in the FOIA (including commercially sensitive information and information held confidentially). In all cases where an application is received requiring the Partners to disclose information the Partners shall consult with all relevant third parties and take into account any representations made before a decision is made. Where any duty of confidentiality exists under this Agreement it is agreed that any disclosure of information made by the Partners shall not be deemed to be a breach of this Agreement.
- 15.5 In the event of an enquiry from a Member of Parliament about the circumstances of a Service User relating to this Agreement the Partner receiving the complaint shall consult with the other Partners immediately and agree a joint strategy for the release or handling of the issue.
- 15.6 In the event of an enquiry from a Member of Parliament about policy any Partner shall respond in accordance with this Agreement.
- 15.7 To the extent that any information is required from any of the Partners following termination of this Agreement, the provisions of this Clause 15 shall survive termination and the Partners shall each have continuing obligations to ensure compliance with this Clause 15.

17 Review of the Partnership Arrangements

- 17.1 The Partners shall review the Partnership Arrangements within the first twelve (12) months of the Services becoming operational. The review will assess the governance structure, the Partners' continued involvement, service and strategic developments, funding for the Services and for this Agreement.

18 Equality and Equal Opportunities

- 18.1 The Partners are committed to an approach to equality and equal opportunities as represented in their respective policies. The Lead Council will maintain and develop these policies as applied to the Services and the Commissioned Services with the aim of developing a joint strategy for all elements of the Service and the Commissioned Services.

19 Changes in Legislation

- 19.1 The Partners shall review the operation of this Agreement and all or any of the procedures or requirements of this Agreement on the coming into force of any relevant statutory or other legislation or guidance affecting this Agreement and agree to take all necessary steps to ensure that this Agreement complies with such legislation.

20 Management of Serious Incidents

- 20.1 The Partners will agree a protocol for dealing with any and all serious incidents which require risk management reporting.

20.2 Any serious incident will be notified immediately to all Partners

21 Information Sharing

21.1 The Partners recognise that good quality information is fundamental to effective treatment and care, and that relevant information about Service Users needs to be shared for the Commissioned Services and Services to be delivered effectively.

21.2 The Partners will work towards agreeing and establishing and keeping operational a joint Information Sharing Protocol so that the arrangements for sharing information:-

21.2.1 Comply with all the relevant legislation and guidance as they apply to the Partners and this Partnership Agreement;

21.2.2 Meet the objectives of this Partnership Arrangement; and

21.2.3 Ensure that health and social care needs of Service Users in respect of which the Partnership Arrangements may be exercised are not denied or hindered.

22 Public Relations

22.1 Any public release of information relating to this partnership Agreement shall be made as a joint release by the Partners at a time and in a form to be agreed by the Partners at the time of such release. Any such release and or press release of whatever kind shall always be subject to approval by the HFPB prior to release.

22.1 The HFPB shall, acting in good faith, approve a list of individuals who are authorised to speak on behalf of the Partners as a whole and shall ensure that such individuals act in the interests of the Partners as a whole.

22.2 Each Partner shall not, and shall procure that its staff and agents shall not use public communications such as press releases, public board papers and social media in such a way so as to bring the Housing First Project Board into disrepute.

22.3 In the event of any request for information held by one Partner belonging to another Partner that information will not be disclosed without the prior consent of that other Party.

22.4 The Partners shall comply with any “brand guidance” approved from time to time by the Housing First Project Board in relation to the use of the name “West Midlands Housing First Pilot” or any other names or phrases associated with the partnership Agreement and the grant and associated branding.

22.5 The Partners may agree protocols for the handling of public relations from time to time which may override the provisions of this Clause 22.

23 Variation

- 23.1 The variation/change control provisions in this Clause 23 shall apply as a means of developing and refining and fulfilling the objectives of this Agreement.
- 23.2 If at any time during the term of this Agreement any Partner gives written notice to vary this Agreement, it shall be considered by the HFPB and if approved in writing then any such changes will be implemented by the Lead Council in accordance with the terms of this Agreement.
- 23.3 If any requested variation/change cannot be agreed or the terms of its implementation cannot be agreed, the change/variation shall not take place.

24 Waiver

- 24.1 No forbearance or delay by any Partner in enforcing its respective rights will prejudice or restrict the rights of that Partner, and no waiver of any such rights or any breach of any such contractual term will be deemed to be a waiver of any right or of any later breach.

25 Force Majeure

- 25.1 No Partner will be liable to any other for any delay in or failure to perform its obligations as a result of any cause beyond its reasonable control, including, but not limited to fire, natural disaster, flood shortage or delay of power, fuel or transport.

26 Contracts (Rights of Third Parties) Act 1999

- 26.1 Any rights of any Third Party to enforce all or part of this Agreement pursuant to the Contracts (Rights of Third Parties) Act 1999 are hereby excluded.

27 Notice

- 27.1 All formal notices relating to this Agreement shall be in writing and shall be given by hand, pre-paid first class post (or in accordance with the Postal Services Act 2000 if applicable) to the addressee at the address given below or such other address as the addressee shall have for the time being notified to any Partner giving the notice and such notice shall be deemed to have been delivered either upon delivery if by hand or if by letter at the expiration of forty eight (48) hours after posting or if by facsimile, upon receipt. All formal notices must be delivered to the Lead Council. Upon receipt of the notice the Lead Council must notify all Partners within twenty four (24) hours of receipt.

Name	Contact Details

28 Entire Agreement

- 28.1 The terms of this Agreement together with the contents of the Schedules constitute the entire agreement between the Partners with respect to the subject matter of this Agreement and supersede all previous communications, representation, understandings and agreement and any representation promise or condition not incorporated in this Agreement shall not be binding on Partners.
- 28.2 No agreement or understanding, varying or extending any of the terms and provisions of this Agreement shall be binding upon any of the Partners unless it is agreed in accordance with the terms of this Agreement.

29 Governing Law

- 29.1 This Agreement will be governed by and construed in accordance with English Law.

30 No Partnership

- 30.1 Nothing in this Agreement shall create or be deemed to create a legal Partnership or the relationship of the employer and employee between the Partners.

31 Severability

- 31.1 If any term, condition or provision of this Agreement shall be held to be invalid, unlawful or unenforceable to any extent, such term, condition or provision shall not affect the validity, legality and enforceability of the other provisions or any documents referred to in this Agreement.

32 Mitigation

- 32.1 Each Partner shall at all times take all reasonable steps to minimise and mitigate any loss for which the relevant Partner is entitled to bring a claim against another Partner pursuant to this Agreement.

33 Survival of Rights and Obligations

- 33.1 Save as may be expressly provided otherwise, termination or expiry of this Agreement shall not affect the continuing rights and obligations of a Party under any provision which is expressed to survive termination or expiry or which is required to give effect to such termination or consequences of Termination.

34. Counterparts

- 34.1 This Agreement may be executed in any number of counterparts, all of which when taken together will constitute one and the same instrument.

IN WITNESS WHEREOF each of the parties have executed this Agreement as a Deed on the day year first written

<p>EXECUTED as a DEED by BIRMINGHAM CITY COUNCIL</p> <p>in the presence of: -</p> <p>Authorised Signatory</p>	
<p>EXECUTED as a DEED by DUDLEY METROPOLITAN BOROUGH COUNCIL in the</p> <p>presence of: -</p> <p>Authorised Signatory</p>	
<p>EXECUTED as a DEED by WALSALL COUNCIL in the</p> <p>presence of: -</p> <p>Authorised Signatory</p>	
<p>EXECUTED as a DEED by COVENTRY CITY COUNCIL in</p> <p>the presence of: -</p> <p>Authorised Signatory</p>	
<p>EXECUTED as a DEED by WOLVERHAMPTON CITY</p>	

<p>COUNCIL in the presence of: - Authorised Signatory</p>	
<p>EXECUTED as a DEED by SANDWELL METROPOLITAN BOROUGH COUNCIL in the presence of: - Authorised Signatory</p>	
<p>EXECUTED as a DEED by SOLIHULL METROPOLITAN BOROUGH COUNCIL in the presence of: - Authorised Signatory</p>	

SCHEDULE 1: OBJECTIVES AND REQUIREMENTS OF THE HOUSING

FIRST PILOT

This schedule includes the following:-

Implementation Plan;

Statement of Requirements;

Mobilisation Plan – in process of being drafted .

Cross Authority Arrangements



SCHEDULE 2 – REPORTING REQUIREMENTS

Project Manager

BCC will appoint a Project Manager on behalf of the WMCA, who will be responsible for:

1. Holding monthly monitoring meetings with all Partners involved in the pilot.
2. Acting as a point of contact for the Partners.
3. Mobilisation of the overall delivery of the project.
4. Ensuring each Partner is adhering to the objectives of the pilot
5. Receiving each Partner’s monthly performance returns, sharing the performance returns with Partners in quarterly board meetings within fourteen (14) calendar days of the performance return date. The information given to Partners will be in a report format which details the Service Providers’ performance in accordance with the targets set out in Schedule 1 – Statement of Requirements.
6. Presenting the monitoring performance of the Partner authorities to MHCLG at Bi Yearly meetings.
7. Meeting with the MCHLG to assess performance and determine the need to take any contractual action or determine the life of the services contract.
8. Monitoring this Agreement on an annual basis.
9. Providing the Partners with an end of year account to show income received expenditure and balances remaining in respect of the allocated funds from MHCLG.
10. Co-ordinating the Partner Local Authority reviews.
11. Any other relevant activity in relation to this project.
12. Work directly with the independent evaluator as detailed in Schedule 1 - Statement of Requirements.
13. Ensure reporting is undertaken as detailed in the following table:

Reporting Structure WMCA Housing First Pilot		
Board Meetings with MHCLG	Project Manager	6 monthly
Board Meetings with WMCA	Local Authorities and Project Manager	Quarterly
Monitoring Returns	Local Authorities to provide written reports to Project Manager detailing delivery of identified outcomes	Monthly

SCHEDULE 3 – PARTNERS ROLES AND RESPONSIBILITIES

The Partners have agreed that the Services will be delivered as follows:

Procurement

The procurement for the delivery of the Commissioned Services will be conducted by each Partner in accordance with their own regulations.

Each Partner will work to the same model, principles and service specification however will produce individual mobilisation plans to meet objectives of the pilot.

Each Partner will be responsible for all costs associated with the procurement process and tender and award of the services contract for the Commissioned Services.

Lead Council

BCC will be the Lead Council for the purposes of administering funds and recruitment of the Project Manager role. The services contract will be a contract between the successful service provider and each Partner.

Partners will be responsible for -

Producing a project management structure to ensure all procurement issues are addressed in a timely and appropriate manner.

Produce their own project plan in relation to how the pilot will be deliver the services and how objectives detailed in Schedule 1 - Statement of Requirements, will be met.

Identifying a lead officer to attend review meetings, as arranged by the Project Manager to review project plans and timescales and to ensure that objectives are being met.

Monitoring performance of the services contract.



SCHEDULE 4 – HOUSING FIRST PROJECT BOARD

HOUSING FIRST PROJECT BOARD (title to be confirmed).

1. Composition

- 1.1 The Partners shall establish and maintain throughout the Agreement a Housing First Project Board (HFPB) consisting of:
- 1.1.1 one (1) representative to be appointed by each Partner;
 - 1.1.2 a chairperson (the “**Chairperson**”) chosen from the representatives in accordance with paragraph 2 below.
- 1.2 The Partners may each substitute representatives where necessary who may vote on their behalf at meetings of the HFPB provided prior written authorisation from the relevant Partner appointing such substitute to the other Partners is given.

2. Chairperson

- 2.1 The Chairperson will be the Lead Council as administrative authority.

3. Functions

- 3.1 The functions of the HFPB shall be to discuss and determine all matters relating to the operation of this Agreement and the Services, overseeing the delivery of the Housing First project, including:
- 3.1.1 mobilisation of the overall delivery plan;
 - 3.1.2 monitoring commissioning activity and performance of Commissioned Services;
 - 3.1.3 Monitoring supply of tenancies;
 - 3.1.4 Participate in the Independent Evaluation;
 - 3.1.5 Direct the work of the Project manager;
 - 3.1.6 monitor and direct any other relevant activity in relation to this partnership agreement and the Housing First Pilot.

4. Frequency of Meetings

- 4.1 The HFPB shall meet quarterly. However; this will be reviewed on the anniversary of the first twelve (12) months of the commencement of this partnership agreement.

5. Convening of Meetings

- 5.1 Notwithstanding the provisions of paragraph 4.1 above, any representative of the HFPB may convene a meeting of the HFPB at any time.
- 5.2 The Chairperson shall, after consultation with each representative and taking the views of all representatives into account, have the power to cancel meetings when there is insufficient business for the HFPB to consider.
- 5.3 Without prejudice to the provisions of paragraph 5.2 above, no meeting of the HFPB shall be cancelled in the event that a majority of all of the representatives signify in writing (for the avoidance of doubt, such written signification may be by electronic means) that the meeting should proceed.

6. Notices of Meetings

- 6.1 The Chairperson shall provide not less than five (5) Working Days notice of a meeting of the HFPB provided that in the case of emergencies, a meeting may be called at any time on such notice as may be reasonable in the circumstances.
- 6.2 Meetings of the HFPB shall subject to paragraph 6.1 of this Schedule, be held at a venue to be agreed by the HFPB and on such date and such time as was agreed by the HFPB at the previous meeting. Where such dates times and venues cannot be so agreed the Chairperson shall select the date, time and venue of the next meeting.
- 6.3 Notice of cancellation of a meeting of the HFPB must be served on all representatives not less than twenty four (24) hours before the meeting was due to commence.

7. Quorum

- 7.1 A meeting of the HFPB shall not be quorate unless representatives from each party are present. Representatives shall be deemed to be present if:
 - 7.1.1 they attend the HFPB meeting in accordance with the provisions of paragraph 7.1 or 7.1.2 below;
 - 7.1.2 if a substitute representative has been appointed in accordance with paragraph 1.2 above and is present or is attending the HFPB meeting in accordance with the provisions of paragraph 8.1 or 8.2;
 - 7.1.3 failure to achieve a quorum within thirty (30) minutes of the time advised for any meeting of the HFPB shall render the meeting adjourned for seven (7) days after which the meeting shall be reconvened; or
 - 7.1.4 any meeting of the HFPB which becomes inquorate shall cease its business until a quorum is re-established provided that such re-establishment occurs within thirty (30) minutes of the meeting being declared inquorate. Failure to re-establish a quorum within the said time limit shall render the meeting closed and it shall be re-convened in accordance with paragraph 7.1.3 above.

8. Attendance at Meetings

- 8.1 Meetings of the HFPB should normally include the attendance (in person or by substitute) of all representatives.
- 8.2 Meetings may also be held by telephone or another form of telecommunication by which each participant can hear and speak to all other participants at the same time. Details of how representatives may access such communication methods should be included in any notice provided in accordance with paragraph 6.1 above.

9. Procedure

- 9.1 In the event that the Chairperson is absent from any meeting of the HFPB another representative shall be co-opted to the Chair for that meeting by a majority of the representatives present (the "Acting Chairperson").
- 9.2 Failure to elect an Acting Chairperson pursuant to paragraph 9.1 above shall render the meeting closed and it shall be re-convened to complete its business in accordance the provisions of paragraph 7.1.3 above.

10. Voting

- 10.1 Each representative shall have one vote.



10.2 Decisions will be made by a simple majority of the representatives present at the HFPB Meeting, and in the event of any deadlock the decision shall be referred to the WMCA.

11. Minutes

11.1 Minutes of all meetings of the BCCAP (including those made by telephone and other form of telecommunication) shall be kept by the Lead Council who shall circulate copies promptly to the Partners and in any event within four (14) Working Days of the meeting.

11.2 A full set of minutes shall be kept by the Lead Council and shall be open to inspection by the Partners at any time upon reasonable request.

12. Resignation and Casual Vacancy

12.1 Any resignation by a representative shall be notified to the Partners on twenty-eight (28) days notice and such resignation shall be notified to the HFPB Governance Group at its meeting next following the effective date of resignation. For the avoidance of doubt, in the event that the resignations of representatives leave any proposed HFPB meeting inquorate, the meeting shall be reconvened in accordance with the provisions of paragraph 7.1.3 above.

12.2 It shall be the responsibility of the relevant Partner to appoint a replacement representative to the HFPB within fourteen (14) days of the effective date of a representative's resignation.

13. Interests of Representatives

13.1 No Representative shall acquire any interest in property belonging to the Partners or receive remuneration or be interested (otherwise than as a representative) in any contract entered into in relation to this Agreement or the HFPB .

13.2 Representatives shall declare in advance of a HFPB meeting any interest in relation to the agenda for the meeting. If representatives have any doubt about the relevance of an interest this should be discussed with the Chairperson. Where a conflict of interest is prejudicial in any matter being considered by the HFPB the representative with the conflict of interest shall not take part in or seek to influence in any way whatsoever the consideration or discussion of such matter including but not limited to attendance at meetings of the HFPB at these times or take part in any vote on any such matter.

13.3 The Chairperson will ensure that a register of interests is established to formally record the declarations of interest of representatives. These details will be kept up to date by means of an annual review of the register of interests in which any changes of interest declared during the preceding twelve (12) months will be incorporated.

14. Problem Solving and Dispute Avoidance or Resolution

14.1 Any dispute arising between the representatives, which the HFPB cannot resolve during a meeting of the HFPB shall be dealt with in accordance with Clause 9 (Dispute Resolution) of this Agreement.

**SCHEDULE 5 – ANNUAL FUNDING TO BE ALLOCATED TO EACH
PARTNER DURING THE TERM**

See separate spreadsheet.



SCHEDULE 6 – PAYMENT DATES

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Housing First - 3 Years Profile

Costs	Total cost	Year 1 (18-19)
The following is the cost breakdown for model		
Commissioning and Procurement Leads	£170,000	£100,000
Project Manager	£140,000	£20,000
Data and Performance Analyst	£115,000	£15,000
Nurse Practitioner x 3	£450,000	£90,000
Substance Misuse Outreach Worker x 3	£375,000	£75,000
Private Property Acquisition Vehicle	£150,000	£50,000
Property sourcing officer x 1 yr 1, 2 yr 2	£150,000	£50,000
Bond scheme pot	£100,000	£20,000
PIE Training for 100 staff at £1000	£150,000	£20,000
Personalisation Fund	£337,500	£50,625
Crisis Fund	£506,250	£75,937
Expansion of Outreach into other authorities	£625,000	£125,000
Cost per hourly support £25		
First three months 10 hours per week	£2,004,241	£182,813
Second three months 5 hours per week	£1,002,120	£91,406
Third three months 2 hours per week	£400,848	£36,563
Fourth three months 2 hours per week	£400,848	£36,563
Additional 1 hours per week for cohort 1 in year 2 and additional 1 hour per week for year 3 to be ready for independent living.	£534,464	
Additional 1 hours per week for cohort 2 in year 3 and additional 1 hour in year 4 to be ready for independent living.	£534,464	
Additional 1 hours per week for cohort 3 in year 4 and additional 1 hour in year 5 to be ready for independent living.	£534,464	
Contingency to spot purchase additional support hours for the life of the pilot	£919,800	£83,898
Totals	£9,600,000	£1,122,803
	100%	0.09

HF support only totals divided as below	£6,331,250	£431,241
Birmingham x 91 (44.5%)	£2,839,656	£193,418
Coventry x 37 (18%)	£1,148,625	£78,236
Dudley x 5 (2%)	£127,625	£8,693
Sandwell x 18 (9%)	£574,313	£39,118
Solihull x 9 (4.5%)	£287,156	£19,559
Walsall x 29 (14%)	£893,375	£60,851
Wolverhampton x 16 (8%)	£510,500	£34,772

225 p.a. = 100%
617 units total over 3 years

617

Revised Figures

Birmingham x 91 (44.5%)
Coventry x 37 (18%)
Dudley x 5 (2%)
Sandwell x 18 (9%)
Solihull x 9 (4.5%)
Walsall x 29 (14%)
Wolverhampton x 16 (8%)
225 p.a. = 100%
617 units total over 3 years

Old	New
100	91
40	37
5	5
20	18
10	9
32	29
18	16
225	206
675	617

Year 2 (19-20)	Year 3 (20-21)	Year 4 (21-22)	Year 5 (22-23)	Birmingham	Coventry
				44.5%	18.0%
£70,000				£75,650	£30,600
£60,000	£60,000			£140,000	
£50,000	£50,000			£115,000	
£180,000	£180,000			£62,500	£120,000
£150,000	£150,000			£75,000	£75,000
£50,000	£50,000			£66,750	£27,000
£100,000				£66,750	£27,000
£50,000	£30,000			£44,500	£18,000
£75,000	£55,000			£150,000	
£105,469	£181,406			£150,000	£60,000
£158,203	£272,109			£225,000	£90,000
£250,000	£250,000			£70,000	£77,500
				£1,241,151	£525,100
£1,232,608	£588,820			£2,839,656	£1,148,625
£616,304	£294,410			£4,080,806	£1,673,725
£246,522	£117,764		Less PIE	£7,143	£7,143
£246,522	£117,764		Revised Allocation	£4,073,663	£1,666,582
£196,469	£337,995				
		of which			
		£267,232 for			
	£534,464	year 4			
		of which			
		£267,232 for	of which £267,232 for		
	£534,464	year 4	year 5		
£413,910	£421,992				
£4,251,006	£4,226,189				
0.45	0.46				
£2,952,334	£2,947,674				
£1,324,164	£1,322,074			£4,080,806	
£535,617	£534,772				£1,673,725
£59,513	£59,419				
£267,809	£267,386				
£133,904	£133,693				
£416,591	£415,933		1,300,000		
£238,052	£237,676				

274
110
14
55
27
88
49

New Percentages			
	0.09	0.45	0.46
	Year 1	Year 2	Year 3
	25	123	126
	10	50	50
	2	6	6
	5	25	25
	3	12	12
	8	40	40
	5	22	22
	58	278	281

Dudley	Sandwell	Solihull	Walsall	Wolverhampton	
2.0%	9.0%	4.5%	14.0%	8.0%	
£3,400	£15,300	£7,650	£23,800	£13,600	
£0	£62,500	£62,500	£80,000	£62,500	
£22,500	£50,000	£37,500	£65,000	£50,000	
£3,000	£13,500	£6,750	£21,000	£12,000	
£3,000	£13,500	£6,750	£21,000	£12,000	
£2,000	£9,000	£4,500	£14,000	£8,000	
£7,500	£30,000	£15,000	£48,000	£27,000	
£11,250	£45,000	£22,500	£72,000	£40,500	
£75,000	£150,000	£75,000	£100,000	£77,500	
£127,650	£388,800	£238,150	£444,800	£303,100	£3,268,751
£127,625	£574,313	£287,156	£893,375	£510,500	£6,381,250
£255,275	£963,113	£525,306	£1,338,175	£813,600	£9,650,000
£7,143	£7,143	£7,143	£7,143	£7,143	
£248,132	£955,970	£518,163	£1,331,032	£806,457	£9,600,000

£255,275

£963,113

525,306

£1,338,175

£813,600

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Cabinet

8th January 2019

Name of Cabinet Member:

Cabinet Member for Housing and Communities – Councillor E Ruane
Cabinet Member for Policing and Equalities – Councillor A Khan

Director Approving Submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

All

Title: Selective Licensing in Coventry

Is this a key decision?

No – although this matter affects all wards, as the proposal is to go out to consultation, this would not cause a significant impact and consequently is not deemed to be a key decision.

Executive Summary:

The provision of good quality housing for Coventry residents is a key priority for the City Council.

The adopted Coventry Local Plan 2016 details how Coventry City Council will meet the future housing needs up to 2031. There is 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 has seen considerable growth over the past 20 years or so. The 2001 Census reported the sector to be around 13% this had increased to around 21% by 2011, making Coventry the region in the West Midlands with the largest PRS.

Under the Housing Act 2004 Government have legislated to provide local authorities with additional powers to tackle poor quality homes in the PRS through the designation of Selective Licensing schemes.

Due to the timescale for this matter, in accordance with Paragraph 19 of the City Council's Constitution, Councillor T Khan, the Chair of the Scrutiny Co-ordination Committee, has been invited to attend the meeting for the consideration of this matter to

agree the need for urgency such that call-in arrangements will not apply. The reason for the urgency is that due to the breadth of the consultation required, there is a need for it to commence at the earliest opportunity so as not to delay the proposed timetable for implementation.

Recommendations:

Cabinet is recommended to:

1. Consider the Selective Licensing Feasibility Report 2018 and resolve there is a need for Selective Licensing in the areas identified in the report.
2. Authorise a Citywide statutory 10 week consultation beginning on the 9th January 2019 and ending on the 20th March 2019
3. Request a future report to Cabinet following the conclusion of the consultation for a decision to be made regarding the structure of the Selective Licensing scheme and submit the scheme to the Secretary of State for confirmation.

List of Appendices included:

Appendix 1 – Selective Licensing Feasibility Report 2018
Appendix 2 – LSOA Maps
Appendix 3 – Selective Licensing Policy 2018
Appendix 4 – RICS Private Rented Sector Code of Practice
Appendix 5 – Timeline for Selective Licensing
Appendix 6 – Selective Licensing Fees and Charges
Appendix 7 – Equalities Impact Assessment

Background papers:

None

Other useful documents:

Cabinet Member for Business, Enterprise and Employment Meeting Minutes 29th March 2016
Housing and Homelessness Strategy 2019-2024
Housing Act 2004.
Additional and Selective Licensing in the Private Rented Sector - A Guide for Local English Housing Survey Private Rented Sector Report 2014-15
Authorities, published by the MHCLG in March 2015.
General Approval April 2015

Has it been or will it be considered by Scrutiny?

The Chair of Scrutiny has been invited to attend the Cabinet meeting.

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

None.

Will this report go to Council?
No.

Report title: Selective Licensing in Coventry

1. Context (or background)

- 1.1. During the Municipal year 2013/14, Scrutiny Co-ordination Committee established a Task and Finish Group to look at the issue of Houses in Multiple Occupation (HMOs). One of the outcomes of this review was that licensing for private rented sector housing should be looked at in more detail.
- 1.2. Through the review into HMO's, it was recognised that there were issues with the private rented sector generally in the City, not just those in multiple occupation. Concern has been raised from residents as to the quality of some of the housing provided by the sector and residents in some areas of the City have also experienced anti-social behaviour, fly-tipping and noise nuisance in areas where there are large numbers of rented property.
- 1.3. Members therefore instructed officers to conduct further research into the potential for Selective Licensing in targeted areas of the City. This resulted in consultation on a scheme in the St Michaels ward (excluding the City centre). The consultation responses raised a number of queries mainly around fee structure and fairness of a scheme that proposed to treat all landlords the same whether compliant or non-compliant. Members therefore asked for further work to be carried out to not only look at the fee structure but also to look at the evidence base for considering a wider area for the scheme.
- 1.4. A feasibility report into the potential for Selective Licensing has now been completed and is provided at Appendix 1. This identifies those areas that should be subject to Selective Licensing.
- 1.5. The Housing Act 2004 provides the power to the Council to introduce Selective Licensing Schemes in its area. The power was intended to address the impact of poor quality private landlords and anti-social tenants and was primarily developed with the need to tackle problems in areas of low housing demand.
- 1.6. Following the issue of a General Consent in March 2010 by the Secretary of State, Local Authorities in England did not have to seek approval for the introduction of a Selective Licensing scheme provided all necessary conditions were complied with.
- 1.7. However, in March 2015 the Coalition Government introduced amendments. Since 1 April 2015 local authorities have had to seek confirmation from the Secretary of State for any Selective Licensing scheme covering more than 20% of their geographical area, or affecting more than 20% of privately rented homes in the area.
- 1.8. In looking at the area to be covered by a Selective Licensing scheme Coventry has used the Census 2011 to assist as it provides data at succinct levels, namely Lower Super Output areas (LSOAs). A LSOA is a geographic hierarchy designed to improve the reporting of small area statistics in England and Wales and is built from groups of contiguous output areas that have been automatically generated to be as consistent in population size as possible. A LSOA will typically contain from four to six output areas with a minimum population of 1000 and a mean of 1500.

- 1.9. When deciding whether an area has a 'high' proportion of private rented stock the Council is allowed to consider any area that exceeds the national average. Nationally the private rented sector currently makes up 20% of the total housing stock in England and therefore any area in Coventry that has 20% or more PRS stock can be considered for Selective Licensing (subject to it meeting other criteria).
- 1.10. As shown in the feasibility report at Appendix 1 there are 75 LSOA that have 20% or more PRS within them. However, in addition to the area having a 'high' proportion of PRS stock, it must also show signs of one or more of the following criteria in order to be suitable for Selective Licensing:
- A) That the area is, or is likely to become, an area of low housing demand; or
 - B) That the area is experiencing a significant and persistent problem caused by anti-social behaviour and that some or all of the private sector landlords who have let premises in the area are failing to take action to combat the problem that it would be appropriate for them to take; or
 - C) That the area is suffering from poor property conditions; or
 - D) That the area has high levels of migration; or
 - E) That an area has high levels of deprivation; or
 - F) That an area has high levels of crime.
- 1.11. By comparing the data for each of the LSOAs and the criteria set out by Government the Council has been able to identify those areas. Table 1 below shows that of the 75 LSOAs which have 20% or more of PRS there are 37 LSOAs that fail one or more of the criteria. As such these 37 LSOA can be considered for a Selective Licensing Scheme this would cover 8752 (33%) properties in the PRS. As such the criteria for applying to the Secretary of State for confirmation is met prior to any designation taking place. Maps of each proposed LSOA are provided at Appendix 2.

Table 1- Proposed Selective Licensing Areas by LSOA

LSOA Name	Mainly in Ward	Total Households	PRS in LSOA	% PRS
Central Six Retail Park - Queens Road	St Michael's	687	404	63%
Earlsdon - Broadway Albany Roads	Earlsdon	643	191	30%
Little Heath – King Georges Avenue	Foleshill	587	226	39%
Foleshill - Churchill Avenue	Foleshill	458	118	26%
Foleshill – Courtaulds Guild Road	Foleshill	569	233	41%
Edgwick - Canal Road	Foleshill	660	224	34%
Edgwick - Gallagher Retail Park Cross Road	Foleshill	494	157	32%
Foleshill - Broad Street	Foleshill	596	217	36%
Paradise - Awson Street	Foleshill	673	190	28%
Foleshill - Paragon Park Red Lane	Foleshill	797	276	35%
Bishopgate - George Elliot	Foleshill	525	134	26%

Swanswell - Leicester Causeway	Foleshill	559	136	24%
Arena Retail Park – Arbury	Foleshill	481	138	29%
Walsgrave on Sowe – Mount Pleasant & Walsgrave Gardens	Henley	672	156	23%
Whitmore Park - Burnaby Road	Holbrook	572	181	32%
Ricoh Arena & Wilsons Lane	Longford	591	124	21%
Hall Green North	Longford	566	115	20%
Stoke Park	Lower Stoke	678	251	37%
Barker Butts - Bablake School Thomson Avenue	Radford	577	154	27%
Nauls Mill Park - Canal Basin	Radford	943	375	40%
Charterhouse - St Georges Road	St Michael's	713	329	46%
Gosford & Gulson Roads	St Michael's	886	562	63%
Hillfields - Cambridge Street	St Michael's	481	141	29%
City Farm North	St Michael's	545	174	32%
Hillfields - Coronation Road Swanswell Basin	St Michael's	707	265	37%
Hillfields - Canterbury Raglan Streets	St Michael's	902	415	46%
Upper Holyhead Road – Minster Road	Sherbourne	790	462	58%
Barras Heath - West of Clay Lane	Upper Stoke	765	287	38%
Stoke Church End - Shakespeare Street	Upper Stoke	658	245	37%
Gosford Green - Kingsway	Upper Stoke	793	419	53%
Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley	717	365	51%
Manor Farm	Henley	429	87	20%
River Sowe – Clifford Bridge - Henley Park Industrial Estate	Wyken	634	171	27%
Clifford Bridge Road, Abbey Estate & Dorchester Road North	Wyken	588	126	21%
Hawkesbury, M6 & Foxford School, Anderton Road	Longford	852	167	20%
Longford Village & Longford Park	Longford	994	343	35%
Canley Cemetery, Bransford Avenue & Sir Henry Parkes Road	Wainbody	911	194	21%

1.12. The 2004 Act also requires authorities considering designating an area as subject to Selective Licensing to:

- A) take reasonable steps to consult persons who are likely to be affected by the designation; and
- B) consider any representations made in accordance with the consultation.

2. Options considered and recommended proposal

- 2.1. The feasibility report recommends the Council proceeds with Selective Licensing in the identified areas on the basis that the areas identified in Table 1 above have high levels of private rented housing and meet one or more of the criteria set out in paragraph 1.10.
- 2.2. The Scheme will require all owners of rented properties to apply to the Council for a property licence which the Council will determine using the criteria laid down in the Selective Licensing Policy 2018 attached at Appendix 3. This will include (amongst other things) an assessment of the landlord and manager's ability to comply with the licensing requirements and management practices. Licences will be issued for a period of 1 or 5 years based upon the eligibility of the landlord.
- 2.3. The Council has taken into account the learning outcomes from other Local Authorities that have introduced similar schemes and has structured the scheme in such a way that benefits those landlords and agents that are compliant and provides incentives to improve compliance, whilst managing the opportunities for the non-compliant landlords through higher fees and shorter licences. This is reflected in the proposed fees and charges structure and the eligibility for licences.
- 2.4. Accreditation will be given to those landlords and agents who are experienced, knowledgeable in their profession and are committed to following the good practice principles set out in the Royal Institution of Chartered Surveyors (RICS) Private Rented Sector Code of Practice, which was endorsed by the Minister of State for Housing and Planning in July 2015 and is attached as Appendix 4.
- 2.5. Reactive and proactive services will be carried out to address complaints about property conditions, poor management practices and identifying unlicensed properties.
- 2.6. Any differentiation applied to landlords and agents based on the eligibility criteria, including the length of licence for which they may be considered, is justified in furtherance of the overriding public interest of improving the standard of HMOs and their management.
- 2.7. The proposed fees and charges, discussed further in Section 5 have been developed in order to reach an appropriate fee to consult on the proposed structure of the scheme. In arriving at the proposed fees the Council has attempted to provide incentives for compliant landlords whilst providing sufficient resources to ensure that the scheme can be effectively delivered and every property can be inspected before a licence is issued.
- 2.8. In cases of a registered `not for profit` charity i.e. Cyrenians or an individual housing provider, such as a private landlord or organisation who is assisting the Council by offering permanent accommodation to meet our homelessness duties applications will be accepted, for the particular property being provided without a fee being payable. An assessment of the organisation will then be carried out and if appropriate the Council will determine the application and issue a licence without requiring any fee. Each case will be considered on its merits based on the type of individual or organisation submitting the application and the removal of the fee requirement will only be applied to the licence for the house being provided for homelessness purposes.

- 2.9. Licences will 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.
- 2.10. The Council is required to consult on these proposals and the results of the consultation will clearly influence the final structure and fees and charges for the scheme.

3. Consultation

- 3.1. There is a statutory requirement to consult for a minimum period of 10 weeks on any proposals to designate an area subject to Selective Licensing. This report sets out recommendations to conduct a consultation and for the results of the consultation to be considered as part of the development of the proposed structure of the Selective Licensing scheme.
- 3.2. The consultation will demonstrate that it has satisfied the legal requirement to take reasonable steps to consult with those people who may be affected by the designations. This includes neighbouring areas outside of the City boundary.
- 3.3. A consultation plan has been produced setting out how the Council will meet these requirements, in summary this will include the following.
 - Online questionnaire tailored to gauge cross section of views on the proposals;
 - Focus groups with key stakeholder groups i.e. Landlords, Agents, Tenants, Residents and other key organisations such as the Police;
 - Drop in sessions in various parts of the City;
 - E-communications through social media and the Council's website; and
 - Workshops with Landlords and Agents to present the proposals.
- 3.4. Upon the completion of the consultation a report detailing the consultation results will be referred back to Cabinet for consideration at a future meeting.

4. Timetable for implementing this decision

- 4.1 The proposed timetable for implementing the recommendations of this report is set out at Appendix 5. The key dates for this process include the approval of this Cabinet report with the consultation commencing on the 9th January 2019 for a period of ten weeks and ending on the 20th March 2019.
- 4.2 The Council is then required to submit an application to the Secretary of State to determine whether it has met the requirements for designating a Selective Licensing scheme. The Ministry of Housing, Communities and Local Government has advised that this can take up to 12 weeks but can sometimes be determined sooner depending upon the amount of enquiries they have regarding the submission.

- 4.3 A designation for Selective Licensing cannot come into force until it has been confirmed by Government.
- 4.4 Once the designation has been granted approval by Government it will come into force three months after the date of approval. This is a statutory time period of 12 weeks to allow for any application for Judicial Review.
- 4.5 Based on the timeline any notification of a Judicial Review is expected to be received around early 2020.
- 4.6 A period of time has been allocated to recruit and to develop the systems required to meet the significant undertaking to licence all privately rented properties in the area hence the commencement date of mid-2020. Once a designation comes into force it will last a maximum of five years.

5. Comments from Director of Finance and Corporate Services

5.1. Financial implications

Section 63 of the Housing Act 2004 permits the Council to require any application for a licence under Part 2 to be accompanied by a licence fee and that this fee may properly cover all costs incurred by the Council in carrying out its functions.

When setting the proposed fees and charges structure for the licensing scheme to go out for consultation the Council has taken into account the staff costs, training, administration and publicity and that it is not allowed to use licensing fees to raise revenue for other projects or areas of work.

The proposed fees and charges structure set out in Appendix 6 is cost neutral and will have to be consulted on and ratified prior to the introduction of the scheme. The financial implications are based on the fees being set for the consultation.

The financial modelling of the scheme estimates income and expenditure cash flows as below. This shows that the scheme is modelled to break even over its 5 year life.

	Year 1	Year 2	Year 3	Year 4	Year 5	Total
	£ million	£ million	£ million	£ million	£ million	£ million
Expenditure	1.1	1.1	1.1	1.1	1.1	5.5
Income	(0.3)	(1.6)	(1.6)	(1.0)	(1.1)	(5.5)
Net Total	0.8	(0.5)	(0.5)	0.1	0.1	0

The modelled activity suggests that an additional 22 full time equivalent staff would be required to administer the scheme. There is therefore a financial risk that the number and type of licences issued in real life differ from the model and the amount of income received does not cover the costs of operating the scheme. In order to mitigate this risk:

- The financial position of the scheme will have to be carefully monitored and action taken to control costs if necessary.
- The fees and charges structure will be reviewed on an annual basis and if there is a need to increase fees to cover any potential shortfall then this will be recommended and reported through the budget setting process.

There could also be a financial risk to be managed at the end of the 5 year scheme as if the scheme is not continued or the size of the scheme reduces, there will be costs associated with scaling down the team. Again this will have to be closely monitored throughout the initial 5 years.

Implications of Hemming v Westminster Case

The European Union Services Directive 2006 changed the basis upon which fees for certain licences and permissions could be charged by the issuing authorities. In particular licensing authorities may not set fees that are dissuasive, and any fees must be reasonable and proportionate to the cost of the licensing process and the issuing of the licence. These provisions have been taken into account the proposed fees for consultation.

In addition a recent judgement, in the Supreme Court (Hemming v Westminster case UKSC 2013/0146), has provided further clarification of the type of costs which may be taken into account when setting fees, and when fees may be payable. The council will follow this decision and therefore fees will be payable in two parts to meet with the European Directive requirements.

5.2. Legal implications

Part 3 of the Housing Act 2004 (the Act) sets out the scheme for licensing private rented properties¹ in a local housing authority area. Under section 80 of the Act a local housing authority can designate the whole or any part or parts of its area as subject to Selective Licensing. Where a selective licensing designation is made it applies to privately rented property in the area. Subject to certain exemptions specified in the Selective licensing of Houses (Specified Exemptions)(England) Order 2006 all properties in the private rented sector which are let or occupied under a licence, are required to be licensed by the local housing authority, unless the property is a House in Multiple Occupation and is required to be licensed under Part 2 of the Act.

With effect from 1 April 2015 a local housing authority had to apply to the Secretary of State for Communities and Local Government (Secretary of State) for confirmation of any scheme which would cover more than 20% of their geographical area or that would affect more than 20% of privately rented homes in the local authority area.

Under the new arrangements if a local housing authority makes a designation that covers 20% or less of its geographical area or privately rented properties, the scheme will not need to be submitted to the Secretary of State, provided the authority has consulted for at least 10 weeks on the proposed designation.

However, if the local housing authority makes one or more designations that are in force partly concurrent to an existing scheme, and cumulatively all the designations cover more than 20% of the area or the private rented stock, those new designations will need to be submitted to the Secretary of State for approval.

Likewise if the local housing authority makes two or more designations at the same time, each of which account for less than 20% of the area or private rented stock, but cumulatively account for more than 20% of either, all of the schemes will need to be submitted to the Secretary of State for confirmation.

6. Other implications

6.1. How will this contribute to achievement of the Council's Plan?

The Council Plan takes forward the main themes agreed by the Council in recent years. It reaffirms the Council's ambition – developed with the Strategic Partnership and partners to make Coventry: A Top Ten City.

This ambition is driven through three corporate priorities which directly address the needs of the City and include, in particular:

- Promoting the growth of a sustainable Coventry economy by:
 - Increasing the supply, choice and quality of housing.
- Improving the quality of life for Coventry people by:
 - Improving the health and wellbeing of local residents
 - Protecting our most vulnerable people
 - Reducing health inequalities

The Health and Wellbeing Strategy 2016-19 recognises that creating health, wealth and happiness requires more than simply managing people's health problems.

The health and wealth being of people can be improved if people have jobs, good housing, and are connected to families and communities.

The Council's Housing Strategy 2013-2018 affirms the Council's view that housing plays a crucial role in the economic growth of the City. The ambition for Coventry is "*to ensure decent homes, housing choice and support for Coventry citizens*" through various themes including:

- Increase the supply, choice and quality of new housing;
- Prevent and tackle homelessness;
- Strive for a healthier and more sustainable City by improving the quality and use of stock; and
- Encourage balanced, stable and sustainable communities.

The Housing Strategy 2013-18 has now been combined with the Homelessness strategy into one document known as the Housing and Homeless Strategy 2019-24, which, at the time of preparing this report is subject to public consultation and

not approved. The new strategy does however set out four themes which are relevant to this proposal and the objectives of the scheme, namely;

- Preventing Homelessness
- New Housing Development
- Improving the use of Existing Homes
- Support for People and Communities.

Globally connected - Promoting the growth of a sustainable Coventry City Council economy

The proposals set out in this report will also contribute toward the increase the supply, choice & quality of housing within the designated area and reduce the impact of poverty through supporting residents experiencing fuel poverty.

It will help tackle environmental and anti-social behaviour crime supporting a vibrant business environment and will help raise the profile of Coventry by the improvement of the environment and housing within the area, thereby making it attractive to retaining skilled graduates in the area.

Locally committed - improving the quality of life for Coventry people

Selective Licensing will, together with other agencies, make communities safer and reduce crime and anti-social behaviour.

It will improve health and wellbeing by providing safer and healthier rented accommodation that is well managed with reduced overcrowding and will reduce health inequalities and protect the most vulnerable by improving the standard of poorly managed homes without the need to report problems.

The areas covered by Selective Licensing experience some of the worst health inequalities in the city; this would support the Council's role as a Marmot City. In the report 'Making a Difference in Tough Times' the section on Creating and Developing Healthy and Sustainable Places and Communities explains that: "The health and wellbeing of individuals is influenced by the communities in which they live. People's health is affected by the nature of their physical environment; living in poor housing, in a deprived neighbourhood with a lack of access to green spaces impacts negatively on physical and mental health."

It will help prevent homelessness due to poorly managed or rogue landlord actions

The Housing Strategy links into the Council Plan and the Health and Wellbeing Strategy by contributing to the delivery of the key corporate priorities but also in supporting the local economy through ensuring communities have stable and safe places to live.

6.2 How is risk being managed?

The statutory process required to designate Selective Licensing schemes is being followed to ensure full compliance and a minimum 10-week consultation will be undertaken.

The consultation will be designed to ensure our compliance with legislation and statutory guidance, minimising the risk of legal challenge.

6.3 What is the impact on the organisation?

The approval of the recommendations of this report should have limited impact on the organisation. There is no human resource, financial or ICT implications as the consultation exercise will be carried out using current resources.

The implementation and delivery of the scheme will require additional resources which have been accounted for within the fees and charges for licences. Delivery of this scheme will require approximately 22 staff. A recruitment process will need to be carried out to secure the necessary resources and this is programmed in to take place before the Scheme comes into effect thereby limiting the risk and impact on the organisation.

6.4 Equalities / EIA

The report makes links to the Council's Equality and Diversity Policies and a specific Equalities Assessment has been completed for this report and is attached at Appendix 6.

6.5 Implications for (or impact on) the environment?

The option of "do nothing" considered in the feasibility report is likely to result in significant impacts particularly when the Council will otherwise have very limited ability to maintain and improve conditions, for example: energy efficiency and thermal performance, waste management and household waste recycling.

6.6 Implications for partner organisations?

The proposals to consult on Selective Licensing schemes contributes towards the work of the Community Safety Partnership.

The effective operation of the consultation will enable the Council to make clear and informed decisions about the future proposals for Selective Licensing in the City which will directly impact on the quality and management of properties in the PRS and on the co-existence of rented properties with local residents and communities.

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Coventry City Council

Selective Licensing in Coventry

FEASIBILITY REPORT
CHOWNS, ADRIAN

PLANNING AND REGULATORY SERVICES

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EXECUTIVE SUMMARY

The growth of the Private Rented Sector (PRS) has been a significant change in the housing market in Coventry.

In 2001 there were approximately 15,000 households living in the PRS which according to Census information rose to 26,503 in 2011. This equates to a 77% increase in ten years. Furthermore the Office of National Statistics (ONS) reported in 2015 that there were an estimated 34,326 households in the PRS in Coventry.

The Council has produced a housing strategy which recognises that, amongst other things, there is limited social affordable housing available in the City making it clear that the private rented sector will need to play a greater role in meeting housing needs in the City.

The key priorities within the Housing Strategy that will address issues in the PRS include:

- Bringing long-term empty private properties back into use
- Working with the Council's Benefits Service and Registered Providers to increase the supply of larger family homes by addressing the issue of under occupation.
- Improving the condition of the existing stock by prioritising properties in the worst condition and assisting the most vulnerable people.
- Working with landlords and tenants to support the increasing role of the private rented sector to provide high quality, professionally managed accommodation.
- Aiming to reduce energy bills and make homes warmer by identifying opportunities for installing energy efficiency and renewable energy measures and maximising funding from external sources.

Landlord licensing is part of a wider set of measures to enable landlords to provide good quality housing within their communities and to address issues of anti-social behaviour (ASB), crime, and low demand within areas.

Should Selective Licensing schemes be introduced, it would mean that all private landlords with residential property in designated areas of the City would need to apply for a licence for each property before they can be let to tenants. In order to become a licence holder a landlord would have to meet certain standards.

1. Introduction

The Housing Act 2004 provides the Council with the power to introduce Selective Licensing of privately rented properties to improve conditions for tenants and the local community in certain circumstances.

In April 2015 the Secretary of State for Communities and Local Government gave Local Authorities general approval regarding the approval steps for selective licensing designations in England.

1.1 Selective Licensing

In order to introduce Selective Licensing the council **must demonstrate that an area (or areas) have a high level of privately rented housing stock and that one or more of the following criteria are met:**

- 1) That the area is, or is likely to become, an area of low housing demand; and that making a designation will, when combined with other measures taken in the area by the Council, or by other persons together with the Council, contribute to the improvement of the social or economic conditions in the area; or
- 2) That the area is experiencing a significant and persistent problem caused by anti-social behaviour and that some or all of the private sector landlords who have let premises in the area are failing to take action to combat the problem that it would be appropriate for them to take; and that making the designation will, when combined with other measures taken in the area by the Council, or by other persons together with the Council, lead to a reduction in, or elimination of, the problem; or
- 3) That the area is suffering from poor property conditions. Local housing authorities can address poor property conditions through their powers in Part 1 of the Act, which are extensive. As mentioned below a local housing authority should not use its Part 3 powers (selective licensing) where it is appropriate to tackle small numbers of properties which are in disrepair directly and immediately under Part 1. There may, however, be circumstances in which a significant number of properties in the private rented sector are in poor condition and are adversely affecting the character of the area and/or the health and safety of their occupants. In that case, as part of wider strategy to tackle housing conditions, the local housing authority may consider it appropriate to make a Selective Licensing scheme so that it can prioritise enforcement action under Part 1 of the Act, whilst ensuring through licence conditions under Part 3 that the properties are properly managed to prevent further deterioration; or
- 4) That the area has high levels of migration. Migration refers to the movement of people from one area to another. It includes migration within a country and is not restricted to migration from overseas. A Selective Licensing designation can be made, as part of a wider strategy, to preserve or improve the economic conditions of the area to which migrants have moved and ensure people (including migrants) occupying private rented properties do not live in poorly managed housing or unacceptable conditions; or
- 5) That an area has high levels of deprivation. A local housing authority may make a designation if the area is experiencing a high level of deprivation. It must, however, be clear that by making the scheme it will, together with other

measures as part of a wider strategy, improve housing conditions in the private rented sector in that area; or

- 6) That an area has high levels of crime. In considering whether an area suffers from a high level of crime the local housing authority may wish to have regard to whether the area has displayed a noticeable increase in crime over a relatively short period, such as in the previous 12 months, whether the crime rate in the area is significantly higher than in other parts of the local authority area or that the crime rate is higher than the national average. In particular the local housing authority may want to consider whether the impact of crime in the area affects the local community and the extent to which a selective licensing scheme can address the problems.

In considering whether to designate an area for selective licensing on the grounds set out above the local housing authority may only make a designation if the area has a high proportion of property in the private rented sector. Local Authorities are entitled to consider areas as 'high' if the proportion of private rented stock exceeds the national average. Nationally the private rented sector currently makes up 20% of the total housing stock in England.

When considering the feasibility of introducing Selective Licensing the Council has had regard to the guidance provided by Government and determined that in Coventry, only those areas that meet one or more of the above conditions and have high proportions of privately rented housing will be considered.

1.2 Why is the Selective Licensing Scheme being proposed?

The Council acknowledges that many landlords provide decent well-managed and well maintained accommodation, which does not cause any problems for the local community.

There are, however, also properties that are poorly managed, suffer from overcrowding, or provide unsafe accommodation. These properties have a negative effect on their local area.

The problem of anti-social behaviour, poor quality rented housing and irresponsible and unscrupulous landlords can have a detrimental effect on the community. This, combined with vandalism and other antisocial behaviour can cause people to move. Rapid and continuous churn within the housing market creates unstable communities.

As the area becomes less attractive, owner occupiers also move and properties are either left empty or bought by speculative landlords. These landlords often have no interest in the community and often rent to tenants who are not properly vetted, leading to further anti-social behaviour, poor property management and decline.

During the Municipal year 2013/14, Scrutiny Co-ordination Committee established a Task and Finish Group to look at the issue of Houses in Multiple Occupation. One of the outcomes of this review was that licensing for private rented sector housing be looked at in more detail.

Through the review into Houses in Multiple Occupation (HMO's), it was recognised that there were issues with the private rented sector generally in the City, not just those

in multiple occupation. Concern has been raised from residents as to the quality of some of the housing provided by the sector and residents in some areas of the city have also experienced anti-social behaviour, fly-tipping and noise nuisance in areas where there are large numbers of rented property.

Members therefore agreed to consider selective licensing in a targeted area of the city. It is expected that the any scheme introduced will provide the following benefits for all:

To the local authority:

- Reduce environmental costs
- Reduced homelessness costs
- Better knowledge of the private rented sector
- Improved physical standards and management of private rented stock
- Quick and easy contact with landlords
- Easier to involve landlords in wider strategies
- Support the local Housing and Homelessness Strategy 2013-18
- Reduce health inequalities

To the Neighbourhood and Community:

- Increase in environmental quality and sense of security
- Less antisocial behaviour
- Less fly tipping etc.
- More responsive landlords
- Increase in choice of good quality and well managed housing
- Reduction in health inequalities.

To tenants:

- Improvements to the quality and management of property and protecting vulnerable groups who are often occupiers of poorly managed privately rented accommodation.
- Improvements to the neighbourhood e.g. security and sense of community.
- Reduce incidence of unplanned moves and homelessness
- Economic benefits e.g. regaining deposits/less moving costs
- Improvement in health due to improved housing conditions

To Landlords:

- Creates a level playing field
- Enhance the reputation of the private rented sector and marginalise bad landlords
- Expectations are clear
- Better tenants; less turnover; less voids
- Support for landlords in tackling tenants who commit Anti-social Behaviour

Selective Licensing will give the Council the power to make landlords accountable for the management of their property and tenants. All landlords who rent a property in these areas would need to apply for a licence.

2. Methodology

For the Council to introduce a Selective Licensing scheme within the City a number of criteria must be met as set down in the Housing Act 2004 and subsequent guidance documents issued by the Department of Communities and Local Government (DCLG) “Selective Licensing in the Private Rented Sector - A Guide for Local Authorities”, published by the DCLG in March 2015.

The guidance sets out the criteria for making a Selective Licensing scheme and suggests the type of evidence needed to support a designation. A new general approval also came into force with effect from 1 April 2015, which requires the Council to obtain confirmation from the Secretary of State for any Selective Licensing scheme that would cover more than 20% of their geographical area or that would affect more than 20% of privately rented homes in the local authority area.

A wide range of data has been analysed to provide an objective geographical appraisal of the city and those areas which may benefit from the implementation of a Selective Licensing scheme using the criteria set out in the guidance provided by Government for designating selective licensing areas. This detailed analysis is based on the following themes set around the criteria mentioned earlier.

Low Housing Demand

Lack of Mixed Communities – Proportion of tenure mix
Average House Sale Price
Count of Empty Properties
Count of Total Crimes
Count of Criminal Damage
Count of Burglary
Count of Robbery
Count of Theft
Count of Vehicle Crime
Proportion of families on Low Income.

ASB

Count of Total ASB
Count of Nuisance ASB
Count of Personal ASB
Count of Environmental ASB
Count of Flytipping
Count of Rubbish Accumulations
Count of Graffiti cleared

Property Conditions

Proportion of Private Rented Sector Stock with a Category 1 hazard
Proportion of Private Rented Sector Stock with a Category 2 hazard
Count of Housing Complaints

Migration

Count of Population change between 2011 to 2013
Count of New build Completions

Deprivation – 2015 Indices of Multiple Deprivation

Lack of Mixed Communities – Proportion of tenure mix
Overall Deprivation score
Employment Deprivation score
Income Deprivation score
Health Deprivation score
Access to Education, Training and Other Services score
Indoors Sub Domain score
Living Environment score
Levels of Crime score

Crime

Lack of Mixed Communities – Proportion of tenure mix
Count of Total crime
Count of Criminal Damage
Count of Burglary
Count of Robbery
Count of Theft
Count of Vehicle Crime
Rate of Crime per 1000 population
% Comparison to National Average

In order to determine which areas should be subject to Licensing officers have undertaken a detailed analysis of the data available at both Ward and Lower Super Output Area (LSOA) level using census information. An analysis of the Ward data has been carried out to support the development of specific areas where the Selective Licensing designation would be best implemented whilst the LSOA data has been used to identify those succinct areas which are experiencing one or more problems identified in the criteria mentioned earlier.

There are 195 LSOAs in Coventry with an average of population of 1,700 residents per LSOA. These form the 18 Wards that make up the City.

3. Supporting Information

3.1 National Picture

The Office for National Statistics (ONS) projections indicates that there will be a population increase in the UK by 11 million over the next two decades. People are growing older and living longer. It is estimated that over the next 2 years the over 65's will increase by 7 million.

2.9 million people aged 20-34 are currently living with parents and for many home ownership is no longer a tenure of choice or aspiration resulting in the PRS being the only viable housing option for most newly forming households.

The English Housing Survey 2016/17 (EHS) reported, that the PRS has now grown to 20%, up from 19% in 2013-14 and 11% in 2003 and that a larger proportion of 25- to 34-year-olds now rent their home.

Rising house prices have seen many young people priced out of buying a home which is apparent from the results of the EHS which acknowledges that *“While the under 35s have always been overrepresented in the private rented sector, over the last decade or so the increase in the proportion of such households in the private rented sector has been particularly pronounced. In 2006-07, 27% of those aged 25-34 lived in the private rented sector. By 2016-17 this had increased to 46%. Over the same period, the proportion of 25-34 year olds in owner occupation decreased from 57% to 37%. In other words, households aged 25-34 are more likely to be renting privately than buying their own home, a continuation of a trend first identified in 2012-13. As with those aged 35-44, the proportion of 25-34 year olds in the social rented sector did not change”*. In 2016-17, 5% of households in the private rented sector (231,000) were living in overcrowded accommodation.

The rental market has also changed considerably. After stalling in 2013, rents charged by private landlords increased by 8.2% in 2014 across England with the average weekly rent climbing from £163 to £176.40.

3.2 Local Context

Coventry is the second largest city in the region by population, with a population estimated to be in excess of 350,000. The city is also the 9th largest in England, and its population places it as the 12th largest in the UK.¹

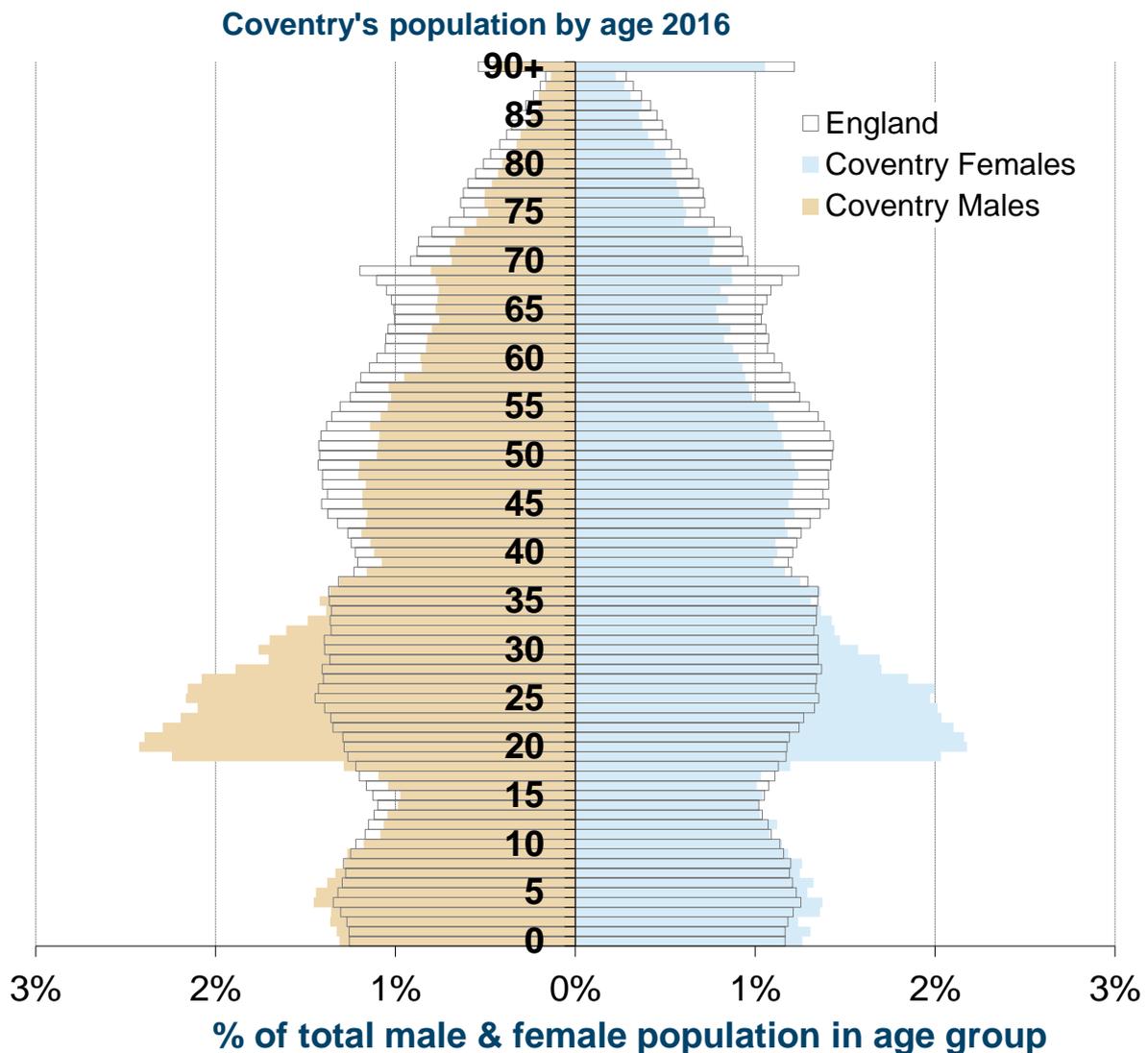
Between 2012 and 2013, the city’s population increased by over 2%. A significant number of migrants have contributed to the city’s population, which is expected to continue into the future as Coventry will see steady population increases.

Census 2011 data suggests that Coventry’s population has a much younger age profile than England in general; it is the younger population that is on the increase with a decline in the over 75’s.

The average age of Coventry’s residents is 33 years, notably lower than the England average of 40 years, and is falling. In 2007 when the Coventry population started to grow the average age was 36 years. The young average age is partly because the City is home to two large universities - Coventry is one of the top 20 towns and cities in the UK in terms of the proportion of the population who are students (source: Census 2011). Figure 1 below provides the population profile for Coventry during 2016.

¹ <https://www.ukpopulation.org/coventry-population/>

Figure 1- Population profile for Coventry 2016



The student population means there is continually a large population aged 18 – 24, this age group makes up 14.3% of the population compared to the England average of 8.8%.

There are other reasons why Coventry is a relatively young city;

- A number of European economic migrants, who are more likely to be younger, have moved and are moving to the city;
- In the 1970s and 1980s many young people left the city looking for work meaning that there are relatively fewer older people today than might be expected;
- Up until five years ago the annual number of births was increasing as a trend. The number of births has now stabilised and has fallen from a high of around 4,800 to around 4,600; and
- Some established middle aged residents moved out of Coventry to more rural areas.

Continuing a recent trend, the average age of Coventry's residents reduced between mid-2015 and mid-2016.

The population of 0-15 year olds increased by 1.9%, 16-64s increased by 2.6% and older people aged 65 and over by 0.6%. However, with life expectancy increasing the population of residents aged 65+ is likely to increase faster than younger age groups in the future. The working age population increased by the most, particularly due to growth amongst 18-24s and 25-34s; partly the result of the growing universities. Coventry University in particular has been growing and the number of full-time students enrolled there continued to increase between 2015 and 2016.

3.3 Strategic Context

The Council Plan takes forward the main themes agreed by the Council in recent years. It reaffirms the Council's ambition – developed with the Strategic Partnership and partners to make Coventry: A Top Ten City.

This ambition is driven through three corporate priorities which directly address the needs of the city:

- 1) Promoting the growth of a sustainable Coventry economy by:
 - Supporting businesses to grow;
 - Creating the infrastructure for the city to grow and thrive;
 - Developing the city centre for the 21st century;
 - Raising the profile of Coventry;
 - Helping local people into jobs;
 - Reducing the impact of poverty;
 - Increasing the supply, choice and quality of housing; and
 - Increasing access to arts, sports & cultural opportunities including leisure, music and events.
- 2) Improving the quality of life for Coventry people by:
 - Creating an attractive, cleaner and greener city;
 - Making communities safer together with the police, to reduce crime and anti-social behaviour;
 - Improving educational outcomes by working with schools to continue to improve standards;
 - Improving the health and wellbeing of local residents;
 - Protecting our most vulnerable people; and
 - Reducing health inequalities.
- 3) Delivering our priorities with fewer resources by:
 - Making savings so that we can support frontline services;
 - Support the regeneration of Coventry's economy;
 - Change how we work to become more flexible and adaptable;
 - Empowering citizens and encouraging active communities; and
 - Working together with neighbours and partners across the voluntary, public and private sectors.

The priorities of the Council Plan are delivered through key strategies – of which the Health and Wellbeing Strategy is one.

The Health and Wellbeing Strategy 2016-19 recognises that creating health, wealth and happiness requires more than simply managing people's health problems. The

health and wealth being of people can be improved if people have jobs, good housing, and are connected to families and communities.

By working together to deliver three priority areas Coventry Health and Wellbeing Strategy will make the biggest difference to the lives of Coventry people.

Coventry is part of the Coventry and Warwickshire Housing Market Area. Based on the most recent population projections, the housing requirement for Coventry and Warwickshire from 2011-2031 is for just over 88,000 dwellings – including 42,400 to meet Coventry’s need. An assessment of land availability indicates that Coventry has enough land for just 24,600 houses; so the Council has entered into formal agreements with the Warwickshire districts to redistribute the remaining 17,800 houses required outside of the city’s boundaries. Of the 24,600 houses, around 17,000 can be accommodated on brownfield sites, with the remaining 7,000 needing to be on previously undeveloped, greenfield land.

The Council’s Housing Strategy 2013-2018 affirms the Council’s view that housing plays a crucial role in the economic growth of the City. The ambition for Coventry is **“to ensure decent homes, housing choice and support for Coventry citizens”** through various themes including:

- 1) Increase the supply, choice and quality of new housing;
- 2) Prevent and tackle homelessness;
- 3) Strive for a healthier and more sustainable City by improving the quality and use of stock; and
- 4) Encourage balanced, stable and sustainable communities.

Beneath these themes are a number of key priorities, most notable for this report being:

- Regenerate neighbourhoods where poor quality, low demand housing exists;
- Improve energy efficiency and affordable warmth across all tenures;
- Improve property condition and management standards in the private rented sector; and
- Improve the quality of our neighbourhoods to support safe, inclusive and cohesive communities.

The Housing Strategy links into the Council Plan and the Health and Wellbeing Strategy by contributing to the delivery of the key corporate priorities but also in supporting the local economy through ensuring communities have stable and safe places to live.

Regulatory Services is responsible for improving conditions and management of properties in the Private Rented Sector and embraces a range of service areas used by people, businesses and organisations. Through this work profile the service **“seeks to ensure that the public, visitors, workers and residents of Coventry have a healthy and safe work and domestic environment”** using education, persuasion and enforcement activities. The teams within the service are responsible for ensuring properties and landlords in the PRS meet minimum legal requirements.

3.4 Housing in Coventry

There is a housing shortage in Coventry with an estimated 14,000 households on the waiting list for housing, there is a particular need for larger 3 and 4 bedroom properties. Affordability is also a major concern.

In 2011, the vast majority (82%) of the 133,185 homes in Coventry were in private ownership, while around one in five (18%) of homes in 2011 were considered affordable housing and were mainly owned by registered providers. Affordable housing is strongly concentrated in areas such as Tile Hill, Hillfields, Willenhall, Bell Green and Alderman's Green and there was over-provision of housing in council tax bands A and B (71% of the total housing stock) and an under-provision of properties in bands E and above.

An over-representation of terraced housing is also reported and this is supported by the 2011 Census where it is noted that 43% of housing in Coventry is terraced. In contrast, 10% of households in the city are detached and over a quarter (28%) are semi-detached.

It is well reported that poor housing conditions, including overcrowding and homelessness, are associated with an increased health risk, specifically of cardiovascular diseases, respiratory conditions and mental health problems. In Coventry, as of the 2011 census, 61% of homes were owner occupied (69% in 2001) and 17% were rented from the Housing Association or a Social Landlord (18% in 2001). In addition, 9.5% of housing was deemed overcrowded.

Overcrowding is defined as those households that have at least one less room than required based on the size and profile of the household.

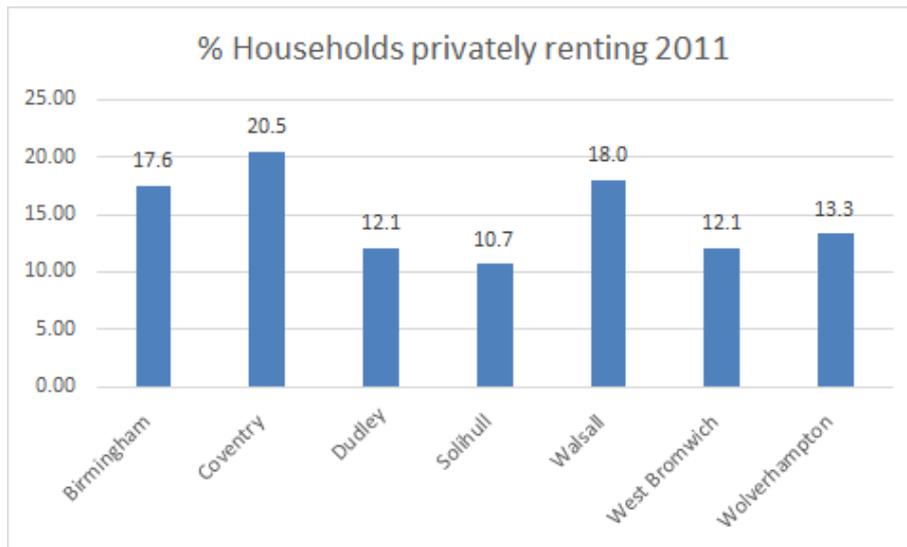
Increasing the supply, choice and quality of housing is a key priority of the Council set out in the Council Plan, and while it is unable to build its own housing, the Council is supportive of developers to build larger family homes in the city.

3.5 The Private Rented Sector (PRS)

The Private Rented Sector in Coventry has seen considerable growth over the past 20 years or so. In 2001 the sector was reported to be around 13% - Census 2001 and had increased to around 21% by 2011, making Coventry the region in the West Midlands with the largest PRS.

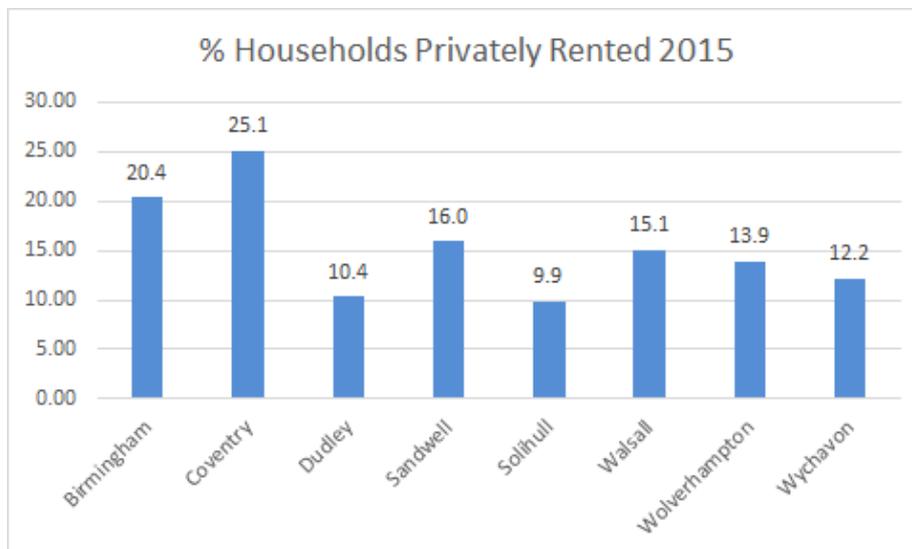
Figure 2 below provides the comparison of the percentage of PRS in the West Midlands and surrounding areas for 2011.

Figure 2- % households in PRS in West Midlands area 2011



In 2015, the Office for National Statistics released tenure estimates by Local Authority for owner occupied and private rented dwellings. These estimates indicated that the PRS had increased since the 2011 census to 34,326 (25.06%) and although these were estimates and not 'official' statistics' this provides a clear indication that the PRS in Coventry is expanding year on year. Figure 3 below provides the comparison for the local area.

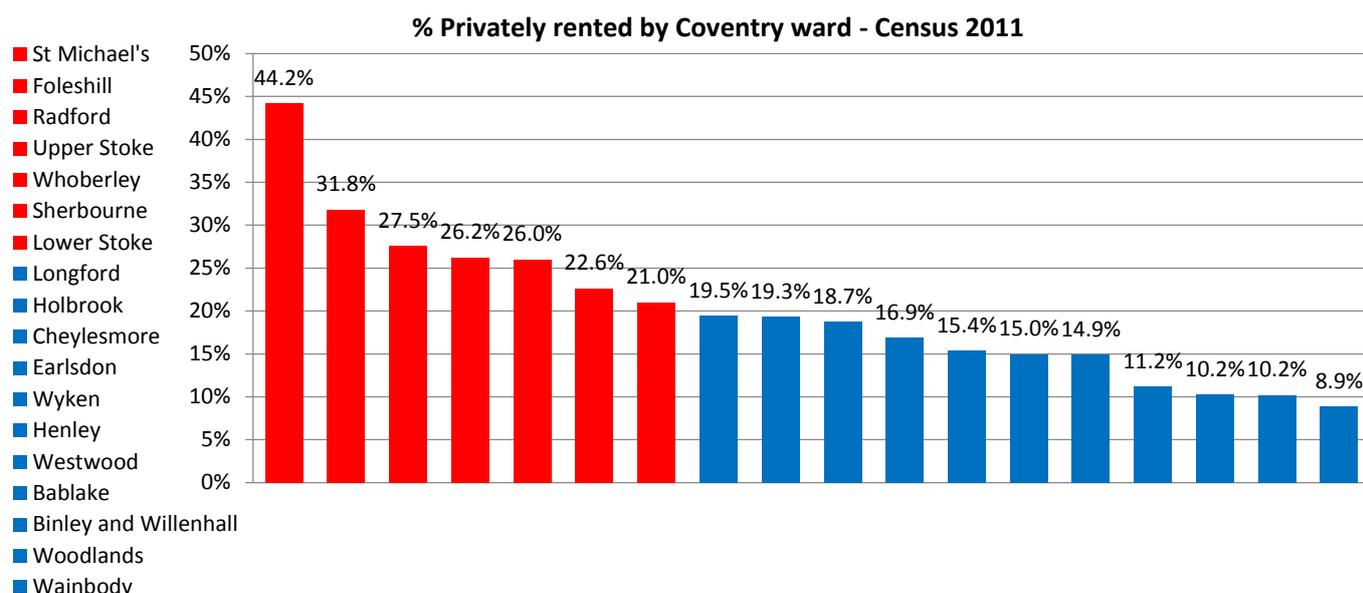
Figure 3- % households in PRS in West Midlands region 2015



3.6 Ward Profiles

It is clear that in order for an area to be proposed for selective licensing it must also have a 'high level' of private rented housing. The criteria used to demonstrate a 'high level' is for an area to have above national average levels. Average levels in England are 20% thus any area of 20% or above can be considered. Figure 4 provides the percentage of PRS in each ward in Coventry and those shown in red are the wards that have 'high levels' of private rented housing.

Figure 4- % PRS by Ward 2011



Within the 7 wards the highest proportion of PRS is in the St Michaels Ward, which is almost two and half times higher than the national average and that for Coventry.

The table below shows the percentage of dwellings in the PRS in each LSOA. Where the % of privately rented properties is higher than the city average this indicates a lack of mixed communities. All LSOAs in Table 1 have above average PRS levels.

Table 1 - % PRS by LSOA

LSOA	Ward	Total Households	PRS	% PRS
Gosford & Gulson Roads	St Michael's	886	562	63%
Central Six Retail Park - Queens Road	St Michael's	687	404	59%
The city centre within the ring road	St Michael's	963	564	59%
Upper Holyhead Road – Minster Road	Sherbourne	790	462	58%
Hillfields - Swans Lane Thacknall Street	St Michael's	967	511	53%
Gosford Green - Kingsway	Upper Stoke	793	419	53%
Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley	717	365	51%
London Road - Acacia Northfields Roads	St Michael's	679	332	49%
Charterhouse - St Georges Road	St Michael's	713	329	46%
Hillfields - Canterbury Raglan Streets	St Michael's	902	415	46%
Earlsdon – Broomfield Road – Sovereign Road	Whoberley	631	285	45%
Hearsall Common – Highland Road	Whoberley	660	296	45%

Peugeot, Dominion Plaza & Humber Road North	Lower Stoke	831	370	45%
Chapelfields - Queensland Road	Whoberley	601	264	44%
Daimler Green – Electric Wharf	Radford	1,079	451	42%
Foleshill – Courtaulds Guild Road	Foleshill	569	233	41%
Nauls Mill Park - Canal Basin	Radford	943	375	40%
Friargate & Parkside –Technology, N. Cheylesmore	St Michael's	1,038	405	39%
Little Heath – King Georges Avenue	Foleshill	587	226	39%
Barras Heath - West of Clay Lane	Upper Stoke	765	287	38%
Hillfields - Coronation Road Swanswell Basin	St Michael's	707	265	37%
Stoke Church End - Shakespeare Street	Upper Stoke	658	245	37%
Stoke Park	Lower Stoke	678	251	37%
Foleshill - Broad Street	Foleshill	596	217	36%
Foleshill - Paragon Park Red Lane	Foleshill	797	276	35%
Longford Village & Longford Park	Longford	994	343	35%
Earlsdon Street Beechwood Avenue South	Earlsdon	772	264	34%
Edgwick - Canal Road	Foleshill	660	224	34%
Holbrooks N - Whitmore Park Dunster	Holbrook	564	184	33%
Jubilee Crescent	Radford	622	200	32%
City Farm North	St Michael's	545	174	32%
Stonebridge Highway, Industrial & Housing Estates	Cheylesmore	693	221	32%
Edgwick - Gallagher Retail Park Cross Road	Foleshill	494	157	32%
Whitmore Park - Burnaby Road	Holbrook	572	181	32%
Earlsdon - Broadway Albany Roads	Earlsdon	643	191	30%
Parting of the Heaths - Durbar Avenue	Foleshill	541	159	29%
Hillfields - Cambridge Street	St Michael's	481	141	29%
Cross Point, A46 West & University Hospital	Henley	547	159	29%
Arena Retail Park - Arbury	Foleshill	481	138	29%
Alvis Retail Park - Moseley Avenue	Sherbourne	785	224	29%
Earlsdon - Newcombe Clarendon & Shaftsbury Roads	Earlsdon	571	162	28%
Paradise - Awson Street	Foleshill	673	190	28%
Radford - Lawrence Saunders Roads	Radford	708	195	28%
River Sowe – Clifford Bridge - Henley Park Industrial Estate	Wyken	634	171	27%

Barker Butts - Bablake School Thomson Avenue	Radford	577	154	27%
Radford Village	Radford	712	189	27%
Henley College - Gresley Road	Henley	607	157	26%
Foleshill - Churchill Avenue	Foleshill	458	118	26%
Cheylesmore N - The Mount	Cheylesmore	770	197	26%
Bishopgate - George Elliot	Foleshill	525	134	26%
Daimler Green - North Capmartin Road	Radford	632	161	25%
Stoke Heath - Mercer Crescent– Barras Heath	Upper Stoke	713	178	25%
Swanswell - Leicester Causeway	Foleshill	559	136	24%
Sidderley Avenue	Lower Stoke	536	129	24%
Middle Stoke - Church Lane	Lower Stoke	608	142	23%
Walsgrave on Sowe – Mount Pleasant & Walsgrave Gardens	Henley	672	156	23%
Radford - Middlemarch Road South	Radford	867	199	23%
Torrington - Templar Avenues	Westwood	600	136	23%
Holbrook Lane – Lythalls Lane	Holbrook	642	143	22%
Courthouse Green – Sewall Highway North	Upper Stoke	578	124	21%
Clifford Bridge Road, Abbey Estate & Dorchester Road North	Wyken	588	126	21%
Stoke Heath - Dane Road North Allotments	Upper Stoke	585	125	21%
Canley Cemetery, Bransford Avenue & Sir Henry Parkes Road	Wainbody	911	194	21%
Radford - Beak Avenue Central	Radford	678	143	21%
Ricoh Arena & Wilsons Lane	Longford	591	124	21%
Holbrooks N – Masser Kirkdale Roads	Holbrook	640	134	21%
Hearsall Common - Maudslay Road	Whoberley	600	123	21%
Wyken - Ansty Road North	Wyken	620	126	20%
Hall Green North	Longford	566	115	20%
Manor Farm	Henley	429	87	20%
Earlplace Business Park - Middlecotes	Westwood	560	113	20%
Courthouse Green North	Longford	637	126	20%
Caludon Castle - Bodmin Belgrave Roads	Wyken	521	103	20%
Hawkesbury, M6 & Foxford School, Anderton Road	Longford	852	167	20%
Holbrooks - Parkville – Roland Avenue	Holbrook	633	124	20%

As can be seen from Table 1 there are 67 of the 195 LSOAs that have ‘high levels’ of PRS. These represent 34% of the all the LSOAs in the City and accounts for 15,909 (60%) of all the housing stock in the PRS.

3.7 Low Housing Demand

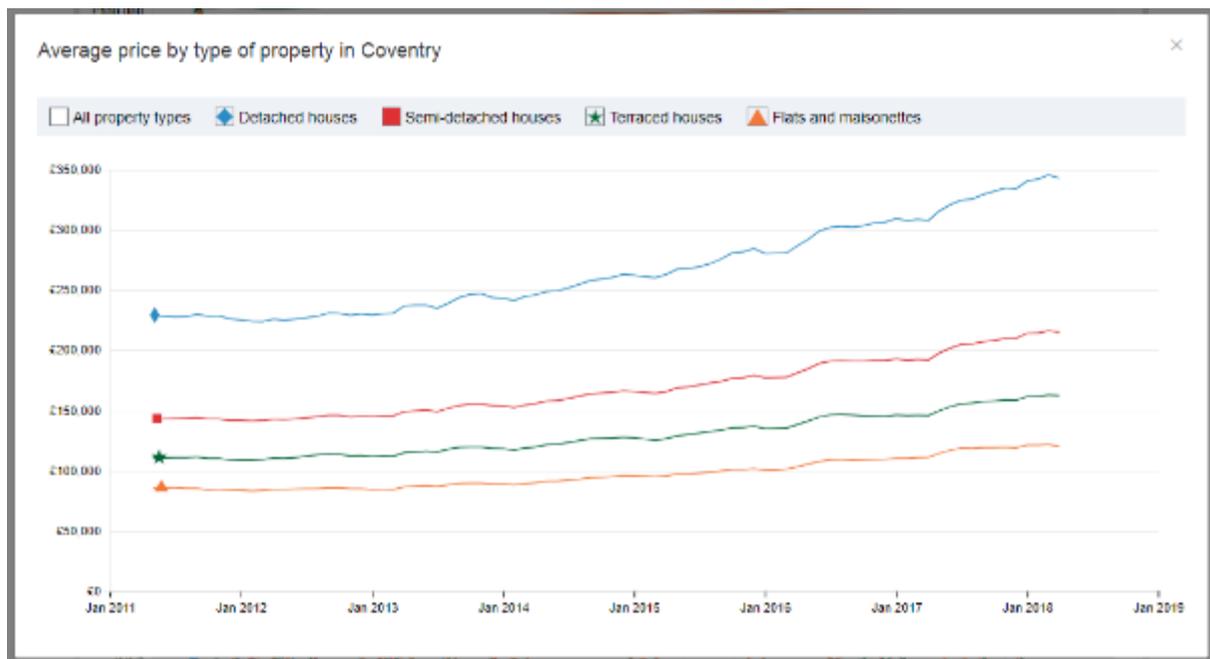
When considering if an area is suffering from, or likely to become, an area of low housing demand, the Council should consider the value of residential properties in comparison to the value of similar properties in other areas within their area, which the authority considers to be comparable.

3.8 House Prices

Low house prices in areas of low demand have resulted in an influx of unprofessional landlords purchasing properties to rent. These people frequently show no interest in managing their properties properly, often letting to anti-social tenants who cause a range of problems. This, in turn, can create misery for the local community and cause further destabilisation of these areas.

Figure 5 below provides the average price by type of property for Coventry between 2011 and 2018 and shows that there has been a steady increase in house prices for all types of property over this period.

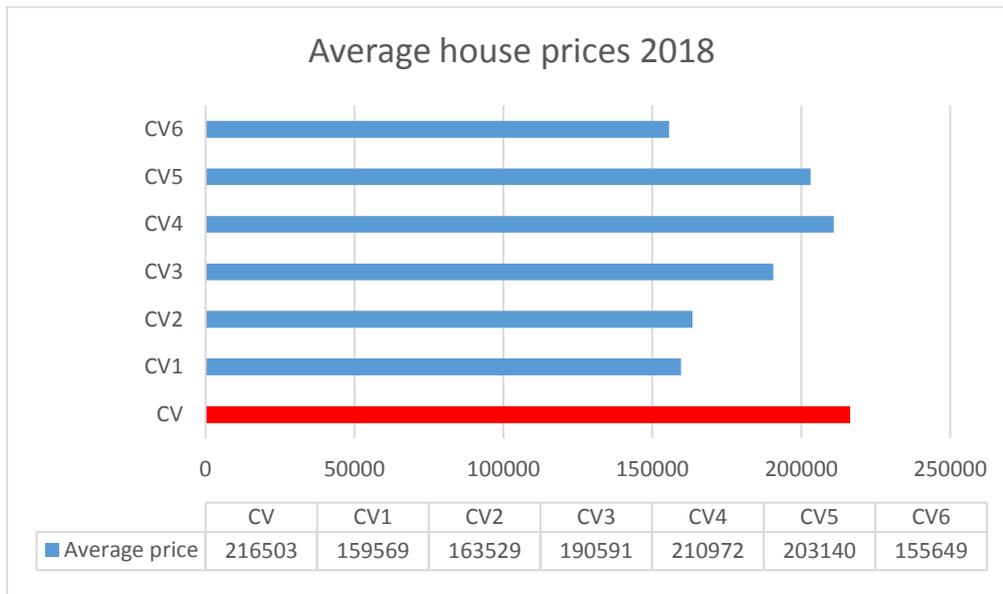
Figure 5- Average price by property type in Coventry 2011 to 2018



According to HM Land Registry figures the current average house price in Coventry is approximately £216,000 with the lowest average house prices found in the CV1, CV2 and CV6 postcode areas.

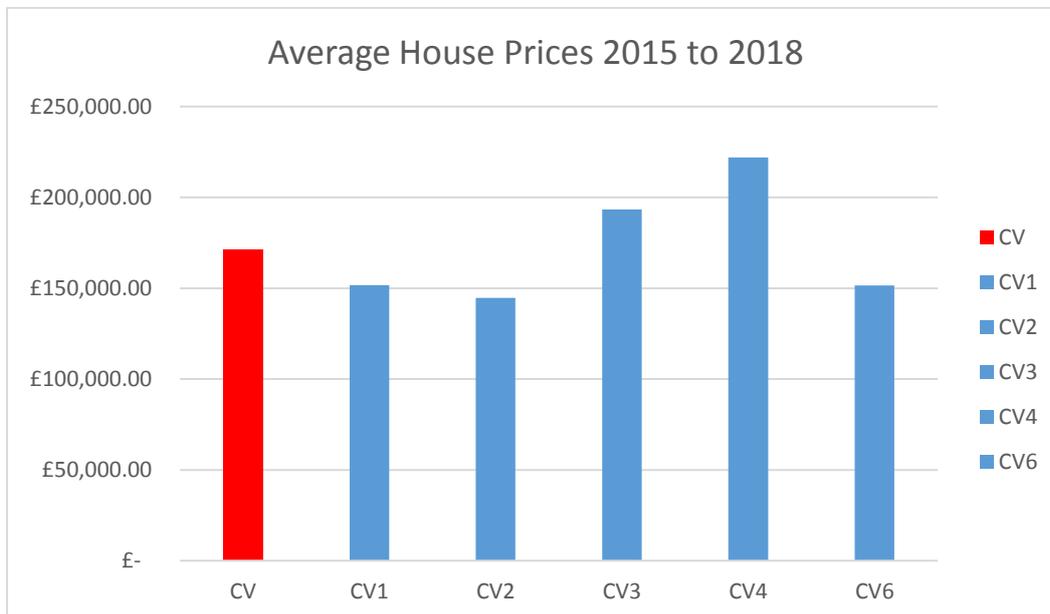
Figure 6 below provides the average house price during 2018 for Coventry and all postcode areas within the city.

Figure 6- Average Houses Prices Coventry 2018



Further analysis of HM Land Registry prices shows that between 2015 and March 2018 the average sold price in Coventry was £171,274.00, which represents an increase across the City of around 26% in the past three years. Figure 7 provides the averages across this period.

Figure 7- Average House Prices 2015 to 2018



In the West Midlands house prices rose by 5.8% for the year ending 2018, with Coventry experiencing an above average increase of around 9%.

An analysis of LSOA for Coventry using the West Midlands average of 5.8% as the baseline figure was carried out to identify which areas had suffered a decline in house prices. Table 2 below provides the median house prices for year ending 2017 and 2018 and shows the difference as a percentage for each of the LSOAs that

experienced a decrease in house prices. A decline in house prices is a key consideration for low housing demand.

Table 2- Comparison of House Prices by LSOA

LSOA name	LSOA mainly within Ward:	Year ending Mar 2017	Year ending Mar 2018	%Diff
Hawkes End & countryside	Bablake	442,200	357,000	-19.27%
Coundon – Norman Place Road	Bablake	195,000	180,000	-7.69%
Binley Industrial Estate South - Willenhall Lane Central	Binley and Willenhall	135,000	142,000	5.19%
Willenhall - Yarningale	Binley and Willenhall	151,000	136,750	-9.44%
Binley Oak Farm – Skipworth Road	Wyken	276,500	276,250	-0.09%
Central Six Retail Park - Queens Road	St Michael's	144,000	143,600	-0.28%
Earlsdon - Newcombe Clarendon & Shaftsbury Roads	Earlsdon	280,250	213,000	-24.00%
Westwood Gardens - Sir Henry Parkes, Burnsall Roads	Earlsdon	327,250	286,500	-12.45%
Earlsdon - Broadway Albany Roads	Earlsdon	262,500	244,000	-7.05%
Finham North Festival & Fenside	Cheylesmore	249,950	244,500	-2.18%
Foleshill - Paragon Park Red Lane	Foleshill	169,995	157,995	-7.06%
Arena Retail Park - Arbury	Foleshill	112,000	109,000	-2.68%
Potters Green - Woodway	Henley	158,000	135,500	-14.24%
Potters Green Triangle - Wigston Road	Henley	195,000	205,000	5.13%
Potters Green - Narberth Way	Henley	178,000	162,500	-8.71%
Walsgrave on Sowe – Mount Pleasant & Walsgrave Gardens	Henley	171,200	167,500	-2.16%
Whitmore Park - Burnaby Road	Holbrook	186,995	122,000	-34.76%
Ricoh Arena & Wilsons Lane	Longford	224,995	146,000	-35.11%
Holbrooks – Penny Park Lane	Holbrook	209,995	179,000	-14.76%
Wyken - Ravensdale Road	Lower Stoke	169,250	169,000	-0.15%
Stoke Green - New Century Park	Lower Stoke	162,375	158,750	-2.23%
Radford - Beake Avenue South	Radford	131,500	130,000	-1.14%
Radford - Middlemarch Road South	Radford	162,500	148,250	-8.77%
Radford - Banks Road	Radford	137,000	141,000	2.92%
Daimler Green – Electric Wharf	Radford	162,995	155,500	-4.60%
Gosford & Gulson Roads	St Michael's	142,500	128,000	-10.18%

Hillfields Village & Motor Museum	St Michael's	:	:	
City Farm North	St Michael's	130,750	124,000	-5.16%
Stoke Church End - Shakespeare Street	Upper Stoke	131,125	130,000	-0.86%
Kenilworth Rd & Gibbet Hill - Central Campus	Wainbody	770,000	621,000	-19.35%
Canley - Torrington Prior Deram Walk	Westwood	245,000	205,000	-16.33%
Earlplace Business Park - Middlecotes	Westwood	167,495	150,100	-10.39%
Earlsdon Hearsall Lane - Melbourne Road North, The Butts	Whoberley	200,950	174,950	-12.94%
Broad Lane Central - Stonebury Avenue	Woodlands	215,000	213,000	-0.93%
Bannerpark East - Tile Hill Woods, Hawthorn Lane	Woodlands	209,000	137,000	-34.45%
Jardine Shopping Centre - Limbrick Wood Tile Hill Lane	Woodlands	129,975	125,500	-3.44%
Clifford Bridge South	Wyken	180,000	171,000	-5.00%
Manor Farm	Henley	:	:	
River Sowe - Clifford Bridge - Henley Park Industrial Estate	Wyken	170,000	162,500	-4.41%
Clifford Bridge Road, Abbey Estate & Dorchester Road North	Wyken	160,000	154,500	-3.44%
Ernesford Grange - Willenhall North - South Willenhall Lane & St James Lane	Binley and Willenhall	154,000	113,000	-26.62%
Westwood Heath	Westwood	500,000	472,000	-5.60%
Longford Village & Longford Park	Longford	119,995	118,000	-1.66%
Holbrooks N- Fallowfield - Briscoe	Holbrook	156,625	143,600	-8.32%
Canley Cemetery, Bransford Avenue & Sir Henry Parkes Road	Wainbody	305,000	282,567	-7.36%

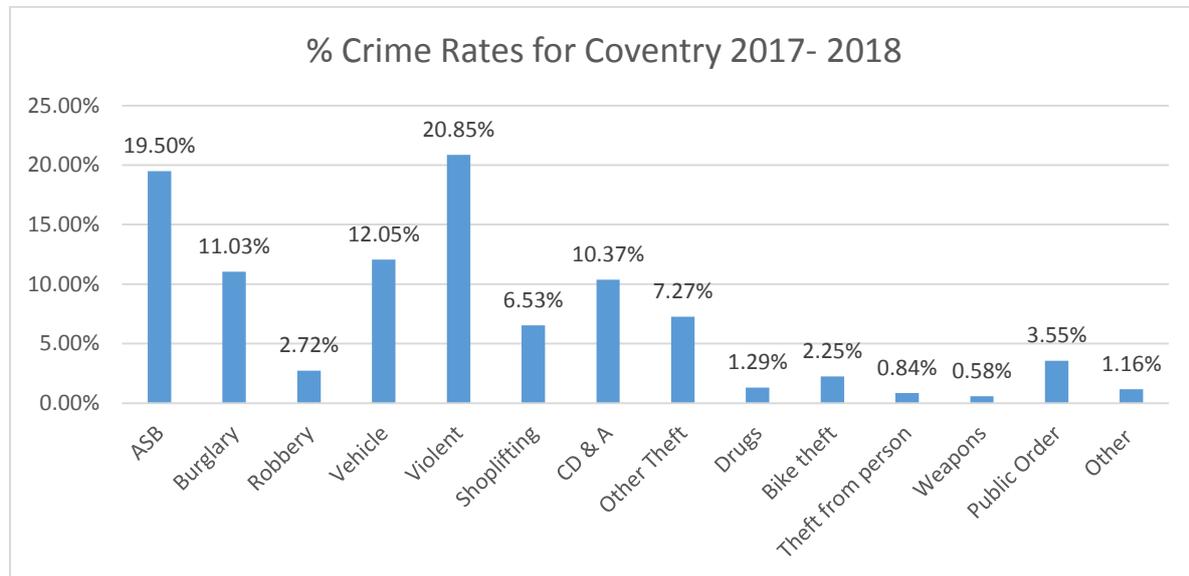
In addition to property prices when there is a lack of mixed communities and/or a high turnover of occupants within an area it is difficult to build strong and supportive communities and people are more likely to have less pride and interest in their neighbourhoods. A lack of mixed communities in terms of tenure is an indication of an area suffering or likely to suffer from low demand.

3.9 Crime

Consideration has been given to the impact the rented sector has in the local community, for example poor property conditions, anti-social behaviour and criminal activity.

Over the period from March 2017 to April 2018 there was a total of 37,045 reported crimes in Coventry. Figure 8 below provides the breakdown of categories of crime².

Figure 8- Crime Rates for Coventry 2017-2018



The type of crime can have a bearing on low demand considerations and in particular where there are high levels of “property” based criminal activities, such as criminal damage, arson and burglary, as opposed to “people” type activity the demand for property is likely to be lower in these areas. Figures 9 & 10 below provide the levels of activity for these “property” based crimes during 2017-2018 in wards across the City. The chart represents those that were above the Coventry average of 10% for criminal damage and 11% for burglary.

Figure 9- Criminal damage by ward 2017-18

² <http://www.ukcrimestats.com>

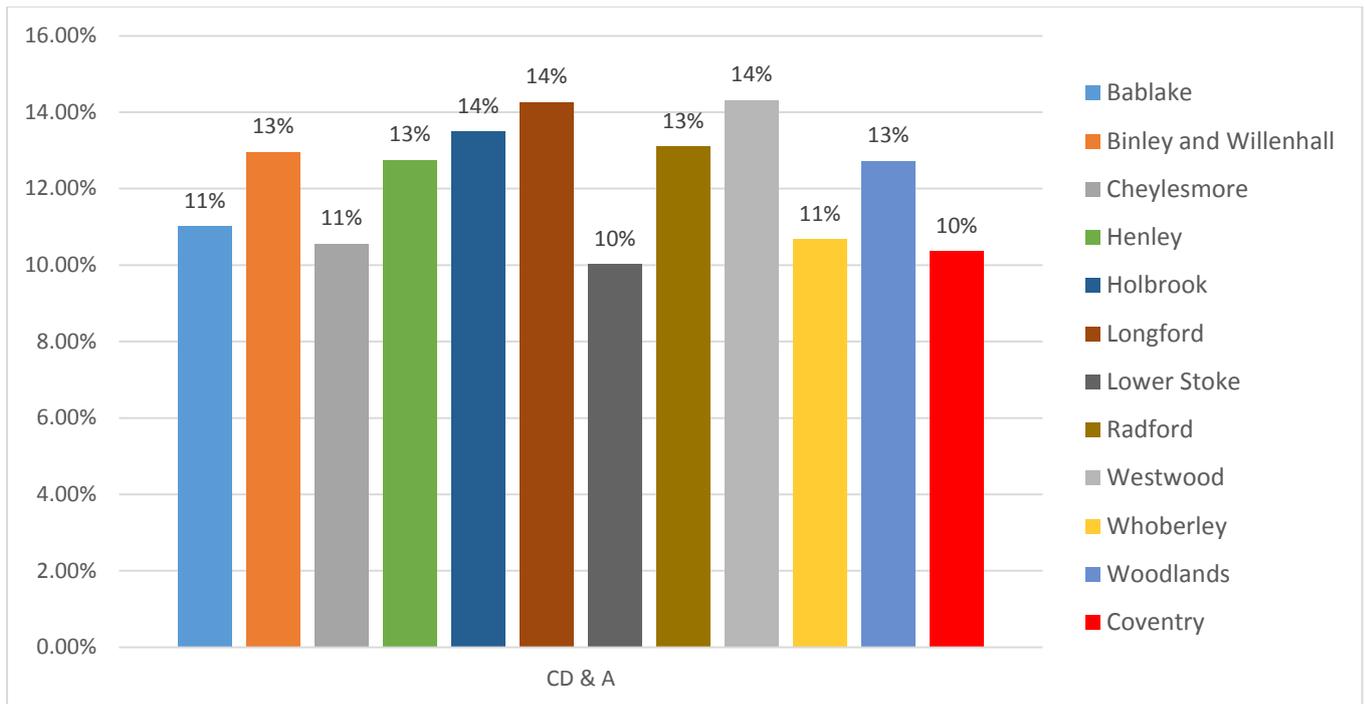
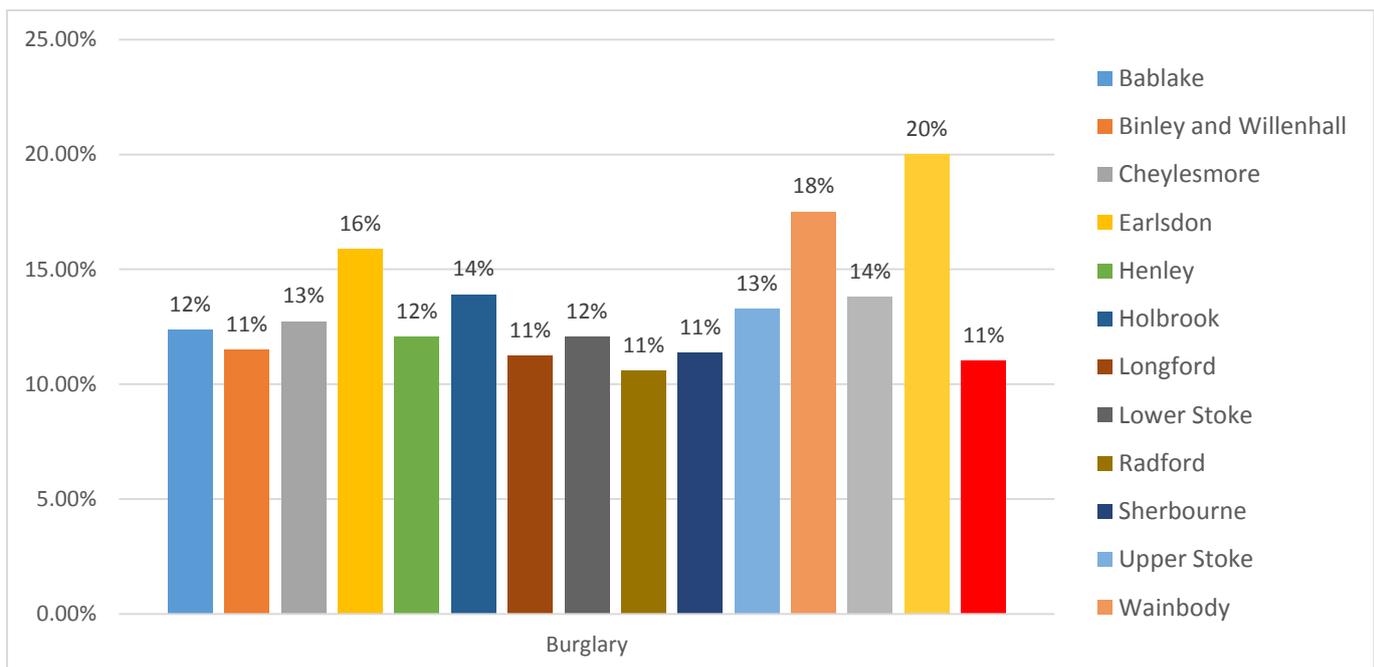


Figure 10- Burglary by ward 2017-18



Analysis of criminal damage and burglary rates were considered further through the LSOA data. This identified those LSOAs that had suffered an increase in these crime activities between 2016-17 and 2017-18. Table 3 and 4 provide the details.

Table 3- Change in criminal damage rates for 2016/17 & 2017/18

LSOA Name	LSOA Ward	Increase
Allesley Village	Bablake	6.3

Binley Business Park - Bredon Avenue	Binley and Willenhall	5.8
Binley - Quorn Way Bredon Avenue	Binley and Willenhall	7.1
Binley Industrial Estate South - Willenhall Lane Central	Binley and Willenhall	19.8
Willenhall Wood - Middle Ride	Binley and Willenhall	3.7
Willenhall - Robin Hood & Mary Slessor	Binley and Willenhall	3.3
Friargate & Parkside –Technology, N. Cheylesmore	St Michael's	3.2
Earlsdon - Newcombe Clarendon & Shaftsbury Roads	Earlsdon	2.8
Westwood Gardens - Sir Henry Parkes, Burnsall Roads	Earlsdon	3.2
Canley Gardens – Hearsall Golf course	Earlsdon	10.2
Foleshill - Churchill Avenue	Foleshill	4.7
Foleshill - Paragon Park Red Lane	Foleshill	3.1
Bishopgate - George Elliot	Foleshill	6.8
Arena Retail Park - Arbury	Foleshill	7.2
Aldermans Green - Deedmore Road W	Henley	5.9
Walsgrave on Sowe – Mount Pleasant & Walsgrave Gardens	Henley	4.6
Wood End – Hillmorton Road	Henley	12.6
Potters Green – Diana Drive	Henley	4.8
Whitmore Park - Burnaby Road	Holbrook	5.5
Keresley - Prologis	Holbrook	8.9
Hall Green North	Longford	8.9
Manor House - Privet Rd	Longford	4.9
Daimler Green - North Capmartin Road	Radford	4.5
Radford - Lawrence Saunders Roads	Radford	3.9
Gosford & Gulson Roads	St Michael's	4.6
Hillfields - Cambridge Street	St Michael's	5.0
Hillfields - Canterbury Raglan Streets	St Michael's	8.4
Barras Heath - West of Clay Lane	Upper Stoke	3.9
Finham Green - Lane Erithway	Wainbody	3.6
Hearsall Common - Maudslay Road	Whoberley	7.4
Mount Nod – Alderminster Road	Woodlands	4.5
Manor Farm	Henley	10.9
River Sowe – Clifford Bridge - Henley Park Industrial Estate	Wyken	2.8
Clifford Bridge Road, Abbey Estate & Dorchester Road North	Wyken	4.1
Ernesford Grange - Langbank Avenue, rail line & Tarquin Close North	Binley and Willenhall	6.9
Tile Hill - Cromwell Lane Station Road	Westwood	4.1

Hawkesbury, M6 & Foxford School, Anderton Road	Longford	3.8
Silverdale Estate & Hurst Road	Longford	3.5
Longford Village & Longford Park	Longford	5.7

Table 4- Change in Burglary rates between 2016/17 & 2017/18

LSOA Name	LSOA Ward	Increase
Binley - Quorn Way Bredon Avenue	Binley and Willenhall	5.2
Binley Industrial Estate South - Willenhall Lane Central	Binley and Willenhall	25.2
Willenhall Wood - Middle Ride	Binley and Willenhall	6.7
Willenhall - Robin Hood & Mary Slessor	Binley and Willenhall	6.5
Willenhall - Yarningale	Binley and Willenhall	11.3
Cheylesmore - Quinton Park Ulverscroft	Cheylesmore	11.5
Central Six Retail Park - Queens Road	St Michael's	7.7
Canley Gardens – Hearsall Golf course	Earlsdon	5.8
Earlsdon - Broadway Albany Roads	Earlsdon	10.1
Cheylesmore East -Dilloford Road	Cheylesmore	6.9
Little Heath – King Georges Avenue	Foleshill	9.7
Foleshill - Broad Street	Foleshill	5.9
Bishopgate - George Elliot	Foleshill	6.8
Arena Retail Park - Arbury	Foleshill	5.2
Aldermans Green - Deedmore Road W	Henley	10.4
Cross Point, A46 West & University Hospital	Henley	9.6
Aldermans Green Industrial estate	Henley	13.9
Wood End – Hillmorton Road	Henley	8.0
Potters Green – Diana Drive	Henley	5.4
Keresley –Penny Park Halford Roads	Holbrook	5.1
Holbrooks N - Whitmore Park Dunster	Holbrook	9.7
Bell Green - Roseberry Ave	Longford	5.9
Radford - Beake Avenue South	Radford	4.6
Charterhouse - St Georges Road	St Michael's	5.0
Hillfields Village & Motor Museum	St Michael's	4.7
Holyhead, Lake View & Batsford Roads	Sherbourne	4.3
Upper Holyhead Road – Minster Road	Sherbourne	5.3
Coundon - Dallington – Gaveston Roads	Sherbourne	6.3
Gosford Green - Kingsway	Upper Stoke	4.5
Chapelfields - Queensland Road	Whoberley	15.3

Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley	6.8
Earlsdon – Broomfield Road – Sovereign Road	Whoberley	24.3
Tile Hill North -Limbrick East Mount Nod	Woodlands	6.8
Caludon South - Mayflower Road	Wyken	5.9
Manor Farm	Henley	5.9
Ernesford Grange –Willenhall North - South Willenhall Lane & St James Lane	Binley and Willenhall	5.5
Ernesford Grange - Langbank Avenue, rail line & Tarquin Close North	Binley and Willenhall	5.0
Canley Cemetery, Bransford Avenue & Sir Henry Parkes Road	Wainbody	6.4

3.10 Proportion of Families on Low Income

According to the End Child Poverty Coalition³ in Coventry, there is an estimated 21% of children in poverty in the area before housing costs are included. The estimate after housing costs increases the amount to 33%.

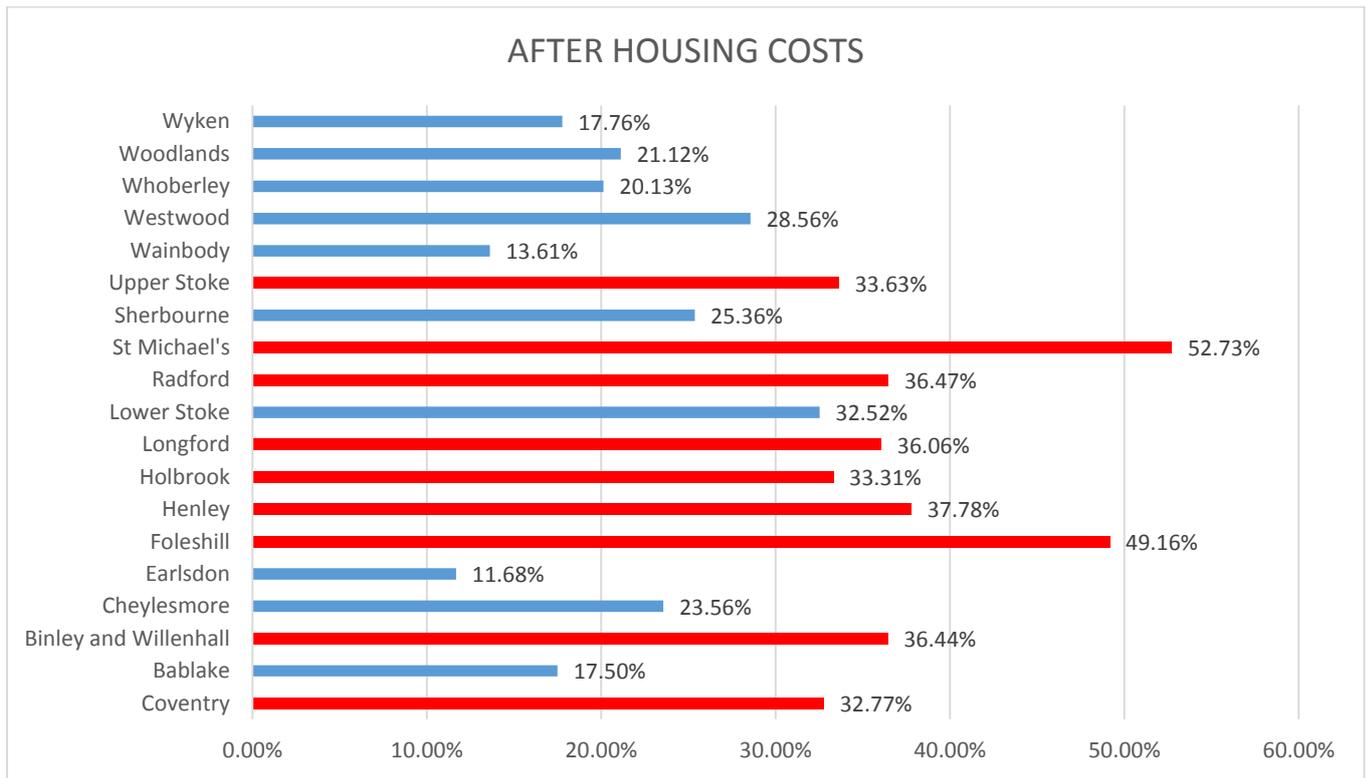
Households are living in poverty if their household income (adjusted to account for household size) is less than 60% of the average.

The ward with the highest level of child poverty is St Michael's, where there is an estimated 37% of children in poverty in the area before housing costs are considered. This increases to 53% when housing costs are included. In contrast, the ward with the lowest level of child poverty is Earlsdon, where there is an estimated 7% of children in poverty before housing costs. The estimate after housing costs is 12%.

For the purposes of this study it is important to take into account all costs when determining poverty levels. Figure 11 below provides the percentage of households with children in each ward that are considered to be in poverty. Those shown in red are above the average for the city.

³ <http://www.endchildpoverty.org.uk/poverty-in-your-area-2018/>

Figure 11- Poverty levels after housing costs by ward



In order to define clearer areas for Selective Licensing designations a comparison of these results was carried out for the LSOAs using the PRS percentage as the baseline. Each LSOA was scored on the number of times it appeared in each of the datasets for % of PRS, house prices, and crime rates as shown in Table 6 below. The LSOAs with 3 or more occurrences clearly show signs of low demand and would be the areas to focus any activity.

Table 5- LSOA ranking for Low Demand

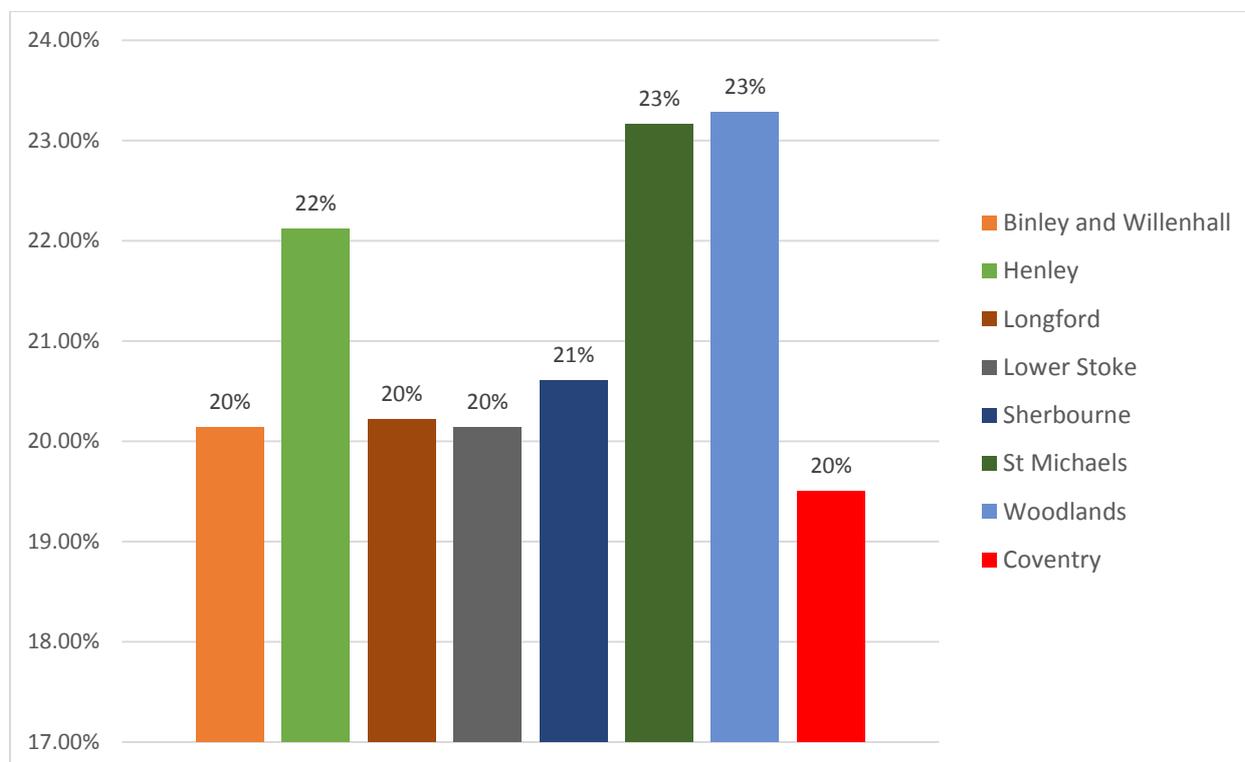
LSOA Name	Mainly in Ward	Number of occurrences
Central Six Retail Park - Queens Road	St Michael's	3
Earlsdon - Broadway Albany Roads	Earlsdon	3
Foleshill - Churchill Avenue	Foleshill	3
Foleshill - Paragon Park Red Lane	Foleshill	3
Bishopgate - George Elliot	Foleshill	3
Arena Retail Park - Arbury	Foleshill	4
Walsgrave on Sowe – Mount Pleasant & Walsgrave Gardens	Henley	3
Whitmore Park - Burnaby Road	Holbrook	3
Hall Green North	Longford	3
Gosford & Gulson Roads	St Michael's	3
Hillfields - Cambridge Street	St Michael's	3

Hillfields - Canterbury Raglan Streets	St Michael's	3
Upper Holyhead Road – Minster Road	Sherbourne	3
Gosford Green - Kingsway	Upper Stoke	3
Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley	3
Manor Farm	Henley	4
River Sowe – Clifford Bridge - Henley Park Industrial Estate	Wyken	3
Clifford Bridge Road, Abbey Estate & Dorchester Road North	Wyken	3
Longford Village & Longford Park	Longford	3
Canley Cemetery, Bransford Avenue & Sir Henry Parkes Road	Wainbody	3

3.11 Anti - Social Behaviour

When deciding whether areas are suffering from anti-social behaviour (ASB) which a landlord should address, regard must be given as to whether the behaviour is being conducted within the curtilage of the rented property or in its immediate vicinity and include acts of: intimidation and harassment of tenants or neighbours; noise, rowdy and nuisance behaviour affecting persons living in or visiting the vicinity; animal related problems; vehicle related nuisance; illegal drug taking or dealing; graffiti and fly posting; litter and waste within the curtilage of the property. ASB crime rates are shown in Figure 12 below.

Figure 12- ASB crime rates by Ward

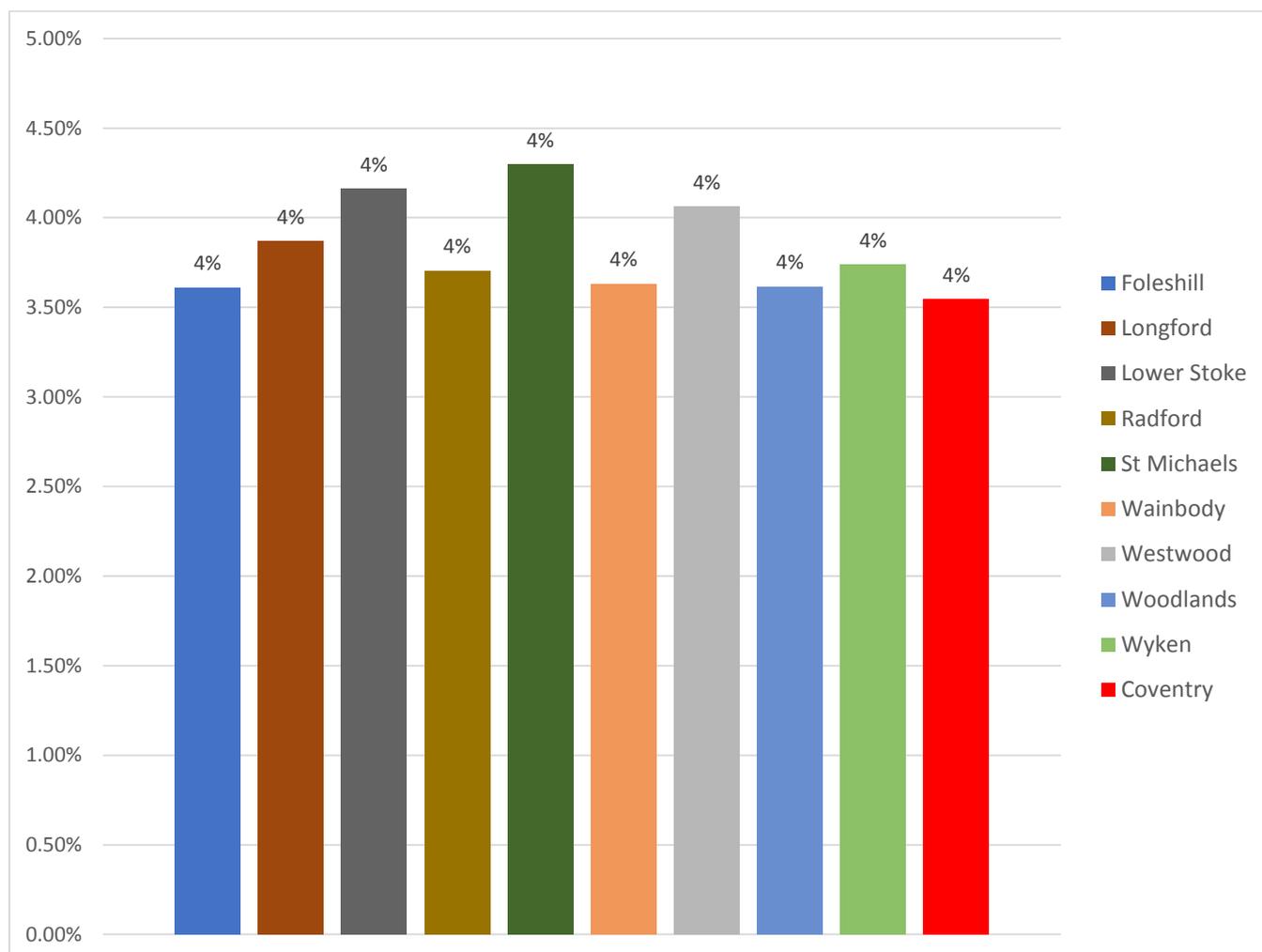


Based on ASB crime rates reported during 2017 and 2018 the average for Coventry is 20% of all crime. Analysis of ward figures revealed that Binley and Willenhall, Henley, Longford, Lower Stoke, Sherbourne, St Michaels, and Woodlands were all above or had similar ASB crime rates to the City as a whole.

Public Order is defined as "crime which involves acts that interfere with the operations of society and the ability of people to function efficiently", i.e., it is behaviour that has been labelled criminal because it is contrary to shared norms, social values, and customs, in other words 'anti- social'.

Figure 13 below provides the public order crime rates average for Coventry during 2017/18 and as can be seen Foleshill, Longford, Lower Stoke, Radford, St Michael`s, Wainbody, Westwood, Woodlands and Wyken all have similar averages to those of the City at 4%. The worst area for public order crime is St Michaels ward at 4.3% closely followed by Lower Stoke at 4.2%.

Figure 13- Public Order crime rates by ward.



Analysis of ASB rates were considered further through the LSOA data. This identified those LSOAs that had suffered an increase in ASB rates between 2016/17 and 2017/18. Table 6 provides the breakdown for each LSOA.

Table 6- Change in ASB rates between 2016/17 and 2017/18

LSOA Name	LSOA Ward	Increase
Coundon - Scots Lane	Bablake	5.4
Allesley Village	Bablake	5.6
Willenhall - Robin Hood & Mary Slessor	Binley and Willenhall	22.8
Willenhall - Chace Stretton	Binley and Willenhall	5.0
Canley Gardens – Hearsall Golf course	Earlsdon	2.9
Earlsdon - Broadway Albany Roads	Earlsdon	2.7
Little Heath – King Georges Avenue	Foleshill	5.4
Arena Retail Park - Arbury	Foleshill	2.6
Aldermans Green - Deedmore Road W	Henley	27.4
Cross Point, A46 West & University Hospital	Henley	3.0
Wood End – Hillmorton Road	Henley	4.7
Whitmore Park - Burnaby Road	Holbrook	4.5
Keresley –Penny Park Halford Roads	Holbrook	6.5
Poets Corner	Lower Stoke	7.1
Stoke Park	Lower Stoke	10.8
Binley Road - central Church Lane	Lower Stoke	2.4
Radford - Middlemarch Road South	Radford	3.5
Charterhouse - St Georges Road	St Michael's	6.3
Hillfields - Cambridge Street	St Michael's	8.1
Hillfields Village & Motor Museum	St Michael's	11.1
Holyhead, Lake View & Batsford Roads	Sherbourne	4.9
Lower Spon Street	Sherbourne	9.3
Stoke Church End - Shakespeare Street	Upper Stoke	7.3
Courthouse Green – Sewall Highway North	Upper Stoke	4.4
Finham - Schools Green Lane	Wainbody	2.4
Whoberley Artists' Corner (Rembrandt Close)	Whoberley	3.9
Whoberley - Glendower Avenue	Whoberley	4.6
Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley	7.4
Hockley Broad Lane West	Woodlands	3.8
Broad Lane Central – Stonebury Avenue	Woodlands	2.5
Upper Eastern - Green Hockley Lane North	Woodlands	5.2
Manor Farm	Henley	16.0
River Sowe – Clifford Bridge - Henley Park Industrial Estate	Wyken	5.6
Wyken Croft – Sewall Highway South	Wyken	9.4

Stonebridge Highway, Industrial & Housing Estates	Cheylesmore	5.9
Canley - Charter Avenue & Robert Mountford Way	Westwood	7.7
Tile Hill - Cromwell Lane Station Road	Westwood	3.4
Westwood Heath	Westwood	4.7
Hawkesbury, M6 & Foxford School, Anderton Road	Longford	6.2

A similar exercise was carried out for Public Order and Table 7 provides the breakdown for each LSOA that had experienced an increase in Public Order rates between 2016/17 and 2017/18.

Table 7- Increase in Public Order rates between 2016/17 and 2017/18

LSOA name	LSOA mainly within Ward:	Crime rate per 1,000 population: Public order
Keresley Green East	Bablake	3.6
Browns Lane	Bablake	2.4
Binley Industrial Estate South - Willenhall Lane Central	Binley and Willenhall	2.7
Willenhall - Robin Hood & Mary Slessor	Binley and Willenhall	3.7
Willenhall - Yarningale	Binley and Willenhall	3.9
Willenhall - Chace Stretton	Binley and Willenhall	3.4
Earlsdon Street Beechwood Avenue South	Earlsdon	3.7
Finham North Festival & Fenside	Cheylesmore	3.0
Foleshill – Courtaulds Guild Road	Foleshill	2.1
Edgwick - Canal Road	Foleshill	2.6
Paradise - Awson Street	Foleshill	2.2
Bishopgate - George Elliot	Foleshill	3.1
Aldermans Green - Deedmore Road W	Henley	3.7
Potters Green Triangle - Wigston Road	Henley	5.1
Potters Green - Narberth Way	Henley	2.8
Holbrooks N - Whitmore Park Dunster	Holbrook	2.5
Foleshill – Elkington Street	Longford	2.5
Stoke Aldermoor Village	Lower Stoke	3.4
Binley Road - central Church Lane	Lower Stoke	5.5
Stoke Green - New Century Park	Lower Stoke	3.0
Radford - Beake Avenue South	Radford	2.1
Radford - Beak Avenue Central	Radford	2.9
Radford Village	Radford	4.0

Barker Butts - Bablake School Thomson Avenue	Radford	4.9
Hillfields Village & Motor Museum	St Michael's	4.1
City Farm North	St Michael's	3.5
Hillfields - Canterbury Raglan Streets	St Michael's	2.4
Upper Holyhead Road – Minster Road	Sherbourne	2.9
Stoke Heath - Bartons Meadway	Upper Stoke	2.3
Barras Heath - West of Clay Lane	Upper Stoke	2.5
Gosford Green - Kingsway	Upper Stoke	2.0
Finham - Wainbody Avenue South	Wainbody	2.2
Coventry Business Park	Earlsdon	4.4
Tile Hill North - Jardine Delius	Woodlands	2.2
Wyken Croft – Sewall Highway South	Wyken	3.1
Sowe Valley - Dorchester Road South	Wyken	4.7
Ernesford Grange –Willenhall North - South Willenhall Lane & St James Lane	Binley and Willenhall	2.5
Hawkesbury, M6 & Foxford School, Anderton Road	Longford	2.4
Silverdale Estate & Hurst Road	Longford	2.0

ASB can also refer to any situation where someone does something which has a harmful effect on another person or group's quality of life. These actions can sometimes affect whole communities and impact on the levels of confidence in the places where people live and work.

Acts which are thought of as being anti-social such as fly tipping and rubbish can have an impact on communities and their levels of confidence.

For these reasons consideration was also given to the level of rubbish complaints received and whether those complaints had increased over the past twelve months. Table 8 shows the LSOAs where there has been such a change in rubbish related complaints.

Table 8- Increase in Rubbish complaints between 2016/17 and 2017/18

LSOA name	LSOA mainly within Ward:	Rate - refuse complaints per 1,000 population
Friargate & Parkside –Technology, N. Cheylesmore	St Michael's	6.8
Central Six Retail Park - Queens Road	St Michael's	8.1
Little Heath – King Georges Avenue	Foleshill	11.3
Edgwick - Canal Road	Foleshill	13.8
Parting of the Heaths - Durbar Avenue	Foleshill	11.9

Edgwick - Gallagher Retail Park Cross Road	Foleshill	15.6
Foleshill - Broad Street	Foleshill	14.7
Paradise - Awson Street	Foleshill	19.0
Foleshill - Paragon Park Red Lane	Foleshill	21.1
Bishopgate - George Elliot	Foleshill	11.7
Swanswell - Leicester Causeway	Foleshill	16.6
Arena Retail Park - Arbury	Foleshill	10.5
Aldermans Green - Deedmore Road W	Henley	6.7
Bell Green - Roseberry Ave	Longford	7.1
Stoke Park	Lower Stoke	23.2
Peugeot, Dominion Plaza & Humber Road North	Lower Stoke	19.7
Jubilee Crescent	Radford	9.7
Daimler Green - North Capmartin Road	Radford	12.3
Daimler Green – Electric Wharf	Radford	7.9
Radford - Lawrence Saunders Roads	Radford	8.9
Barker Butts - Bablake School Thomson Avenue	Radford	8.4
Charterhouse - St Georges Road	St Michael's	27.0
London Road - Acacia Northfields Roads	St Michael's	15.8
Hillfields - Swans Lane Thacknall Street	St Michael's	25.7
Hillfields - Cambridge Street	St Michael's	10.0
Hillfields Village & Motor Museum	St Michael's	8.2
City Farm North	St Michael's	13.2
Hillfields - Coronation Road Swanswell Basin	St Michael's	11.5
Hillfields - Canterbury Raglan Streets	St Michael's	12.0
Upper Holyhead Road – Minster Road	Sherbourne	10.6
Lower Spon Street	Sherbourne	6.7
Stoke Heath - Dane Road North Allotments	Upper Stoke	8.4
Stoke Church End - Shakespeare Street	Upper Stoke	12.5
Gosford Green - Kingsway	Upper Stoke	16.0
Wainbody - Cannon & Cannon Park Roads	Wainbody	7.0
Earlplace Business Park - Middlecotes	Westwood	10.4
Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley	9.5

In order to define clearer areas for Selective Licensing designations a comparison of these results was carried out for the LSOAs using the PRS percentage as the baseline. Each LSOA was scored on the number of times it appeared in each of the datasets

for % of PRS, ASB, Public Order and Rubbish complaint rates as shown in Table 9 below. The LSOAs with 3 or more occurrences clearly show signs of ASB and would be the areas to focus any activity.

Table 9- ASB Occurrences by LSOA

LSOA Name	Mainly in Ward	Number of ASB occurrences
Little Heath – King Georges Avenue	Foleshill	3
Edgwick - Canal Road	Foleshill	3
Paradise - Awson Street	Foleshill	3
Bishopgate - George Elliot	Foleshill	3
Arena Retail Park - Arbury	Foleshill	3
Stoke Park	Lower Stoke	3
Barker Butts - Bablake School Thomson Avenue	Radford	3
Charterhouse - St Georges Road	St Michael's	3
Hillfields - Cambridge Street	St Michael's	3
City Farm North	St Michael's	3
Hillfields - Canterbury Raglan Streets	St Michael's	3
Upper Holyhead Road – Minster Road	Sherbourne	3
Stoke Church End - Shakespeare Street	Upper Stoke	3
Gosford Green - Kingsway	Upper Stoke	3
Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley	3
Hawkesbury, M6 & Foxford School, Anderton Road	Longford	3

3.12 Property Conditions

Local authorities have an obligation under the Housing Act 2004 to keep housing conditions in their area under review. This includes all tenures of housing, not just stock that may be owned by the local authority.

To meet this obligation, Coventry City Council commissioned a survey on a random sample of housing within the city in 2012/13.

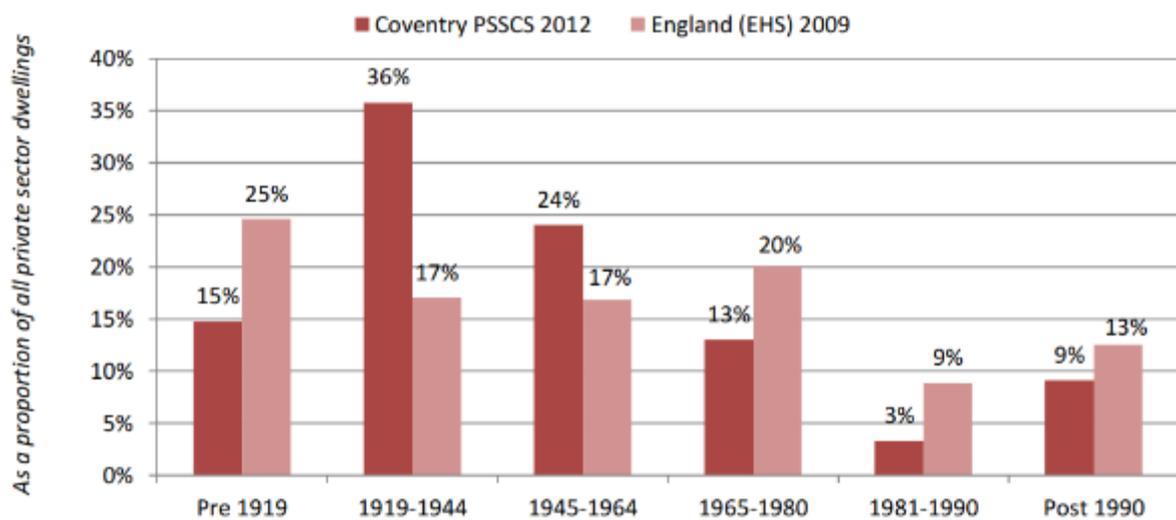
Councils have an obligation to enforce certain statutory minimum standards in housing and have powers that they can use to do this, while further non-mandatory powers are available to the Authority under the Housing Act 2004.

The Council has also developed a number of policies and strategies to further develop its overall approach to the housing stock and the Stock Condition Survey forms an important contribution to the full evidence base which underpins local policies and strategy towards housing standards.

The figures below provide relevant information regarding the stock and conditions in the Private Rented Sector by Ward. The Council does not hold information relating to LSOAs for this category, however it has analysed the data at ward level to support the proposals to designate certain areas subject to Selective Licensing at LSOA level.

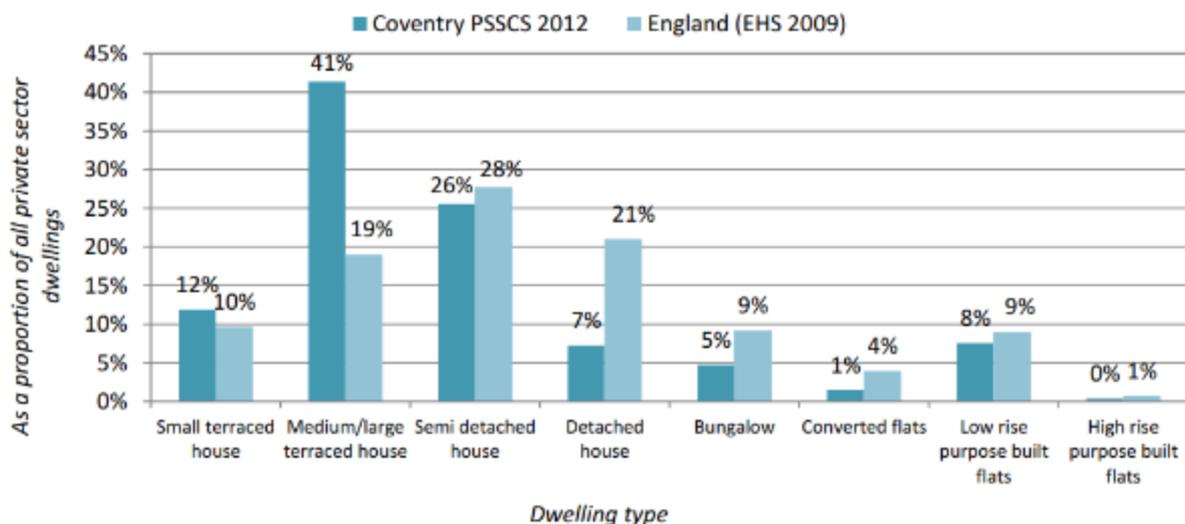
The age of dwellings in the PRS is an important consideration due to the well reported fact that the worse conditions are present in older stock types. As can be seen from Figure 14 below the highest proportion of properties in the PRS are pre 1919 terraced type houses and inter war properties, which are present at over twice the national average.

Figure 14- Dwelling Age in Coventry 2012/13



Dwelling type is also an important consideration and correlates with the issue of poor property conditions. In Coventry almost half of all the stock in the PRS is a medium or large type terraced house, which again is double to that found in England. Figure 15 below provides the profile across the whole of the PRS for different property types.

Figure 15- Dwelling type in Coventry 2012



3.13 Non Decent Homes

The Decent Homes Standard is a minimum standard under which all homes must: be free from any hazard that poses a serious threat to health or safety; be in a reasonable state of repair; have modern facilities; and have adequate levels of thermal comfort.

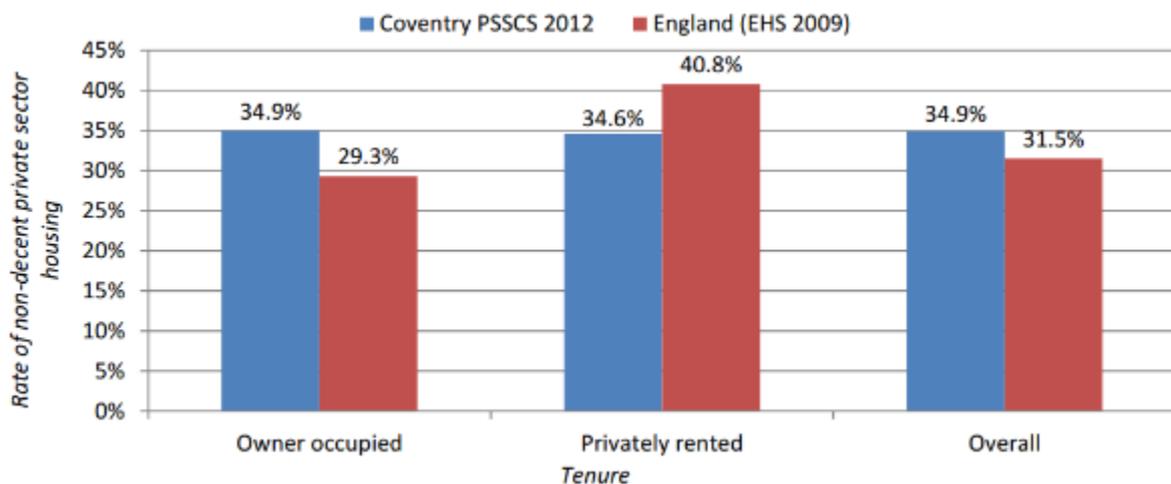
It is estimated that there are 38,400 private sector dwellings (34.9%) that are non-decent in Coventry. This compares to 31.5% of private sector stock (owner occupied and privately rented) for England as a whole. Table 10 below provides the overall figures.

Table 10- Non Decent in PRS in Coventry

Reason	Dwellings	Per cent (of non-decent)	Per cent (of stock)	England per cent (EHS 2009)
Category 1 hazard dwellings	22,100	58.6%	20.1%	22.0%
In need of repair	10,800	28.6%	9.8%	6.3%
Lacking modern facilities	4,200	11.3%	3.9%	2.8%
Poor degree of thermal comfort	11,300	29.9%	10.3%	10.9%
Non decent*	38,400	100.0%	34.9%	31.5%

Figure 16 provides the tenure breakdown for non-decent homes and shows that in the PRS 35% of properties were non decent which is slightly below the national average for England at 41%.

Figure 16- Non decent homes in Coventry PRS



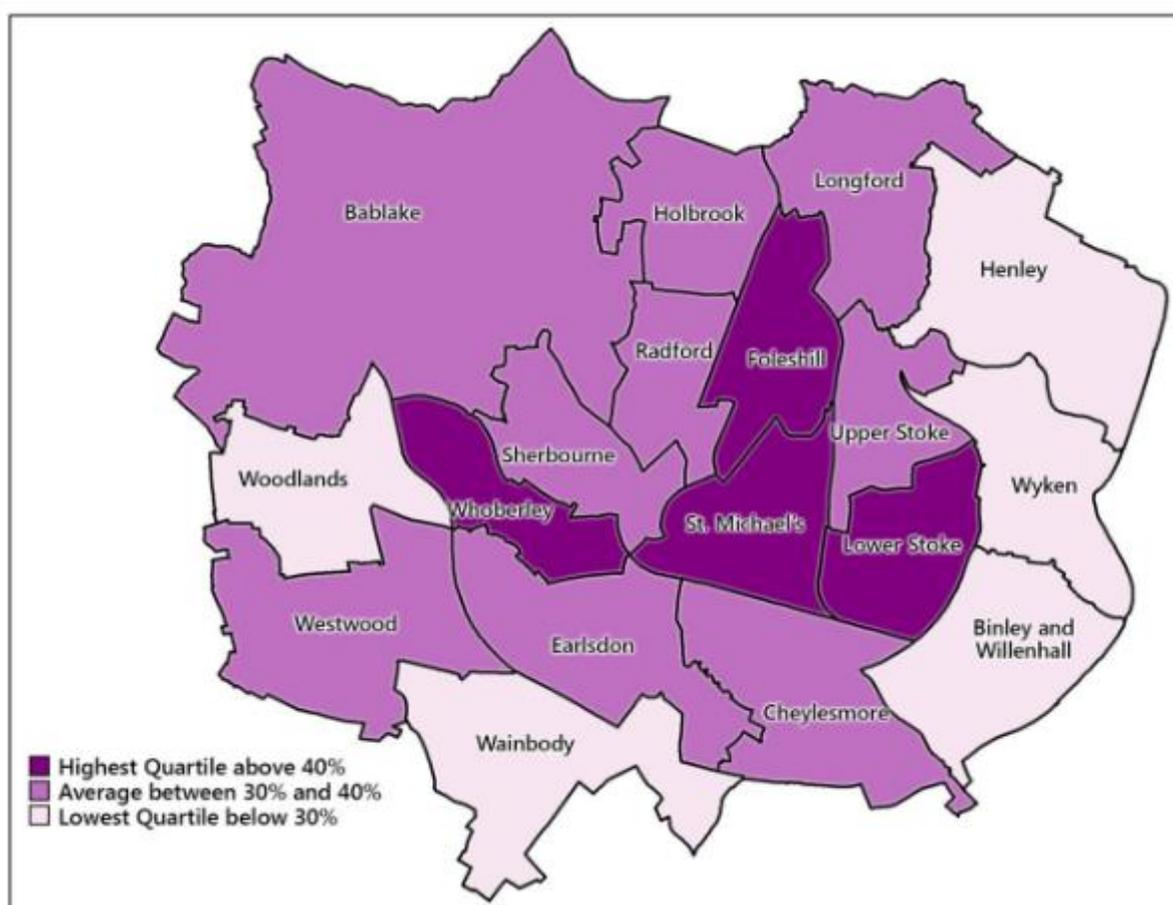
The reasons for non-decency were identified as part of the survey and showed that most prominent failure was due to HHSRS with 17% of properties in the PRS failing this element of the criteria. As can be seen from Table 11 below disrepair was also an issue in the PRS.

Table 11- Criteria failure for non decent homes

Reason	HHSRS failure	Disrepair failure	Modern facilities inadequate	Thermal Comfort inadequate
Owner occupied	21.1%	9.4%	4.3%	9.4%
Privately rented	17.2%	10.8%	2.3%	12.8%
Overall	20.1%	9.8%	3.9%	10.2%

Figure 17 below provides the profile of non-decent homes across the wards that make up the area of Coventry. The worst wards include Whoberley, St Michael's, Foleshill and Lower Stoke. To a lesser extent, there are also issues with non-decent homes in Bablake, Sherbourne, Radford, Holbrook, Longford, Upper Stoke, Cheylesmore, Earlsdon and Westwood.

Figure 17- Ward profiles for non decent homes

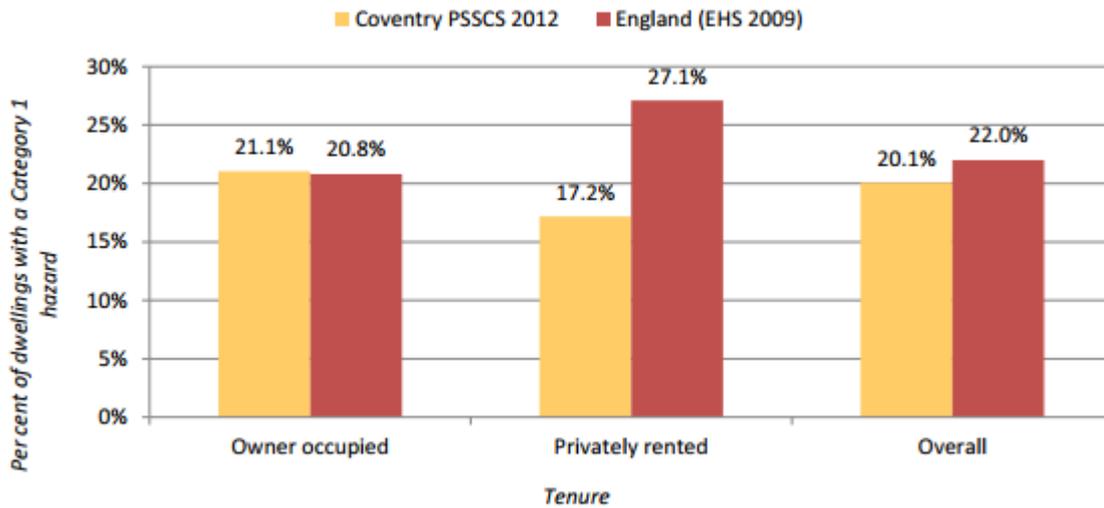


3.14 HHSRS

The Housing Health and Safety Rating System (HHSRS) provides the minimum standard for housing, in that a property should be free from a category 1 hazard.

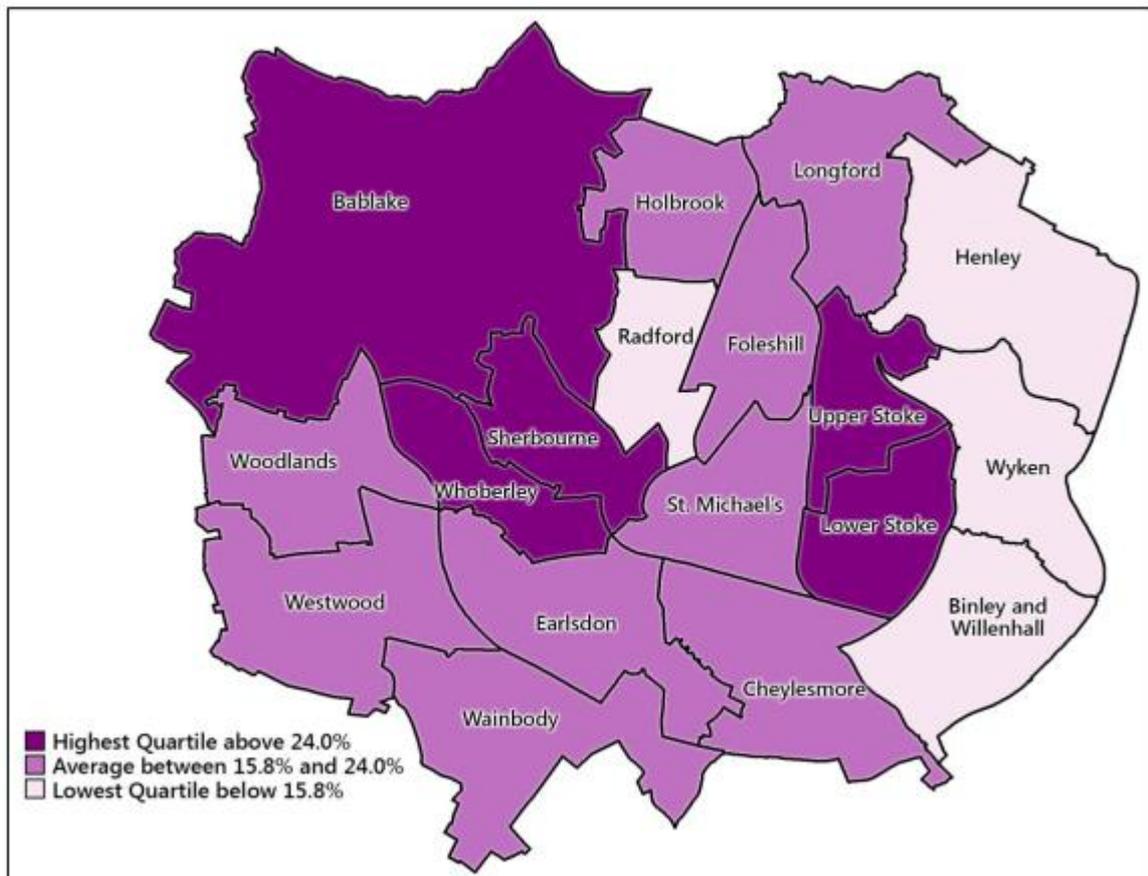
As can be seen from Figure 18 below the stock condition survey reported that there were 17% of properties in the PRS that had a Category 1 hazards, slightly below the national average.

Figure 18- Cat 1 hazards in PRS Coventry



Category 1 hazards were identified on a ward basis, shown in Figure 19. The most serious concerns for addressing this element of the Decent Homes Standard are in Bablake, Sherbourne, Whoberley, Upper Stoke and Lower Stoke. Less concern but still of significance are the levels identified in Longford, Holbrook, Foleshill, St Michael's, Cheylesmore, Earlsdon, Wainbody, Westwood and Woodlands.

Figure 19- Cat 1 hazards by ward



3.15 Disrepair

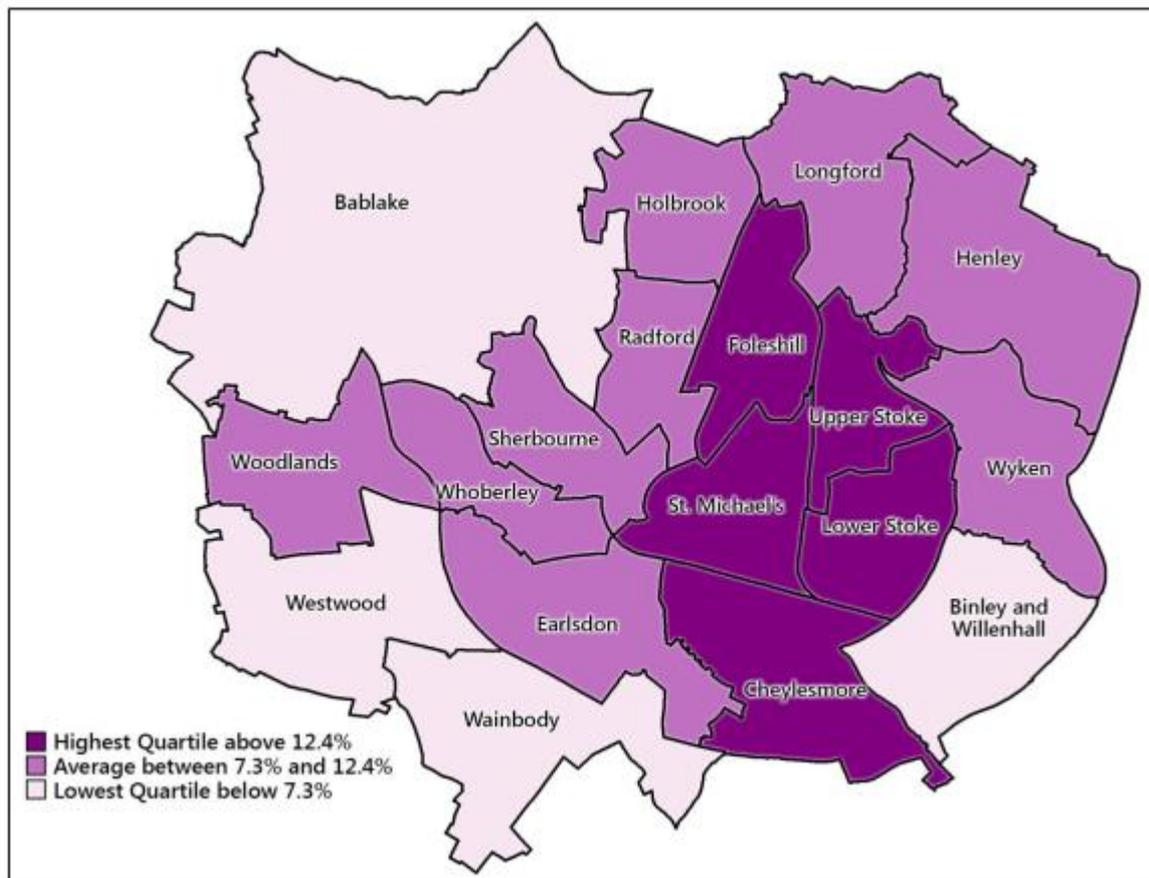
Criterion B of the Decent Homes Standard looks at the issue of the state of general repair of a dwelling which will fail if it meets one or more of the following:

- One or more key building components are old (which are specifically defined in the criteria) and, because of their condition need replacing or major repair; or
- Two or more other building components are old and, because of their condition need replacing or major repair.

A building that has component failure before the components expected lifespan does not fail the decent homes standard. A dwelling will be considered to be in disrepair if it fails on one or more major element or two or more minor elements.

Figure 20 below shows that there are issues with disrepair in Foleshill, Upper Stoke, St Michael's, Lower Stoke and Cheylesmore. Earlsdon, Longford, Henley, Holbrook, Radford, Sherbourne, Whoberley, Woodlands, and Wyken also have problems with disrepair but of less concern than these already mentioned.

Figure 20- Disrepair by ward



3.16 Modern Facilities

The third criterion of the Decent Homes Standard is that a dwelling should have adequate modern facilities.

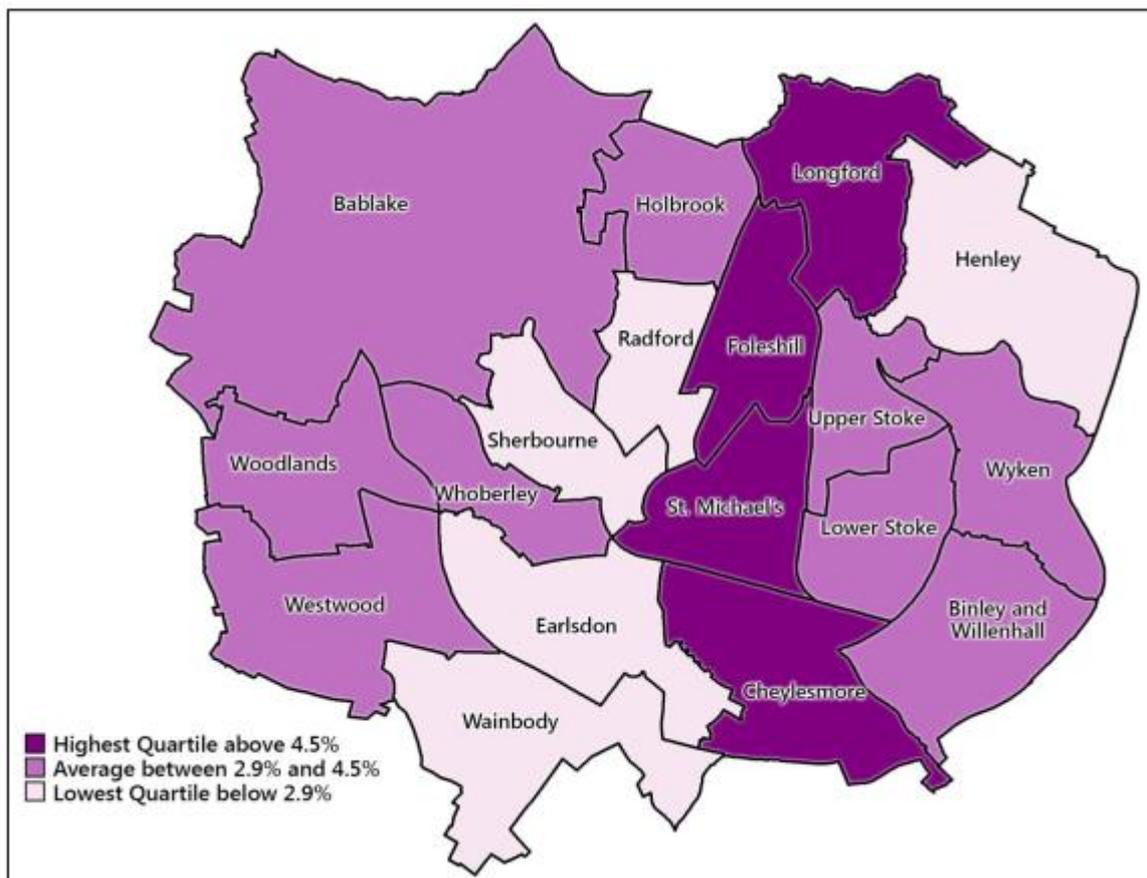
A dwelling fails the modern facilities test only if it lacks three or more of the following:

- A kitchen which is 20 years old or less;
- A kitchen with adequate space and layout;
- A bathroom that is 30 years old or less;
- An appropriately located bathroom and WC;
- Adequate noise insulation; and/or
- Adequate size and layout of common parts of flats.

For example, if a dwelling had a kitchen and bathroom older than the specified date, it would only fail the modern facilities test if it also failed another of the identified criteria (e.g. the kitchen had a poor layout or the bathroom was not properly located).

Figure 21 below shows the wards where there is concern relating to this element of the Decent Homes Standard with Longford, Foleshill, St Michaels and Cheylesmore ranking the worst.

Figure 21- Modern facilities failure by ward



3.17 Thermal Comfort

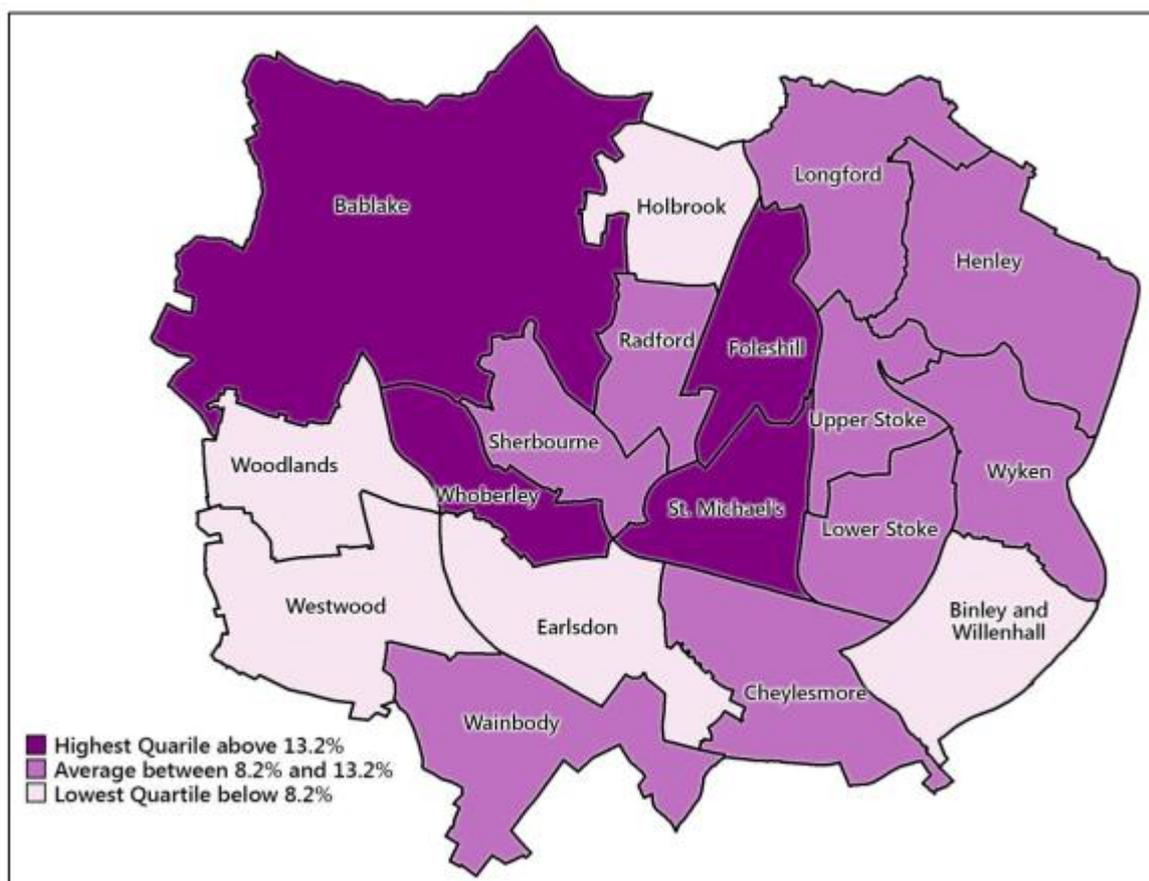
Failure of the thermal comfort criterion, and consequently the work required to remedy that failure, is based on the combination of heating system type and insulation present within a dwelling.

The following are the three requirements under the thermal comfort criterion of the Decent Homes Standard:

- For dwellings with gas/oil programmable heating, cavity wall insulation (if there are walls that can be insulated effectively) or at least 50mm loft insulation (if there is a loft space) is an effective package of insulation.
- For dwellings heated by electric storage heaters/ LPG/ programmable solid fuel central heating a higher specification of insulation is required: at least 200mm of loft insulation (if there is a loft) and cavity wall insulation (if there are walls that can be insulated effectively).
- All other heating systems fail (i.e. all room heater systems are considered to fail the thermal comfort standard).

As can be seen from Figure 22 below the worst areas affected by this element of the criteria are Bablake, Whoberley, St Michaels and Foleshill.

Figure 22- Thermal comfort failure by ward



3.18 Energy Performance

The Standard Assessment Procedure or SAP is a government rating for energy efficiency. When reporting on energy efficiency it is used in conjunction with annual CO₂ emissions figures, calculated on fuel consumption, and the measure of that fuel consumption in kilo Watt hours (kWh).

The calculation assumes a standard occupancy pattern, derived from the measured floor area so that the size of the dwelling did not strongly affect the result. It is expressed on a 0-100 scale. The higher the number the better the energy rating for that dwelling.

Figure 23 shows the energy performance distribution by tenure incorporating the same banding system used since the EHCS 2007.

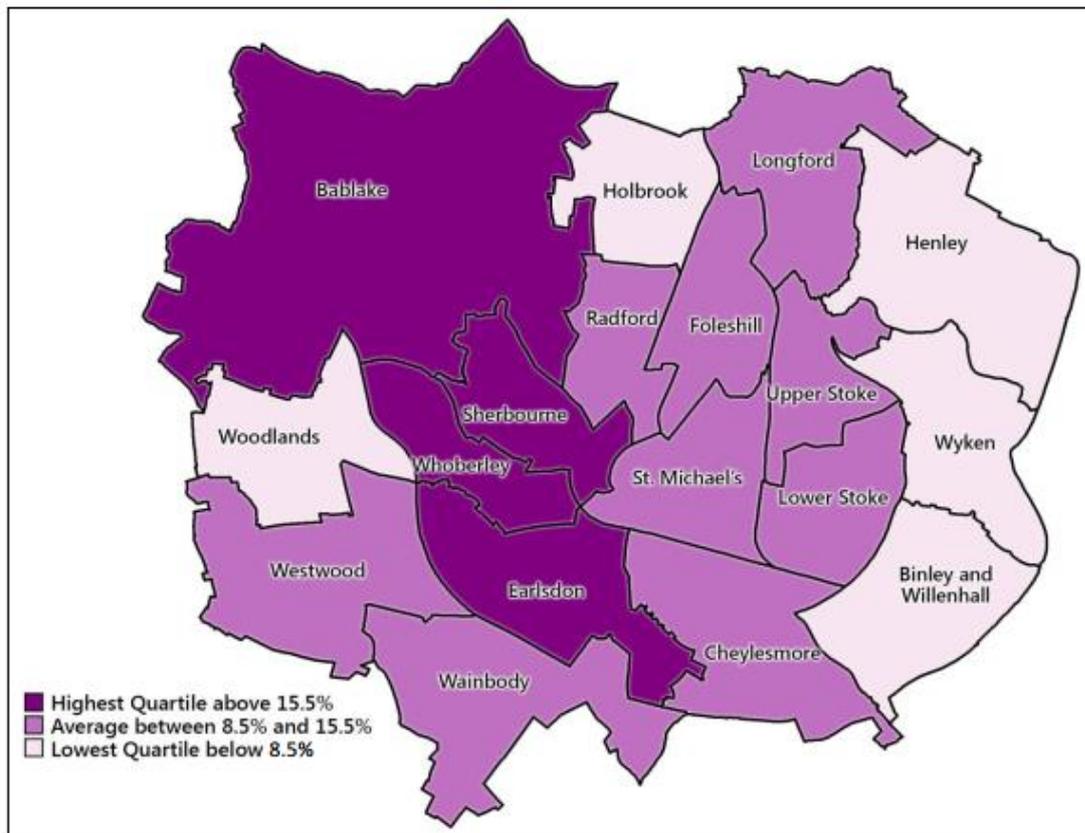
In Coventry the majority for each tenure group were in Bands D and E (39-68): 81% of the privately rented stock. The overall stock rate is 79% within those bands, which is above the national rate (73%).

Figure 23- EPC ratings by tenure in Coventry

EPC SAP Range Banded	Owner occupied	Privately rented	Whole Stock	EHS 2009
Band A (92-100)	0.0%	0.0%	0.0%	0.0%
Band B (81-91)	0.1%	0.2%	0.1%	0.1%
Band C (69-80)	2.4%	7.8%	3.8%	5.0%
Band D (55-68)	32.1%	34.6%	32.7%	30.4%
Band E (39-54)	46.7%	45.5%	46.4%	42.8%
Band F (21-38)	16.6%	9.7%	14.9%	17.3%
Band G (1-20)	2.1%	2.3%	2.1%	4.4%
Total	100.0%	100.0%	100.0%	100.0%

Energy performance levels across the city varied considerably in the PRS with the worst being in Bablake, Sherbourne, Whoberley and Earsldon. As can be seen in Figure 24 below there were also concerns in Longford, Foleshill, Radford, Upper Stoke, St Michaels, Lower Stoke, Cheylesmore, Wainbody and Westwood.

Figure 24- Energy performance by ward



3.19 Fuel Poverty

Fuel poverty is closely linked to property condition and the energy efficiency of a property. Fuel poverty in England is measured using the Low Income High Costs (LIHC) indicator. Under the LIHC indicator, a household is considered to be fuel poor if:

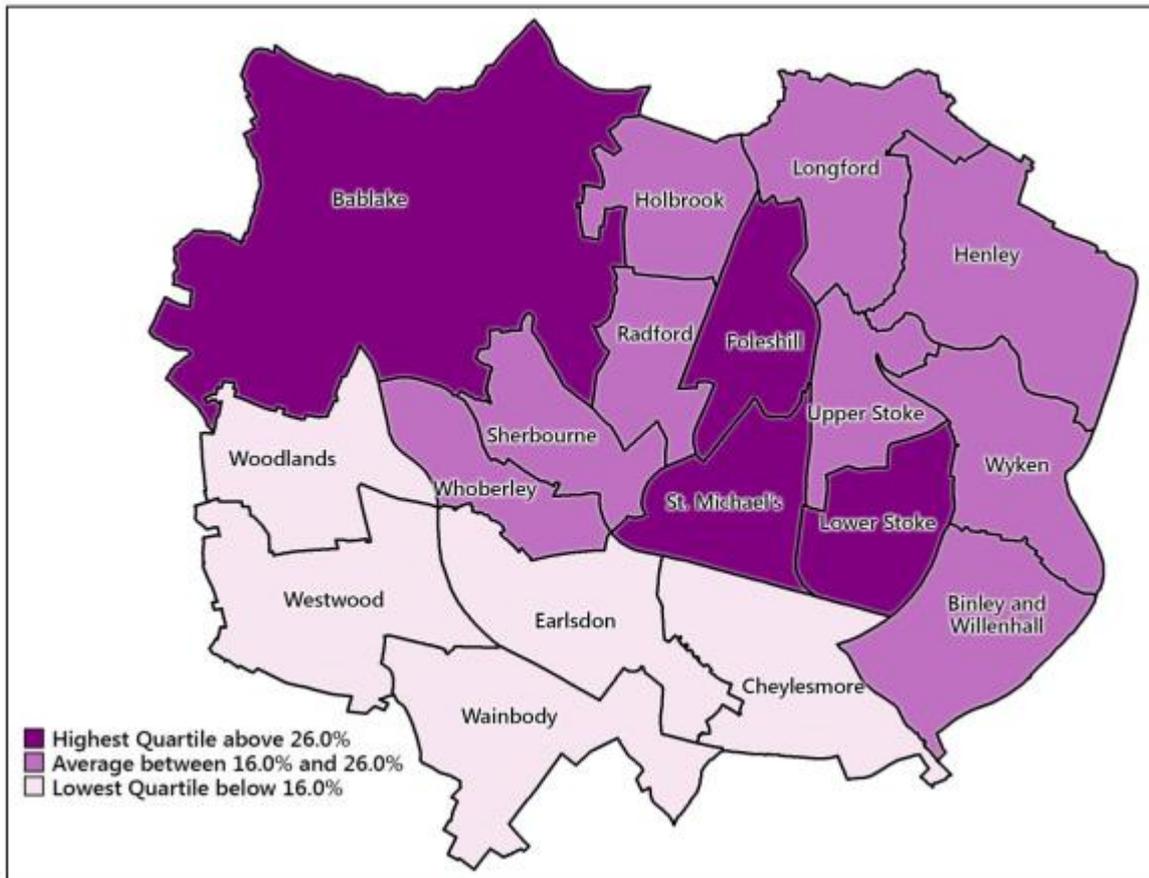
- they have required fuel costs that are above average (the national median level)
- were they to spend that amount, they would be left with a residual income below the official poverty line.

There are 3 important elements in determining whether a household is fuel poor:

- household Income
- household energy requirements
- fuel prices

Figure 25 shows the wards which are most affected by fuel poverty.

Figure 25- Fuel poverty levels by ward



It is clear that Coventry has an above average proportion of privately rented dwellings and this tenure has seen rapid growth in the past ten years. Private renting is more common in pre 1919 and post 1990 dwellings and small, medium and large terraced houses are more common than the national average, with all other dwelling types occurring less frequently.

Private renting is far more common in all flat types and in small terraced houses when compared to owner occupied dwellings, which are more common in medium and large terraced houses and semi-detached houses.

3.20 Private Sector Residents

The age profile of heads of household in Coventry is split with proportionately more heads of household aged under 25, more aged 65 or over and fewer in between these ages.

Coventry shows the usual strong association between private renting and heads of household aged under 35 compared to owner occupation where the majority of heads of household are aged 45 or over.

A higher proportion of households in the 35 to 44 age band rent as opposed to owning their properties, indicating potential issues with housing affordability and restrictions on homeownership.

Although it has not been possible to identify specific LSOAs which would benefit from Selective Licensing to address property conditions it is clear that there are considerable issues within St Michaels, Foleshill, Longford, Lower Stoke, Radford, Sherbourne, Longford and Cheylesmore as all of these wards showed high property condition indicators.

4.21 High Levels of Migration

A designation can be made to preserve or improve the economic conditions of areas to which migrants have moved and ensure people (including migrants) occupying private rented properties do not live in poorly managed housing or unacceptable conditions.

Robustly establishing the impact of migration on an area is challenging. There are limited sources of accurate data that can be utilised, however, there are certain sources that can provide indicative information.

The ONS reported in 2014 that overall for the UK as a whole, the proportion of the population born outside of the UK was 13% (8.3 million of 63.7 million). In Coventry the figures for 2014/15 were reported to be 24% non UK born, almost twice the national average.

According to the 2011 Census, Coventry as a local authority has experienced the greatest migration since 2001 - second only to London. The increasing diversity of populations in Coventry is creating new challenges for health and social care systems, which need to adapt in order to remain responsive and ensure delivery of effective and culturally sensitive services while promoting equity, social cohesion and inclusiveness. To achieve the City's aim of reducing inequalities within the City, and in response to the City's Marmot role, addressing migrant health was a clear priority. This work was well-timed to take into account and respond to the effects of welfare reform, European Economic Area and NHS structural changes.

The 2011 Census tells us that 1 in every 5 people living in Coventry (21%) were born outside the UK. People move in and out of the city every year, including students studying at the city's two universities from both the UK (37,580) as well as an estimated 19,160 overseas students (2016-2017 figures)⁴. 14,035 students enrolled from Non-EU countries and 5,125 from EU countries.

Coventry is one of the top 10 cities in the country for jobs growth, patents granted and business growth over the past decade⁵. With this in mind it becomes an attractive city for migrants from all walks of life. A significant number of people come from various countries such as India, Pakistan, Bangladesh, Somalia, Sudan, Afghanistan, Albania, Poland, Romania, Iraq, Kurdistan, and Jamaica, and new and emerging countries like Eritrea and Syria. Coventry's vibrant economy means that people continue to arrive here to work mostly from within the UK and European Union Countries.

⁴ <https://www.hesa.ac.uk/news/11-01-2018/sfr247-higher-education-student-statistics/location>

⁵ http://www.coventry.gov.uk/info/13/invest_in_coventry/2422/why_do_business_in_coventry/2

Between 2015 and 2016 the West Midlands saw the biggest year on year increase in international migration in the country. Over the last 5 years Coventry has seen year on year increases in the numbers of international migrants moving into the city, and overall the second highest number of international arrivals after Birmingham. This is thought to be a key contributor to Coventry's growing population.

Between 2012 and 2015, there were higher numbers of EU migrants than non-EU migrants moving into the city, although this trend has now reversed.

The highest number of EU arrivals to Coventry in 2016 were from Romania and Poland, with the highest number from outside the EU from China, India and Nigeria.

The 2011 information shows us that areas around the city centre and to the south east of the city were the most popular places for EU migrants to live, while the city centre and areas to the North East and South West are the most popular for non-EU migrants. Figures 26 and 27.

Figure 26- Non EU Migrants by ward

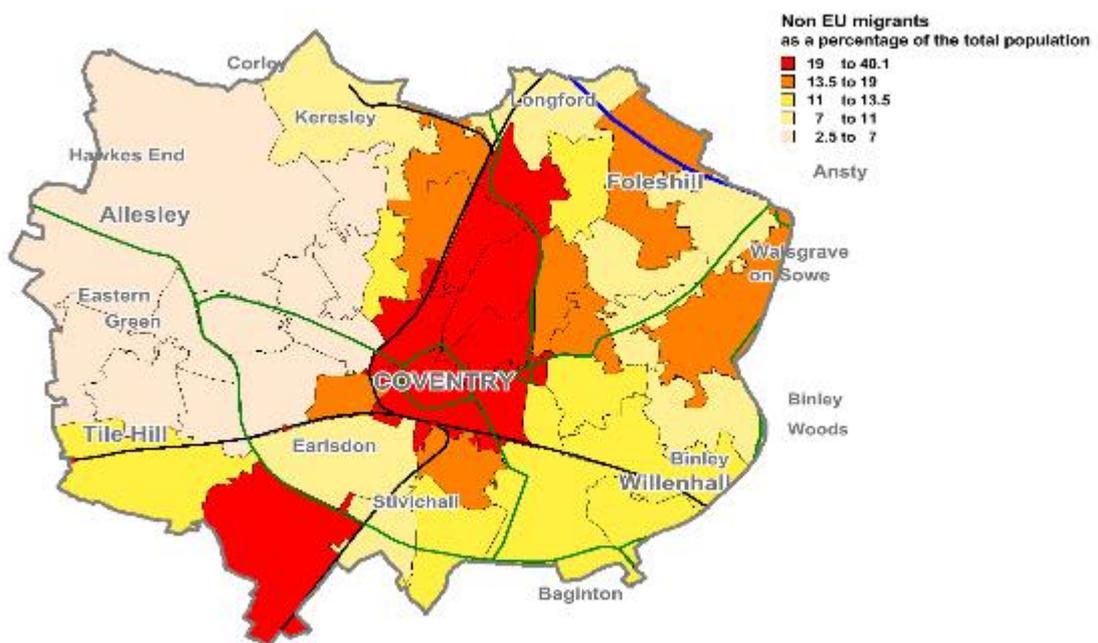
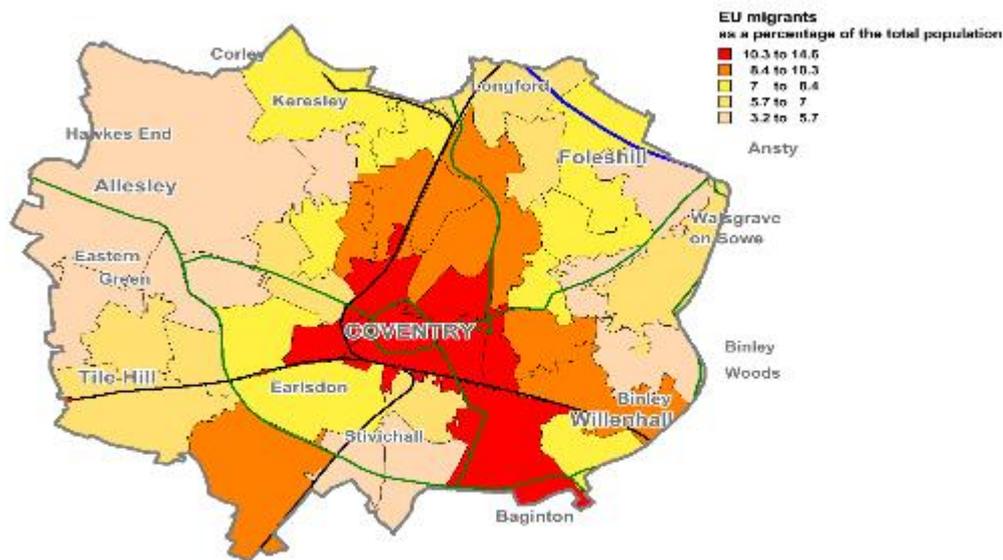


Figure 27- EU Migrants by ward



The City has experienced high levels of migration into certain wards and as a result, has seen a rise in the number of food businesses, shisha bars, scrap metal itinerants and convenience stores being run by a range of migrants. Coventry currently has 10,065⁶ active businesses in the city⁷ therefore the increase in issues from businesses that are non-compliant causes further demand on already stretched public services.

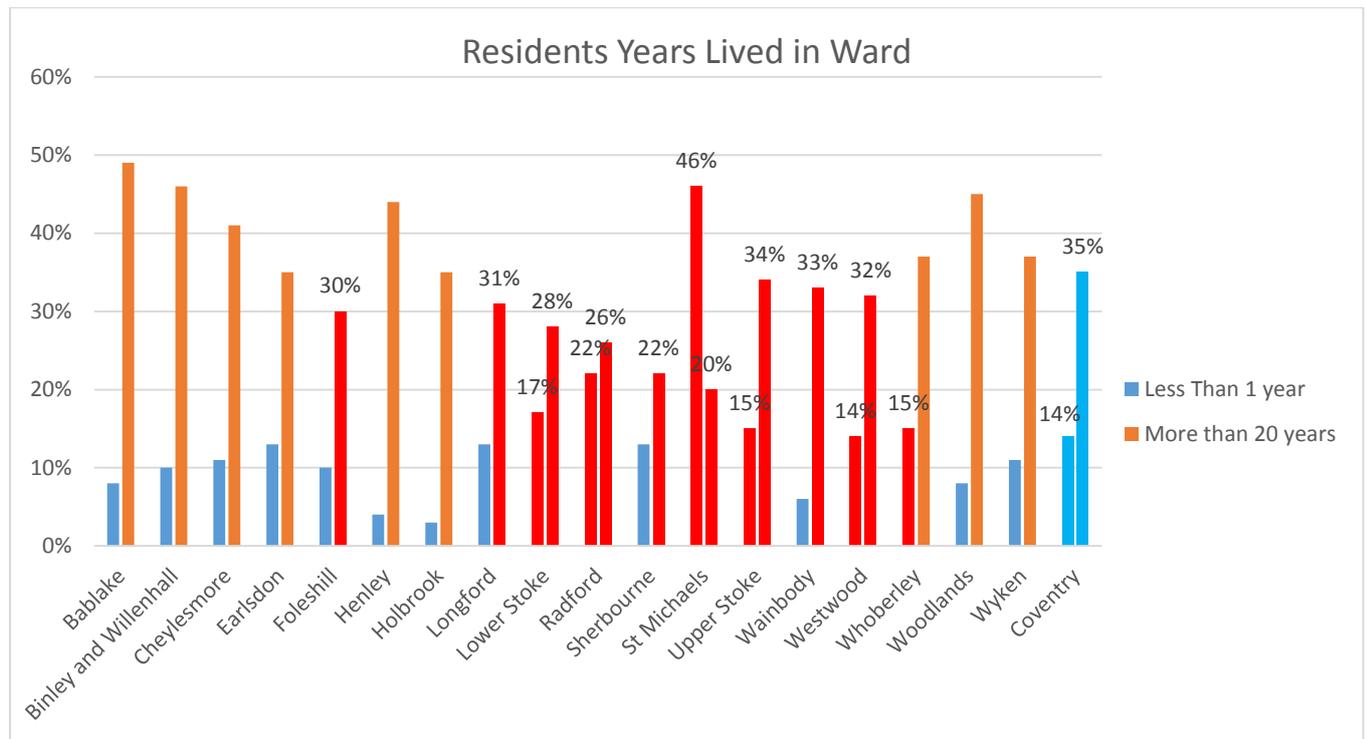
Smaller numbers also come to Coventry as asylum seekers or refugees fleeing civil war and violence and fearing for their and their family's safety in their home country. Through data collected as part of the resident's survey we have been able to analyse the migration changes further by considering two elements – the number of people who have lived in area for 20 years or more and those for less than one year.

In Coventry 14% of residents have lived in their ward for a year or less and 35% for more than 20 years. As can be seen from Figure 28 this indicates that in Whoberley, Upper Stoke, St Michaels, Radford, and Lower Stoke there are a higher proportion of residents that have lived in these areas for less than a year. In the case of Westwood, Wainbody, Upper Stoke, St Michaels, Sherbourne, Radford, Lower Stoke, Longford, and Foleshill there are a lower proportion of households that have lived in the area for 20 years or more.

⁶ file:///C:/Users/cvpoo439/Downloads/Coventry_Headline_Statistics_Jul_2018.pdf

⁷ file:///C:/Users/cvpoo439/Downloads/Coventry_Headline_Statistics___Mar_2018.pdf

Figure 28- Residents time in area by ward



St Michaels ward has the highest proportion of residents living in the area for less than a year (46%) and the lowest number of residents living in the area for more than 20 years (20%) suggesting that there has been a considerable amount of “migrant” activity in this area. Similar comparisons can be seen in the Upper Stoke, Radford, and Lower Stoke wards.

Although it has not been possible to identify specific LSOAs which would benefit from Selective Licensing to address migration it is clear that there are considerable issues within the City and in 6 wards in particular (St Michaels, Lower Stoke, Sherbourne, Foleshill, Radford and Upper Stoke).

3.22 High Levels of Deprivation

In deciding whether the wards in Coventry are suffering from high levels of deprivation the Council has considered the English Indices of Deprivation 2015, provided by the Department for Communities and Local Government in comparison to other similar neighbourhoods in the area or within the region.

This data measures overall multiple deprivation experienced by persons living in geographical areas at LSOA levels. Each LSOA in England is ranked according to its level of deprivation relative to that of other areas. There are multiple domains and sub-domains that make up the overall deprivation level.

Coventry ranks as 38th most deprived – a slight improvement from 37th in the IMD 2010. This summary measure tends to highlight those local authority areas with very highly deprived Lower-layer Super Output Areas.

Looking at the proportion of Coventry's neighbourhoods (LSOAs) that are amongst the most deprived 10% in England, Coventry is the 46th most deprived local authority in England. Figure 29 below provides the overall IMD rankings by LSOA.

Figure 29- IMD by LSOA

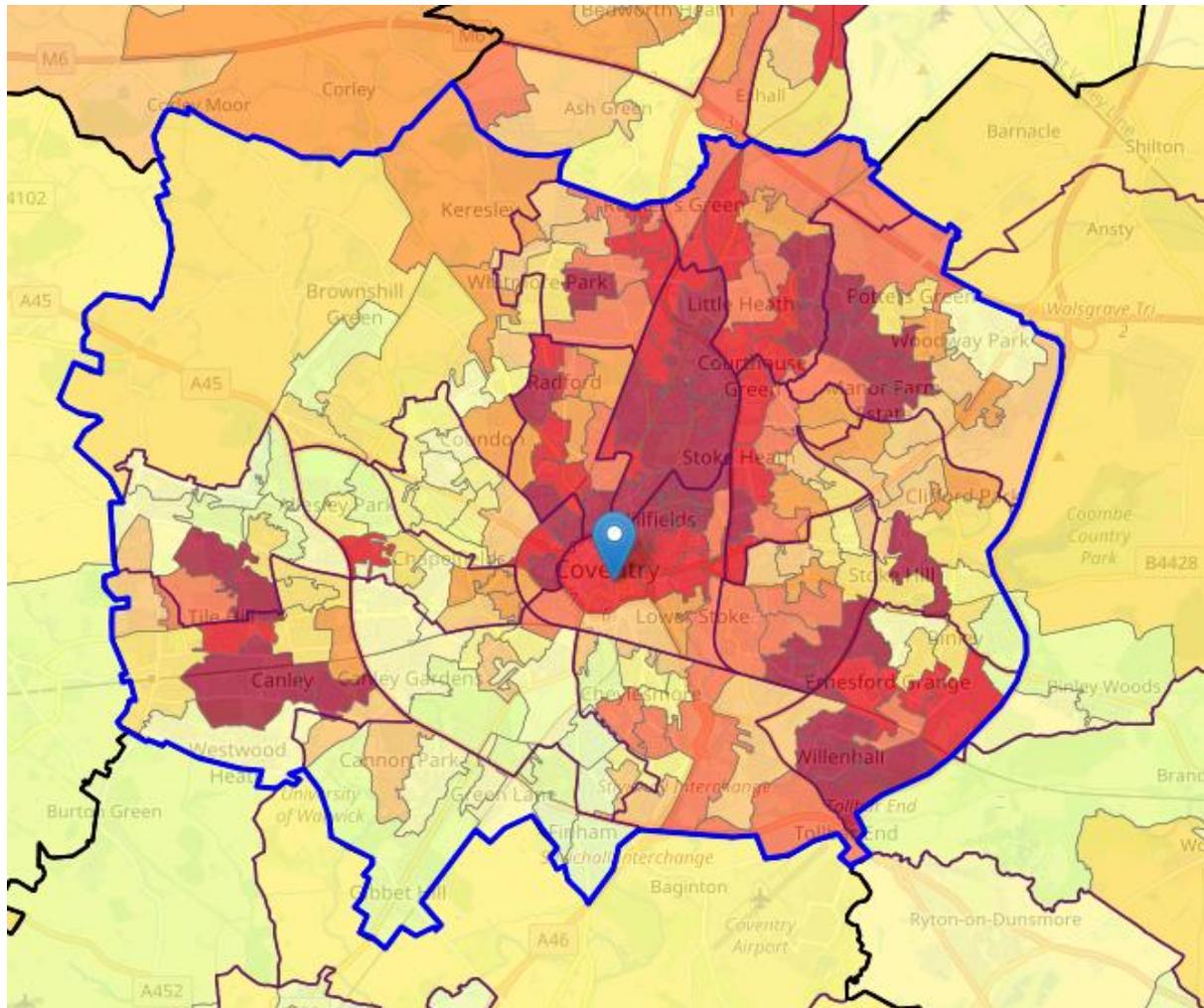


Table 12 below provides the details of each of the LSOAs that are within the top 10% most deprived. These areas are most likely to benefit from Selective Licensing as there are multiple issues that need to be addressed.

Table 12 – Index of Multiple Deprivation (IMD) 2015 Ranks

LSOA Name	Mainly in Ward
585 Wood End – Hillmorton Road	Henley
638 Hillfields Village & Motor Museum	St Michael's
709 Manor Farm	Henley
577 Aldermans Green - Deedmore Road W	Henley
607 Bell Green - Roseberry Ave	Longford
539 Willenhall Wood - Middle Ride	Binley and Willenhall

542 Willenhall - Chace Stretton	Binley and Willenhall
540 Willenhall - Robin Hood & Mary Slessor	Binley and Willenhall
651 Lower Spon Street	Sherbourne
579 Henley Green West	Henley
571 Paradise - Awson Street	Foleshill
700 Tile Hill North - Jardine Delius	Woodlands
605 Manor House - Privet Rd	Longford
574 Swanswell - Leicester Causeway	Foleshill
640 Hillfields - Coronation Road Swanswell Basin	St Michael's
637 Hillfields - Cambridge Street	St Michael's
718 Attoxhall Road	Wyken
572 Foleshill - Paragon Park Red Lane	Foleshill
631 Barker Butts - Bablake School Thomson Avenue	Radford
32531 Canley - Charter Avenue & Robert Mountford Way	Westwood
570 Foleshill - Broad Street	Foleshill
567 Edgwick - Canal Road	Foleshill
569 Edgwick - Gallagher Retail Park Cross Road	Foleshill
581 Henley Green East	Henley
632 Nauls Mill Park - Canal Basin	Radford
566 Foleshill – Courtaulds Guild Road	Foleshill
612 Stoke Aldermoor Village	Lower Stoke
564 Little Heath – King Georges Avenue	Foleshill
659 Barras Heath - West of Clay Lane	Upper Stoke
702 Jardine Shopping Centre - Limbrick Wood Tile Hill Lane	Woodlands
639 City Farm North	St Michael's
679 Canley - Torrington Prior Deram Walk	Westwood
622 Radford - Beake Avenue South	Radford
588 Holbrooks – Monks Park	Holbrook
541 Willenhall - Yarningale	Binley and Willenhall
611 Stoke Aldermoor North & East	Lower Stoke

3.23 High Levels of Crime

When considering whether areas suffer from high levels of crime a local authority may wish to have regard to whether the area has displayed a noticeable increase in crime over a relatively short period, whether the crime rate in the area is significantly higher than in other parts of the local authority area or that the crime rate is higher than the national average. In particular the local authority may want to consider whether the

impact of crime in the areas affects the local community and the extent to which a selective licensing scheme can address the problems.

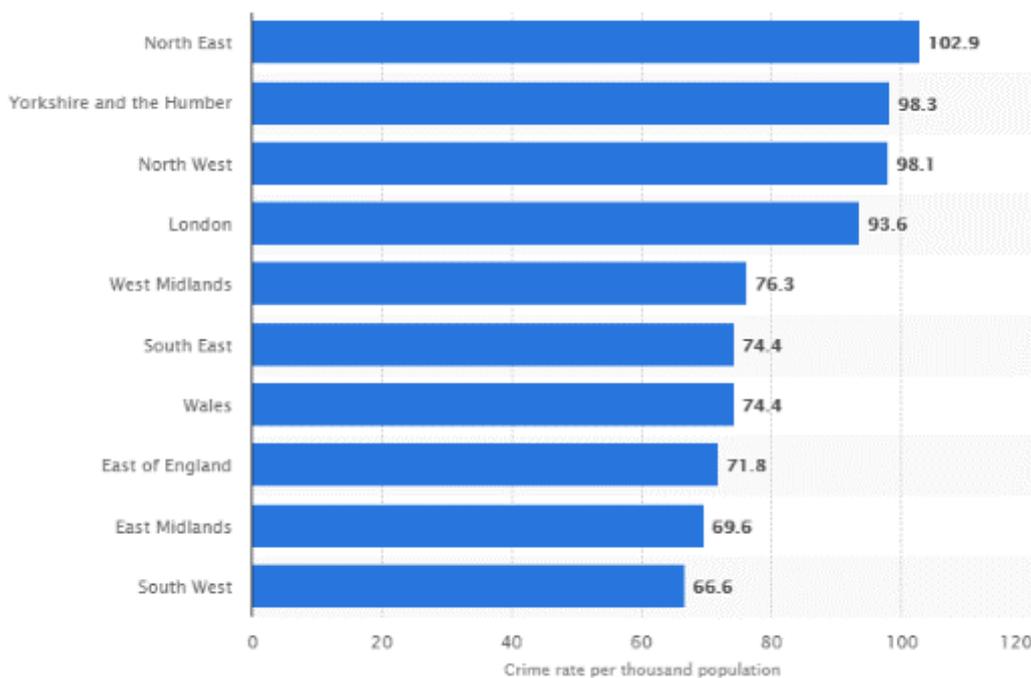
Licensing must be part of a wider strategy to address crime in the designated areas and can only be made if a high proportion of properties in that area are privately rented.

The authority should consider:

- Whether the criminal activities impact on some people living in privately rented accommodation as well as others living in the areas and businesses
- The nature of the criminal activity, e.g. theft, burglary, arson, criminal damage, graffiti
- Whether some of the criminal activity is the responsibility of some people living in privately rented accommodation

Figure 30 shows the crime rate per thousand population in England and Wales for 2017/18, by region.

Figure 30-Crime rate per 1000 population by region



The crime rate for the West Midlands is currently 76.3. Coventry's overall rate of crime per 1000 population is significantly higher at 90.8 for the same period.

Within the last 12 months, across Coventry there was a total of 32,058 recorded crimes. Table 13 represents the LSOAs that have experienced crime rates above those for Coventry.

Table 13- Total crime rate per 1,000 population by LSOA

LSOA name	LSOA mainly within Ward:	Total recorded crime rate per 1,000 population (inc. ASB) Jul17-Jun18
Coundon Wedge	Bablake	132.0
Binley - Quorn Way Bredon Avenue	Binley and Willenhall	154.8
Binley Industrial Estate South - Willenhall Lane Central	Binley and Willenhall	169.2
Willenhall Wood - Middle Ride	Binley and Willenhall	104.6
Willenhall - Robin Hood & Mary Slessor	Binley and Willenhall	165.3
Willenhall - Yarningale	Binley and Willenhall	139.9
Willenhall - Chace Stretton	Binley and Willenhall	132.4
Binley Oak Farm – Skipworth Road	Wyken	164.0
Central Six Retail Park - Queens Road	St Michael's	189.6
Canley Gardens – Hearsall Golf course	Earlsdon	147.3
Little Heath – King Georges Avenue	Foleshill	96.0
Foleshill – Courtaulds Guild Road	Foleshill	132.6
Edgwick - Canal Road	Foleshill	105.5
Edgwick - Gallagher Retail Park Cross Road	Foleshill	190.0
Foleshill - Broad Street	Foleshill	149.7
Foleshill - Paragon Park Red Lane	Foleshill	99.8
Swanswell - Leicester Causeway	Foleshill	167.5
Arena Retail Park - Arbury	Foleshill	291.5
Aldermans Green - Deedmore Road W	Henley	236.7
Potters Green Triangle - Wigston Road	Henley	157.4
Henley Green West	Henley	130.6
Cross Point, A46 West & University Hospital	Henley	97.5
Henley Green East	Henley	106.6
Potters Green - Narberth Way	Henley	99.6
Walsgrave on Sowe – Mount Pleasant & Walsgrave Gardens	Henley	149.5
Aldermans Green Industrial estate	Henley	102.3
Wood End – Hillmorton Road	Henley	197.1
Ricoh Arena & Wilsons Lane	Longford	147.5
Keresley - Prologis	Holbrook	128.9
Holbrooks N – Masser Kirkdale Roads	Holbrook	102.5
Holbrook Lane – Lythalls Lane	Holbrook	101.1

Hall Green North	Longford	97.6
Manor House - Privet Rd	Longford	90.9
Bell Green - Roseberry Ave	Longford	191.6
Stoke Aldermoor North & East	Lower Stoke	108.6
Stoke Park	Lower Stoke	122.7
Jubilee Crescent	Radford	121.3
Daimler Green – Electric Wharf	Radford	92.3
Radford - Lawrence Saunders Roads	Radford	92.5
Barker Butts - Bablake School Thomson Avenue	Radford	138.9
Nauls Mill Park - Canal Basin	Radford	112.7
Gosford & Gulson Roads	St Michael's	102.9
Hillfields Village & Motor Museum	St Michael's	485.4
City Farm North	St Michael's	117.3
Hillfields - Coronation Road Swanswell Basin	St Michael's	91.9
Hillfields - Canterbury Raglan Streets	St Michael's	113.7
The city centre within the ring road	St Michael's	503.4
Alvis Retail Park - Moseley Avenue	Sherbourne	166.8
Upper Holyhead Road – Minster Road	Sherbourne	100.0
Lower Spon Street	Sherbourne	100.7
Stoke Heath - Mercer Crescent– Barras Heath	Upper Stoke	111.9
Stoke Church End - Shakespeare Street	Upper Stoke	134.5
Courthouse - Green Retail Park	Upper Stoke	177.4
Canley - Torrington Prior Deram Walk	Westwood	92.9
Earlplace Business Park - Middlecotes	Westwood	90.1
Coventry Business Park	Earlsdon	132.1
Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley	97.4
Tile Hill North - Jardine Delius	Woodlands	125.8
Jardine Shopping Centre - Limbrick Wood Tile Hill Lane	Woodlands	125.8
Manor Farm	Henley	196.5
Wyken - Ansty Road North	Wyken	198.7
Caludon Castle - Bodmin Belgrave Roads	Wyken	108.5
Sowe Valley - Dorchester Road South	Wyken	101.7
Attoxbhall Road	Wyken	108.9
Whitley East & Seven Stars	Cheylesmore	107.3

Canley - Charter Avenue & Robert Mountford Way	Westwood	130.1
Tile Hill - Cromwell Lane Station Road	Westwood	96.6
Hawkesbury, M6 & Foxford School, Anderton Road	Longford	91.6
Longford Village & Longford Park	Longford	117.7

The following table (Table 14) represents those LSOAs that have experienced a noticeable increase in crime over the past twelve months. This in itself is indicative of a growing and significant crime problem.

Table 14- Increase in Crime rates between 2016/17 and 2017/18 by LSOA

LSOA name	LSOA mainly within Ward:	Total recorded crime rate per 1,000 population (including ASB)
Coundon - Scots Lane	Bablake	24.4
Allesley Village	Bablake	42.0
Binley Industrial Estate South - Willenhall Lane Central	Binley and Willenhall	52.5
Willenhall - Robin Hood & Mary Slessor	Binley and Willenhall	50.8
Willenhall - Yarningale	Binley and Willenhall	30.5
Willenhall - Chace Stretton	Binley and Willenhall	17.9
Binley Oak Farm – Skipworth Road	Wyken	27.7
Friargate & Parkside –Technology, N. Cheylesmore	St Michael's	22.0
Central Six Retail Park - Queens Road	St Michael's	18.6
Earlsdon - Newcombe Clarendon & Shaftsbury Roads	Earlsdon	25.8
Canley Gardens – Hearsall Golf course	Earlsdon	21.9
Earlsdon - Broadway Albany Roads	Earlsdon	24.3
Little Heath – King Georges Avenue	Foleshill	22.7
Edgwick - Gallagher Retail Park Cross Road	Foleshill	60.4
Paradise - Awson Street	Foleshill	17.3
Bishopgate - George Elliot	Foleshill	17.9
Arena Retail Park - Arbury	Foleshill	35.9
Aldermans Green - Deedmore Road W	Henley	93.9
Potters Green Triangle - Wigston Road	Henley	42.3

Walsgrave on Sowe – Mount Pleasant & Walsgrave Gardens	Henley	22.5
Wood End – Hillmorton Road	Henley	51.9
Ricoh Arena & Wilsons Lane	Longford	18.3
Henley College - Gresley Road	Henley	20.3
Hall Green North	Longford	18.4
Bell Green - Roseberry Ave	Longford	19.5
Stoke Green - New Century Park	Lower Stoke	23.8
Daimler Green - North Capmartin Road	Radford	19.0
Charterhouse - St Georges Road	St Michael's	18.0
Hillfields - Cambridge Street	St Michael's	30.0
Hillfields Village & Motor Museum	St Michael's	70.1
Hillfields - Canterbury Raglan Streets	St Michael's	21.3
Stoke Church End - Shakespeare Street	Upper Stoke	28.1
Gosford Green - Kingsway	Upper Stoke	17.6
Courthouse Green – Sewall Highway North	Upper Stoke	23.4
Earlsdon – Broomfield Road – Sovereign Road	Whoberley	19.8
Manor Farm	Henley	22.7
Tile Hill - Cromwell Lane Station Road	Westwood	22.3
Hawkesbury, M6 & Foxford School, Anderton Road	Longford	39.1
Longford Village & Longford Park	Longford	25.3

A comparison of LSOA that experienced both crime rates above the average for Coventry and an increase in crime between 2016/17 and 2017/18 was carried out to identify the specific LSOAs which would benefit the most from any Selective Licensing designation. Table 15 provides the details.

Table 15- Crime rate analysis by LSOA

LSOA Name	Mainly in Ward
Central Six Retail Park - Queens Road	St Michael's
Little Heath – King Georges Avenue	Foleshill
Edgwick - Gallagher Retail Park Cross Road	Foleshill
Arena Retail Park - Arbury	Foleshill
Walsgrave on Sowe – Mount Pleasant & Walsgrave Gardens	Henley
Ricoh Arena & Wilsons Lane	Longford
Hall Green North	Longford
Hillfields - Canterbury Raglan Streets	St Michael's
Stoke Church End - Shakespeare Street	Upper Stoke

Manor Farm	Henley
Hawkesbury, M6 & Foxford School, Anderton Road	Longford

4 The Proposed Selective Licensing areas

In section 2.1 we discussed the criteria for designating areas subject to Selective Licensing and how the council **must demonstrate that an area (or areas) have a high level of privately rented housing stock and that one or more of the criteria are met.**

By comparing the data for each of the LSOAs and the criteria set out by Government the Council has been able to identify those areas. Table 16 below shows there are 37 LSOAs that fail one or more of the criteria with 15 failing two or more. Maps setting out the areas have been provided at Appendix A to this report and Appendix B provides the full list of affected streets.

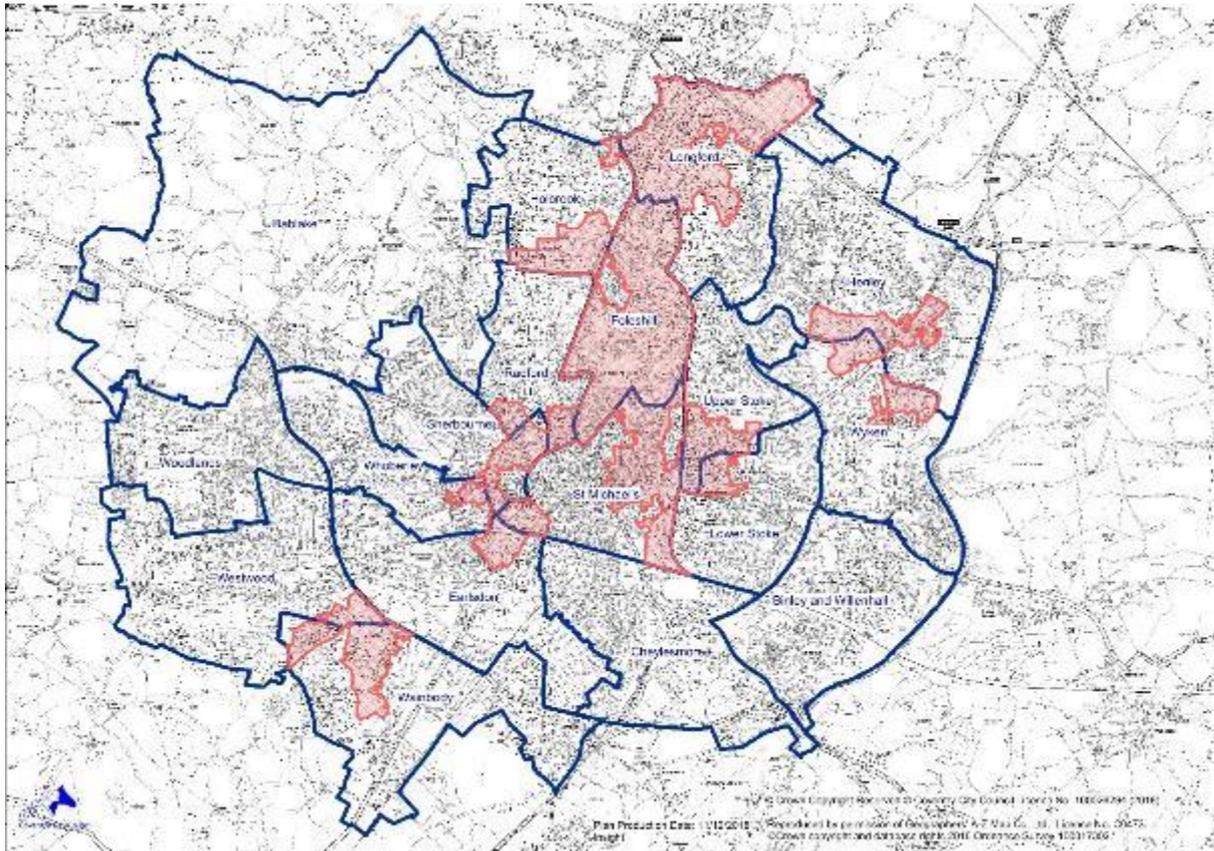
Table 16- Proposed Selective Licensing Areas by LSOA

LSOA Name	Mainly in Ward	Total Households	PRS in LSOA	% PRS
Central Six Retail Park - Queens Road	St Michael's	687	404	63%
Earlsdon - Broadway Albany Roads	Earlsdon	643	191	30%
Little Heath - King Georges Avenue	Foleshill	587	226	39%
Foleshill - Churchill Avenue	Foleshill	458	118	26%
Foleshill - Courtaulds Guild Road	Foleshill	569	233	41%
Edgwick - Canal Road	Foleshill	660	224	34%
Edgwick - Gallagher Retail Park Cross Road	Foleshill	494	157	32%
Foleshill - Broad Street	Foleshill	596	217	36%
Paradise - Awson Street	Foleshill	673	190	28%
Foleshill - Paragon Park Red Lane	Foleshill	797	276	35%
Bishopgate - George Elliot	Foleshill	525	134	26%
Swanswell - Leicester Causeway	Foleshill	559	136	24%
Arena Retail Park - Arbury	Foleshill	481	138	29%
Walsgrave on Sowe - Mount Pleasant & Walsgrave Gardens	Henley	672	156	23%
Whitmore Park - Burnaby Road	Holbrook	572	181	32%
Ricoh Arena & Wilsons Lane	Longford	591	124	21%

Hall Green North	Longford	566	115	20%
Stoke Park	Lower Stoke	678	251	37%
Barker Butts - Bablake School Thomson Avenue	Radford	577	154	27%
Nauls Mill Park - Canal Basin	Radford	943	375	40%
Charterhouse - St Georges Road	St Michael's	713	329	46%
Gosford & Gulson Roads	St Michael's	886	562	63%
Hillfields - Cambridge Street	St Michael's	481	141	29%
City Farm North	St Michael's	545	174	32%
Hillfields - Coronation Road Swanswell Basin	St Michael's	707	265	37%
Hillfields - Canterbury Raglan Streets	St Michael's	902	415	46%
Upper Holyhead Road – Minster Road	Sherbourne	790	462	58%
Barras Heath - West of Clay Lane	Upper Stoke	765	287	38%
Stoke Church End - Shakespeare Street	Upper Stoke	658	245	37%
Gosford Green - Kingsway	Upper Stoke	793	419	53%
Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley	717	365	51%
Manor Farm	Henley	429	87	20%
River Sowe – Clifford Bridge - Henley Park Industrial Estate	Wyken	634	171	27%
Clifford Bridge Road, Abbey Estate & Dorchester Road North	Wyken	588	126	21%
Hawkesbury, M6 & Foxford School, Anderton Road	Longford	852	167	20%
Longford Village & Longford Park	Longford	994	343	35%
Canley Cemetery, Bransford Avenue & Sir Henry Parkes Road	Wainbody	911	194	21%

Figure 31 below provides details of the proposed areas (shaded pink) and clearly demonstrates there are 4 zones that would benefit from a Selective Licensing designation. The areas comprise 37 LSOAs and lie within 12 adjoining wards, mainly centred around Longford, Foleshill, and St Michaels wards.

Figure 31- Proposed Selective Licensing in Coventry



The proposed areas cover 1,329 hectares and the total number of privately rented properties across the 37 LSOA's being considered for selective licensing is 8752.

A total of 13% of the geographical area of Coventry and 33.02% of the Citywide Private Rented Stock is therefore contained within the areas shown.

5 Option Appraisal

The Council's aim is to achieve and sustain long-term improvements in the quality of private rented sector accommodation within the proposed scheme boundaries. It understands the need to ensure a balance is achieved between the rights and responsibilities of landlords and those rights and responsibilities of their tenants.

As part of the proposed designation the Council has therefore carefully considered whether there are any other courses of action available that would provide an alternative effective method of achieving the objectives set for the proposed designation.

The alternative approaches are considered below in Table 17 and represent a valuable tool for dealing with the identified issues in the areas proposed for Selective Licensing. The Council acknowledges that there is no single solution and each alternative solution will have its limitations. None of these alone, including Selective Licensing,

can solve the problem and therefore a co-ordinated strategy is required which links a full range of agencies and services using various interventions appropriately.

Table 17- Option appraisal

Option	Outcome	Barriers	Risks	Resource intensity
Housing Act Enforcement	<p>Repair of individual private rented houses.</p> <p>Effective tools for dealing with health and safety hazards.</p> <p>Allows focus of activities to be targeted at the worst properties complained about.</p>	<p>Effective tools but do not go far enough to tackle the scale of the problems across the proposed areas.</p> <p>Not all problems are reported to the Council. If tenants do report problems there is a risk of illegal eviction and/or harassment by their landlord.</p> <p>Relies upon the tenant complaining, some of whom may be too scared to do so.</p> <p>Not carried out on a proactive area basis.</p> <p>Does not tackle anti-social behaviour by tenants or management standards.</p>	<p>Taking action to tackle hazards is complicated and can be time consuming.</p> <p>Landlords can be obstructive and dealing with the worst problems can mean the Council taking action through the Courts which is time consuming and resource intensive.</p>	<p>Very High.</p> <p>No ability to self-finance.</p>
Town and Country Planning Act 1990 - section 215	<p>Discretionary council power to tackle derelict land or property adversely affecting the visual amenity of an area.</p>	<p>Can only be used to tackle the external fabric of a building in an area where the majority of the properties are in a good condition.</p> <p>No formal action can be used for internal works or management standards.</p>	<p>Will not improve the overall impact of the PRS.</p>	<p>High.</p> <p>No ability to self-finance.</p>
Management Orders	<p>Removes the property from an irresponsible landlord.</p> <p>Improves management standards.</p> <p>Draconian approach.</p>	<p>Application process to First Tier Tribunal required.</p> <p>The Council no longer manages its own housing stock and would require an external agency to deliver tenancy and property management services.</p> <p>Individual properties would have to be considered separately creating a disjointed approach.</p>	<p>Does not provide a long term solution to poor management or PRS.</p> <p>Management Order only lasts for 5 years then property is returned to original owner.</p>	<p>Very high.</p> <p>No ability to self-finance.</p>

Accreditation	<p>Shows commitment from landlords to be recognised as good.</p> <p>Encourages landlords to go beyond legal standards.</p> <p>Improves property conditions and management.</p>	<p>Voluntary so cannot compel landlords to join or improve property condition/ standards of management.</p> <p>Experience across schemes shows limited support by landlords.</p> <p>Reluctance to participate over long term period.</p>	<p>Limited effect on wide areas – isolated to landlord portfolios.</p> <p>Only the “good” landlord are likely to be willing to participate.</p>	<p>Medium.</p> <p>Funding required at time of severe resource constraints.</p>
Housing and Planning Act Enforcement	<p>Allows focus of activities to be targeted at worst properties.</p>	<p>New powers for individual cases.</p> <p>Not particularly beneficial for area based intervention.</p> <p>Not all problems are reported to the Council.</p> <p>Not carried out on a proactive area basis.</p> <p>Does not tackle anti-social behaviour by tenants or management standards</p>	<p>Taking formal action using the new powers is likely to be complicated and can be slow.</p> <p>Landlords can be obstructive and dealing with the worst problems can mean the Council taking action through the First Tier Tribunal and all the way up the legal system to the Court of Appeal which is time consuming and resource intensive.</p>	<p>High.</p> <p>Intensive preparation of cases and recovery of monies owed arising from civil penalties unpaid.</p>
Selective Licensing	<p>All landlords required to adhere to licence conditions.</p> <p>Advice and support readily available for all landlords.</p> <p>Creates a level playing field.</p> <p>Criteria can be set to reward good and punish bad.</p> <p>Improved reputation of</p>	<p>Potential resistance from landlords.</p> <p>Licence fee is an additional cost for landlords.</p> <p>Rents could increase.</p>	<p>May drive some landlords out of the area.</p>	<p>Medium.</p> <p>Fee can be charged to recover the revenue costs of the scheme.</p> <p>Scheme is permitted to be self-financing.</p>

	landlords. Improved tenancy and tenant management. Positive impact on anti-social behaviour of tenants.			
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The alternative options to selective licensing:

- Would also require some, if not all, of the finance from the Council, which in turn comes from everyone paying Council Tax. Selective Licensing will continue to be entirely self-financing, paid for by the licence holders and not the wider community.
- Do not compel a landlord to address tenant behaviour or ensure landlords seek references when allocating their properties. Landlords will be able to continue to access advice and support from the Council to deal with problematic tenant behaviour.
- Do not provide a long-term solution to the training of inexperienced landlords. Through access to training landlords have an opportunity to improve their business operation that in turn can benefit the community from improved management practices.
- Are not area based and can only tackle a small number of properties. Selective Licensing tackles all privately rented properties in the proposed designation area. There are a significantly high number of the private rented properties within the area. To improve the conditions, standards of management and reputation of the private rented properties in the designation area a collective approach is required; dealing with a small number of private rented properties will not assist in improving conditions.

In bringing this proposal forward, alternative options available to address problems in the private rented sector have been considered. It is recognised that landlord accreditation is an alternative option, but also clear that a voluntary scheme would not have the required impact as a regulated scheme. Other options such as Management Orders and enforcement powers were also considered but despite these being powerful tools that remain available to the Council they are too narrow in addressing management standards in the private rented sector. The options of the enforcement of property standards and management orders will be used not as an alternative to selective licensing but as support tools as part of an integrated programme of measures to improve the social and economic conditions of the area.

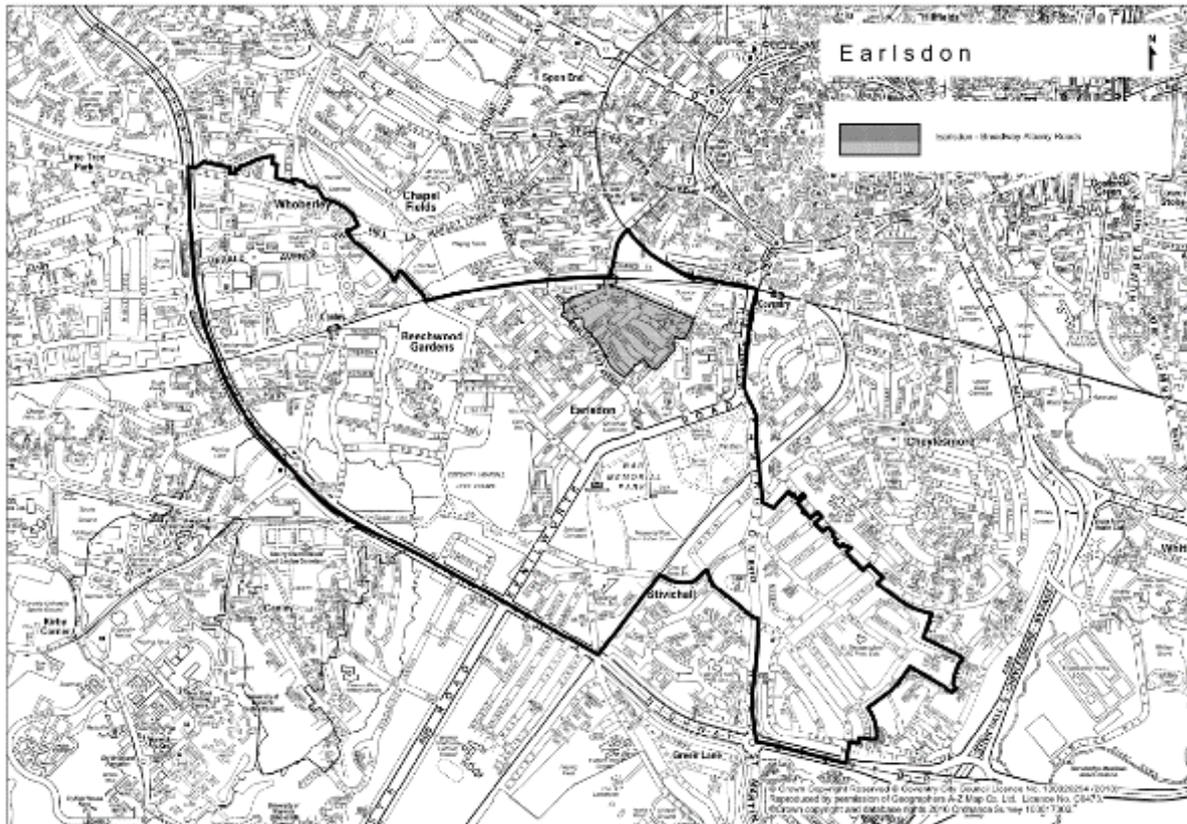
In conclusion, it is clear from this report that the other courses of action available will not will bring about the scale of improvements necessary in the private rented sector.

If long term sustainable improvements are to be achieved in the PRS then the strategic approach provided by a selective licensing designation is required and when delivered alongside the other measures considered will be more effective in addressing the causes of the issues identified in this report.

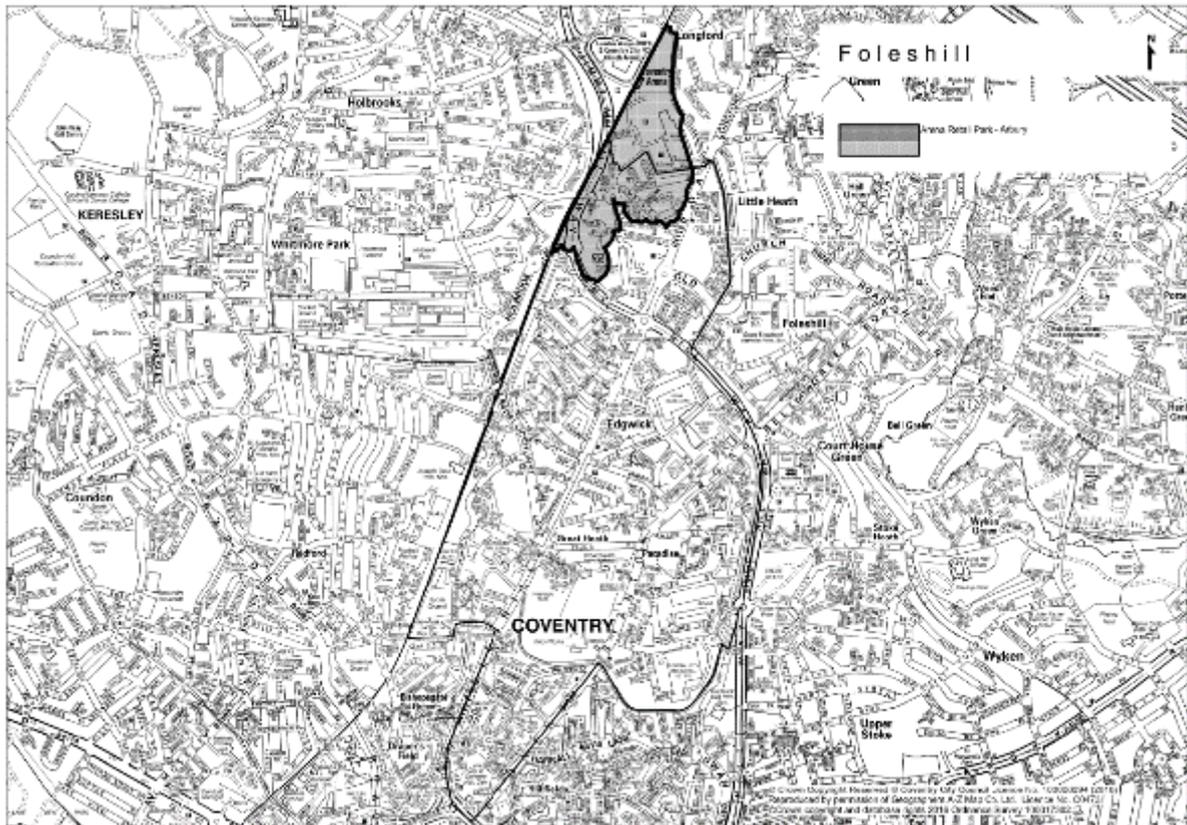
Appendix A – LSOA Maps of the Proposed Selective Licensing Areas

Figure 32- Maps of the proposed Selective Licensing areas

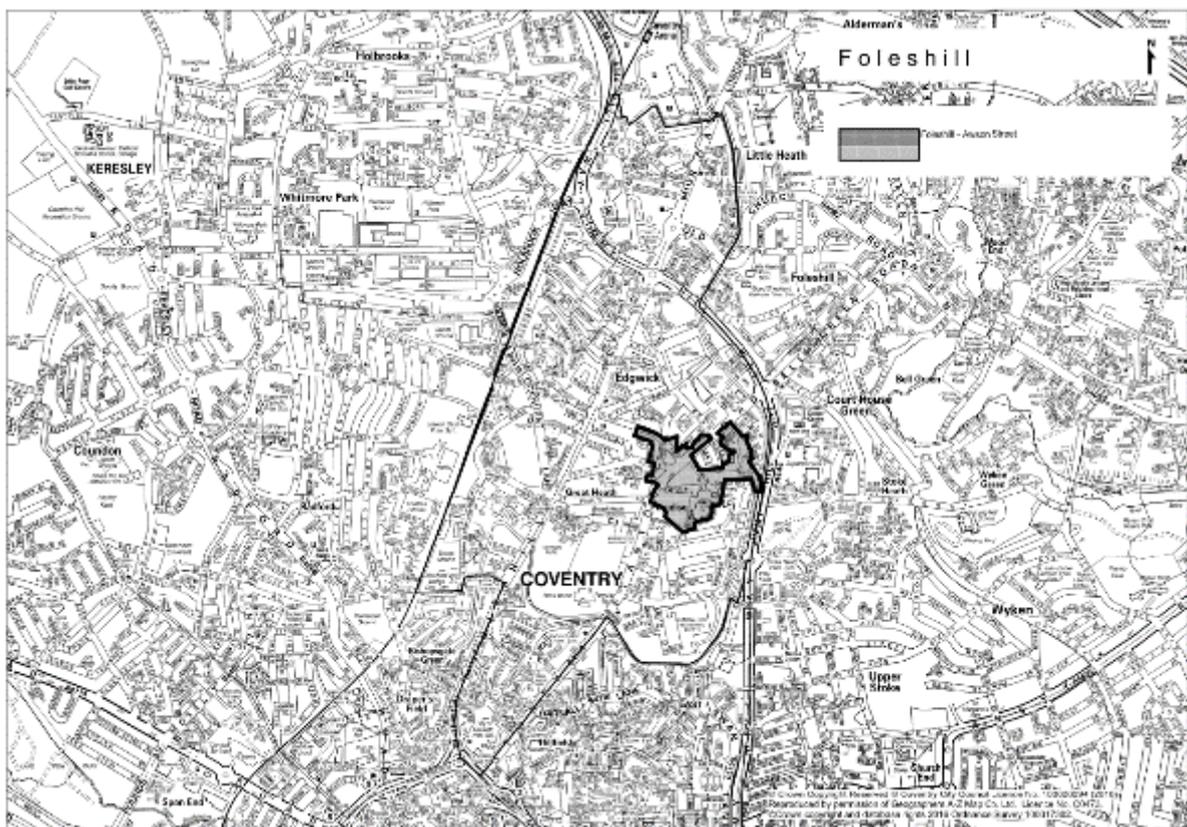
Earlsdon – Broadway Albany Roads



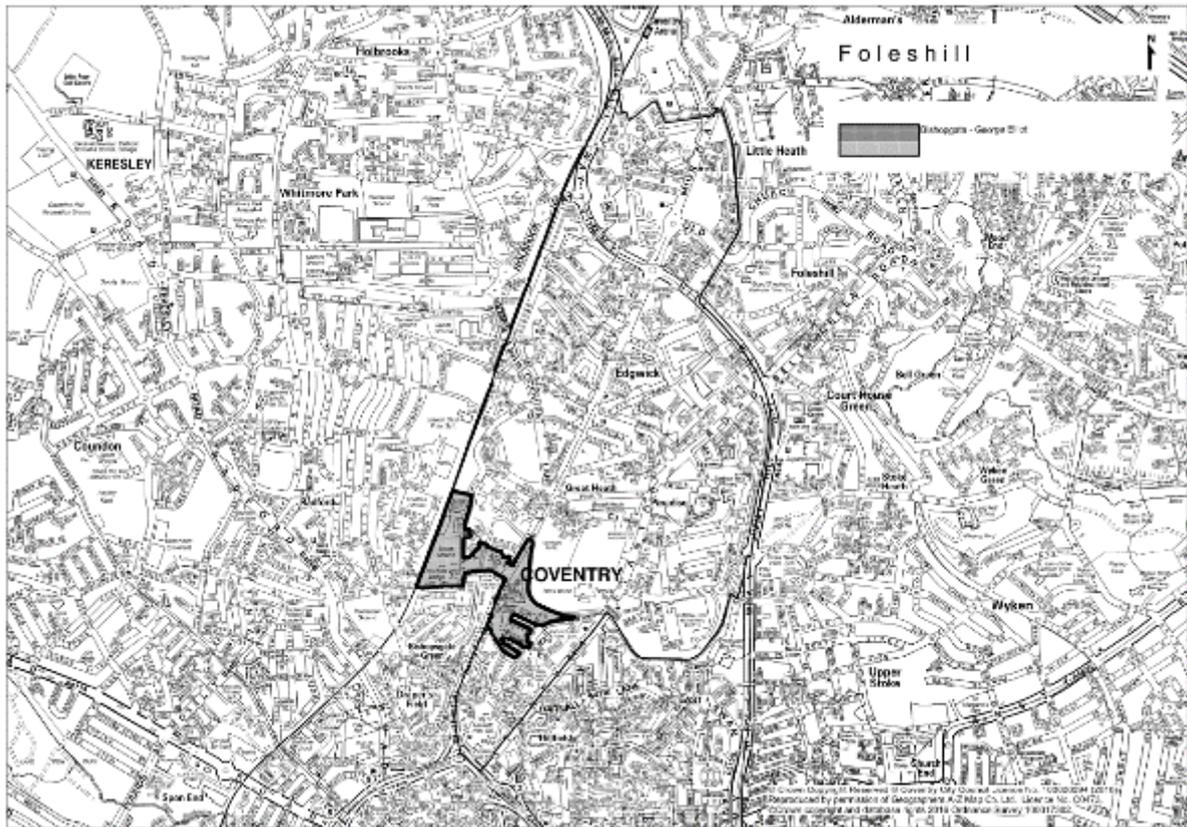
Foleshill – Arena Retail Park / Arbury



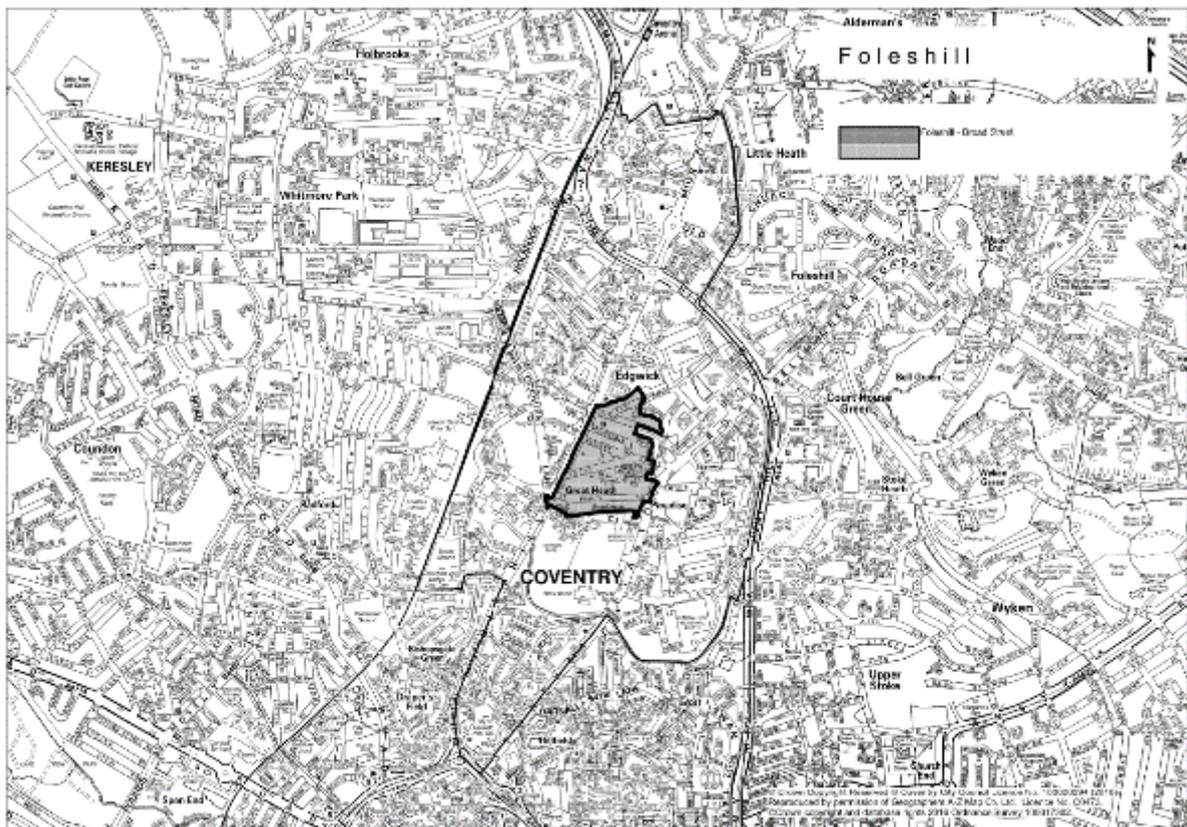
Foleshill – Awson Street



Foleshill – Bishopgate/ George Road



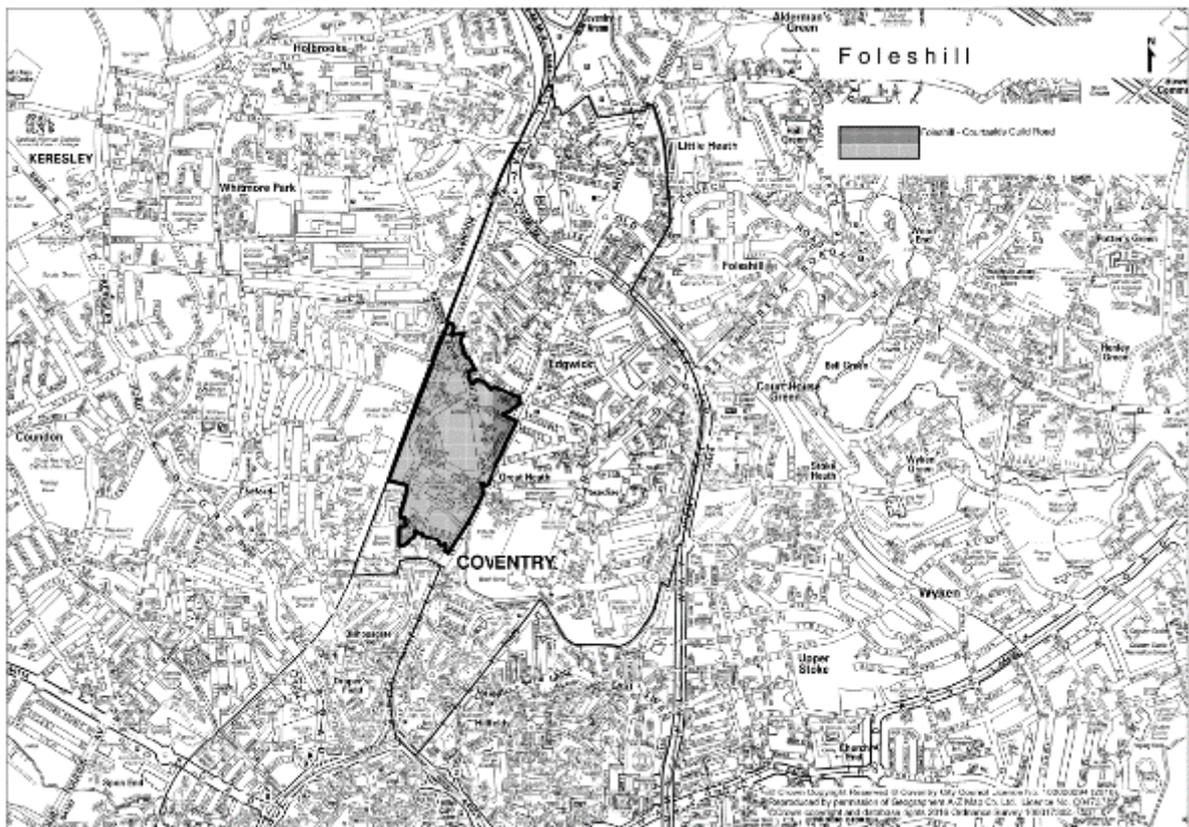
Foleshill – Broad Street



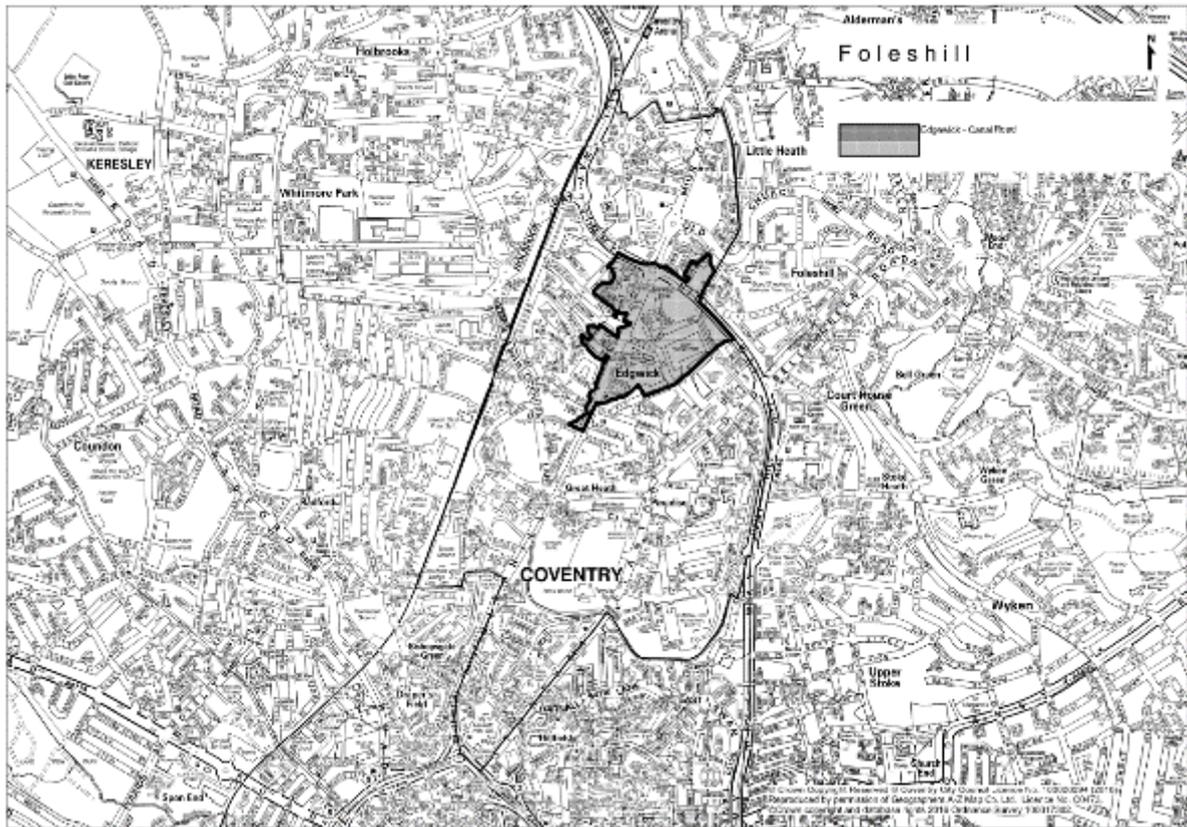
Foleshill – Churchill Avenue



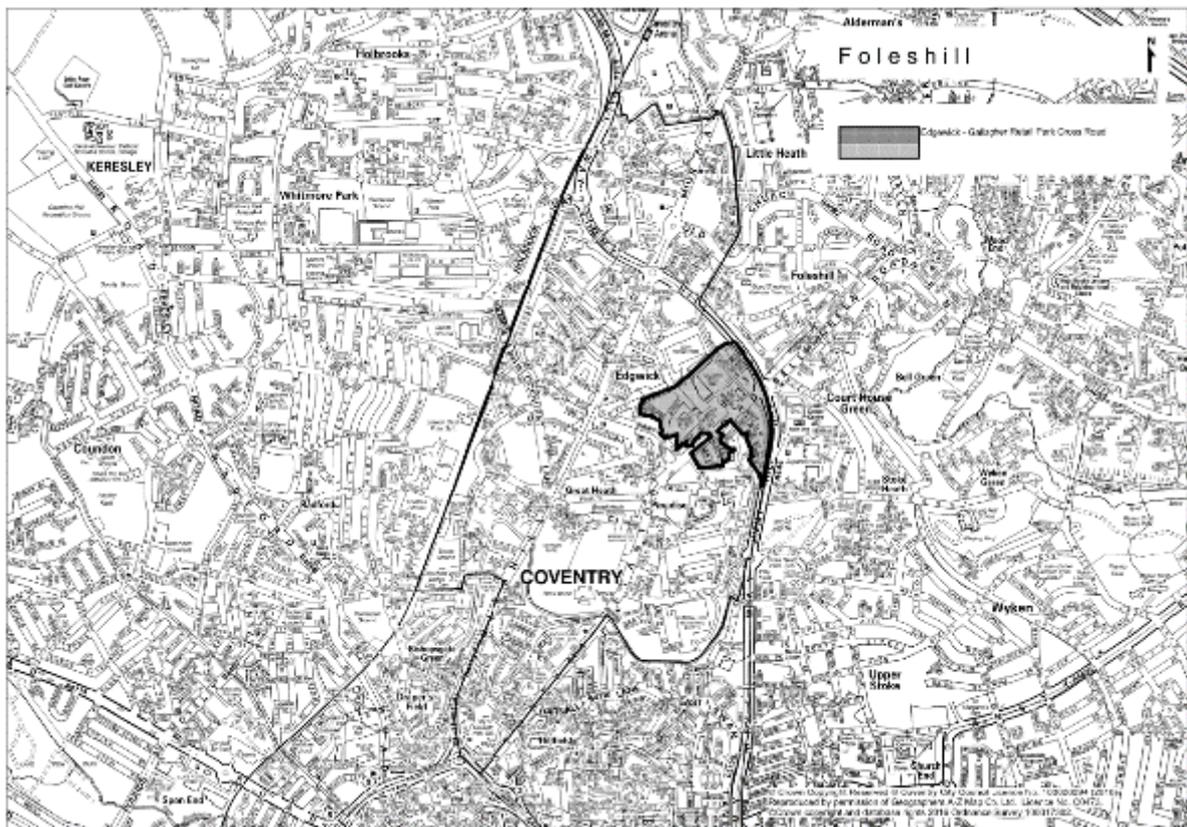
Foleshill – Courtauld's Guild Road



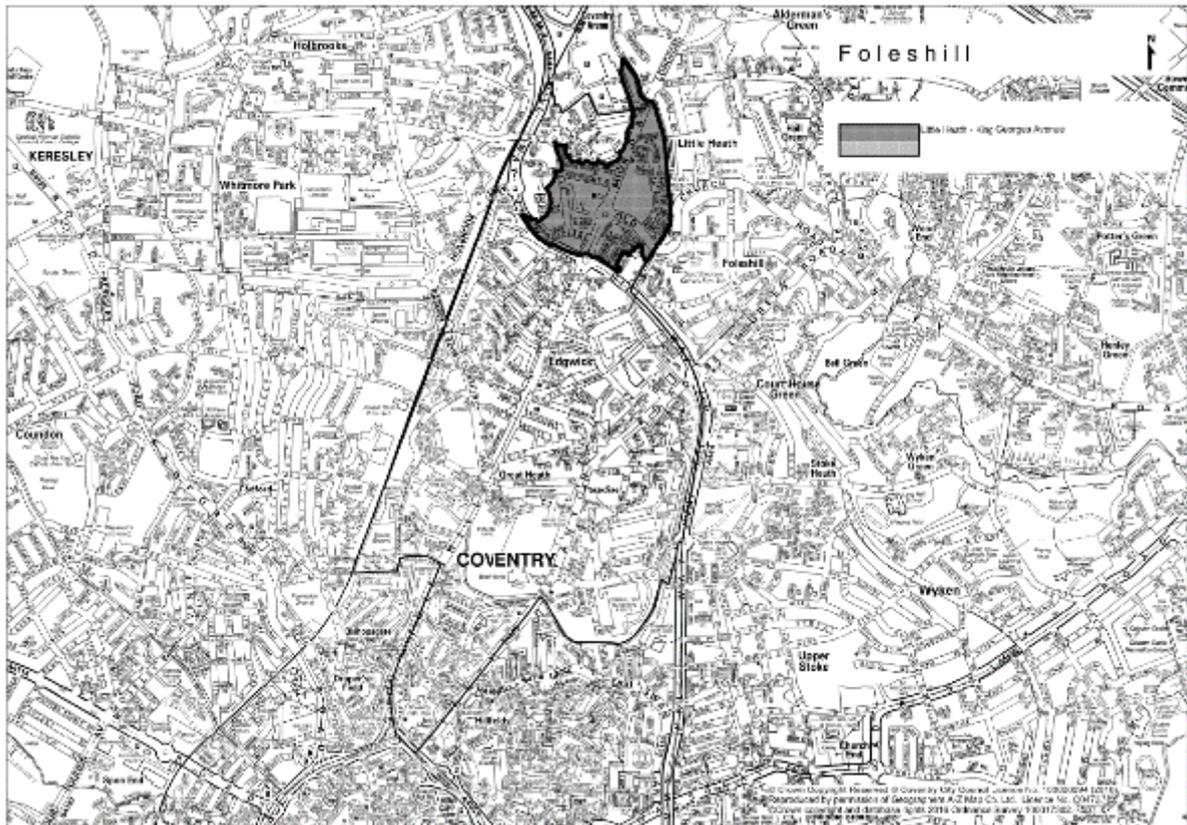
Foleshill – Edgewick/ Canal Road



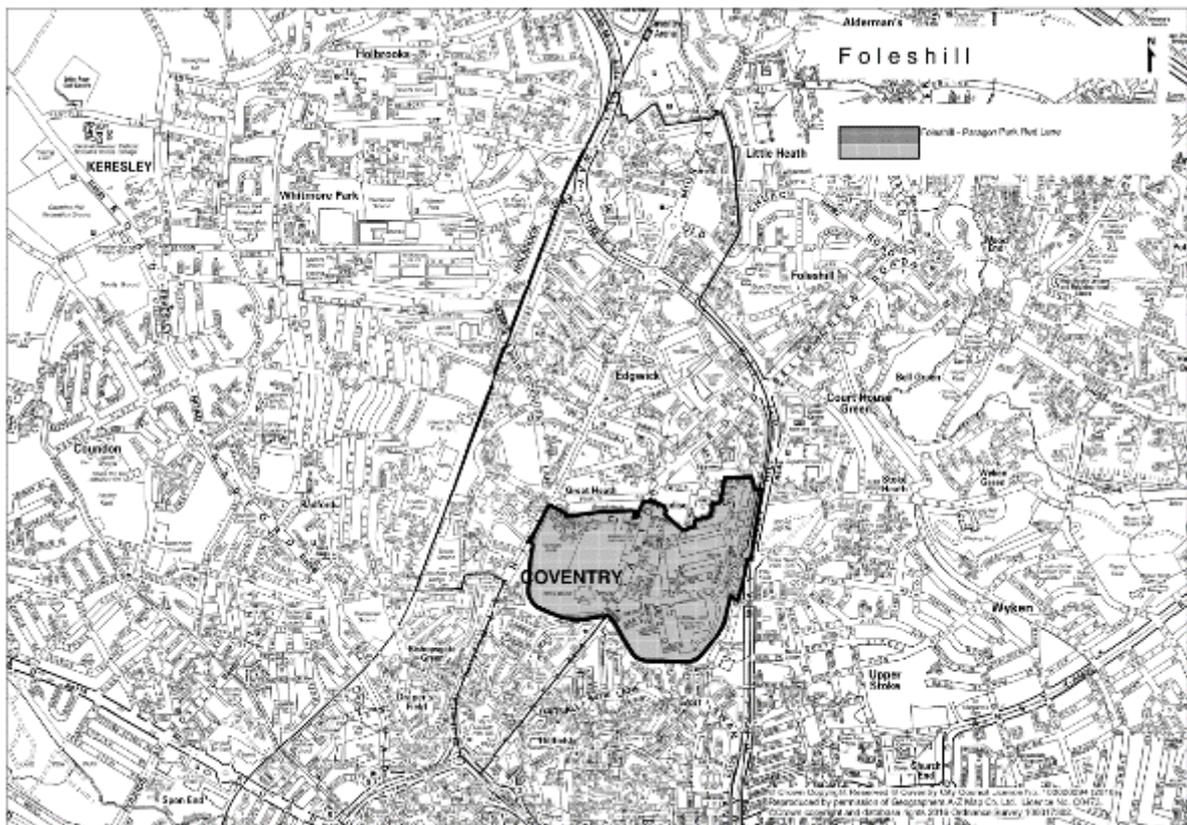
Foleshill – Edgewick/Gallagher Retail Park Cross Road



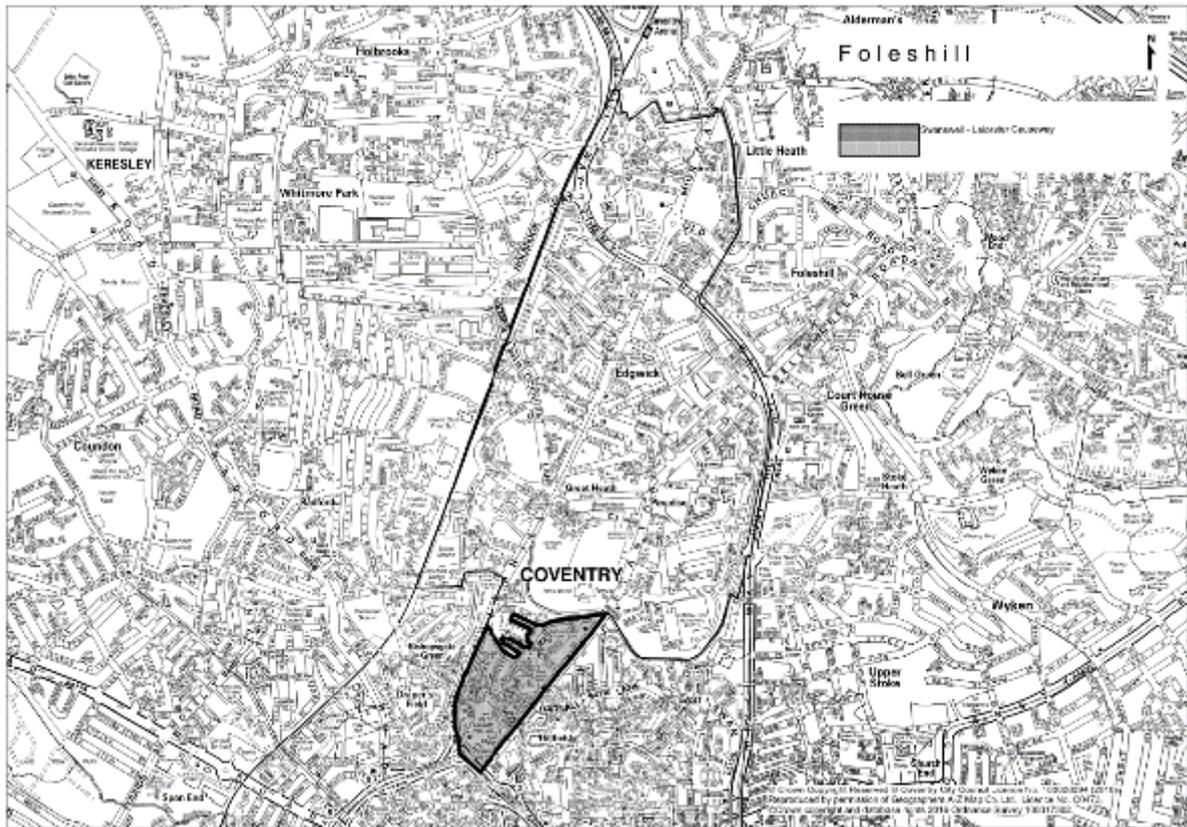
Foleshill – Little Heath/ King Georges Avenue



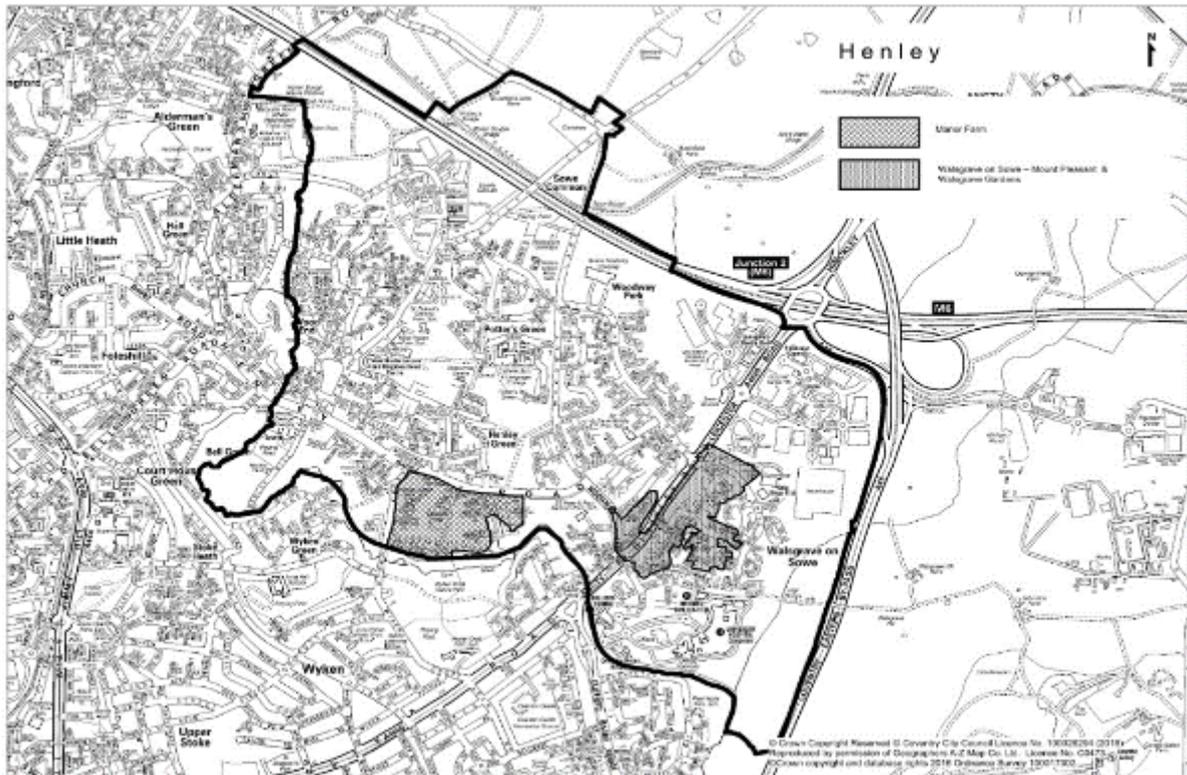
Folesill – Paragon Park Red Lane



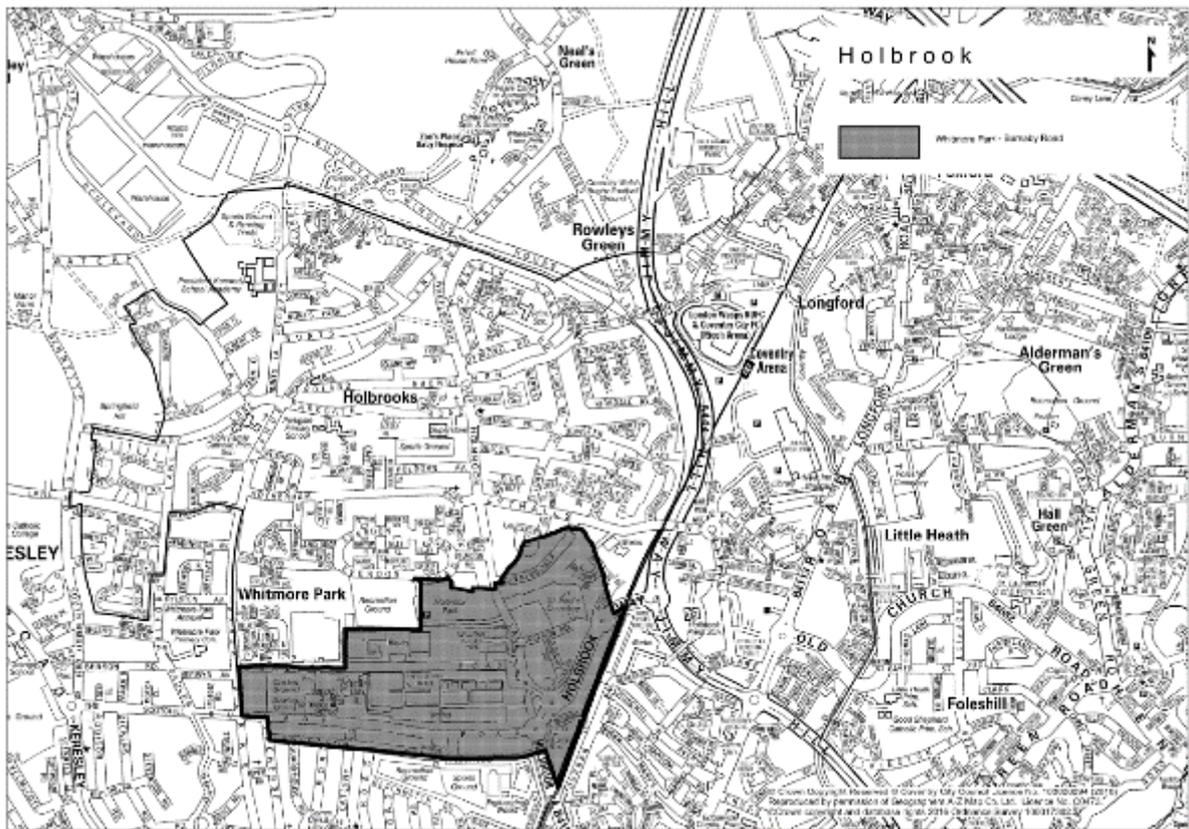
Foleshill – Swanswell/ Leicester Causeway



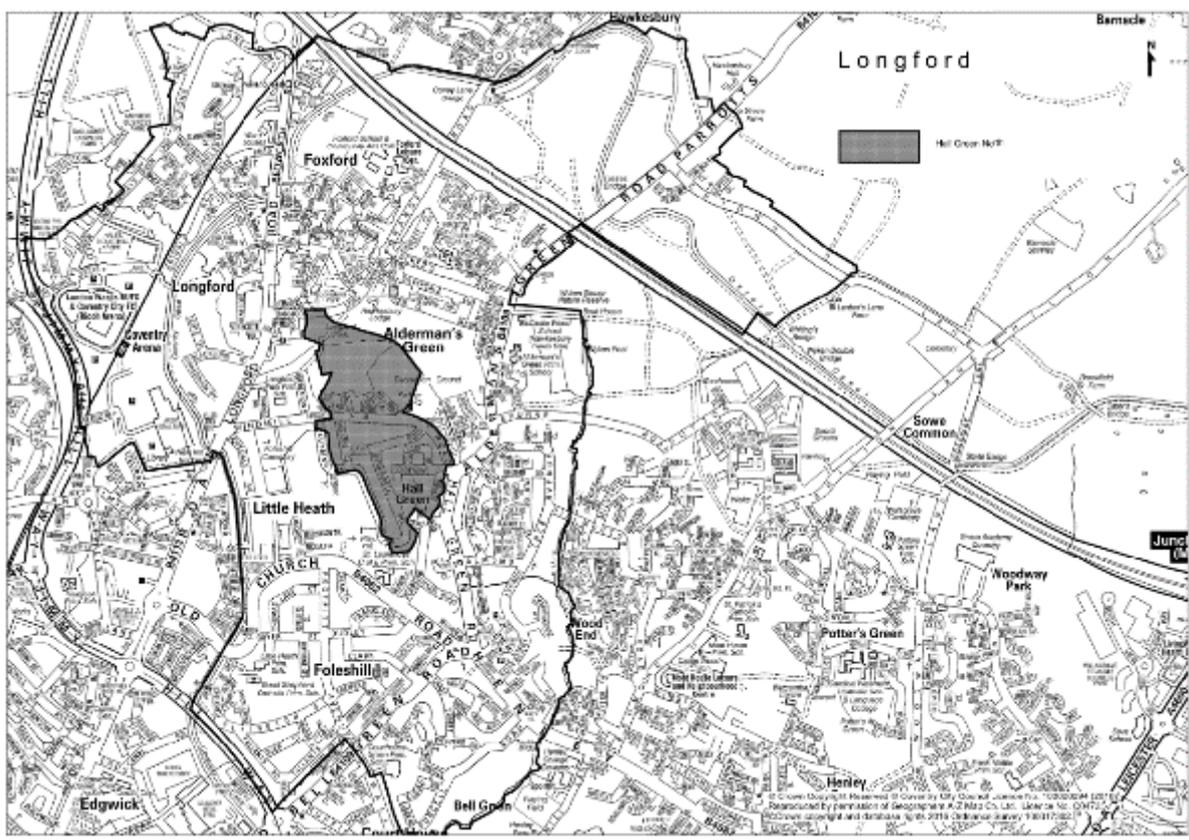
Henley – Manor Farm and Walsgrave on Sowe (Mount Pleasant and Walsgrave Gardens)



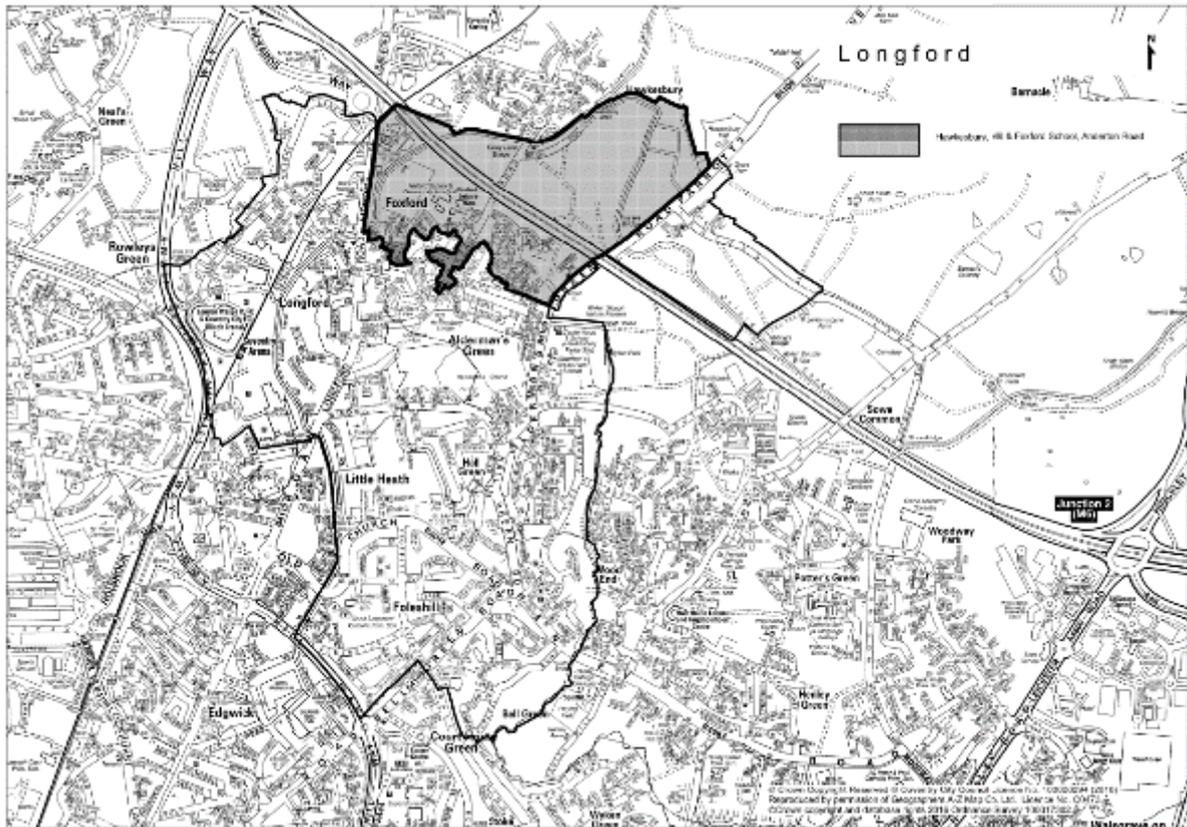
Holbrook – Whitmore Park/ Burnaby Road



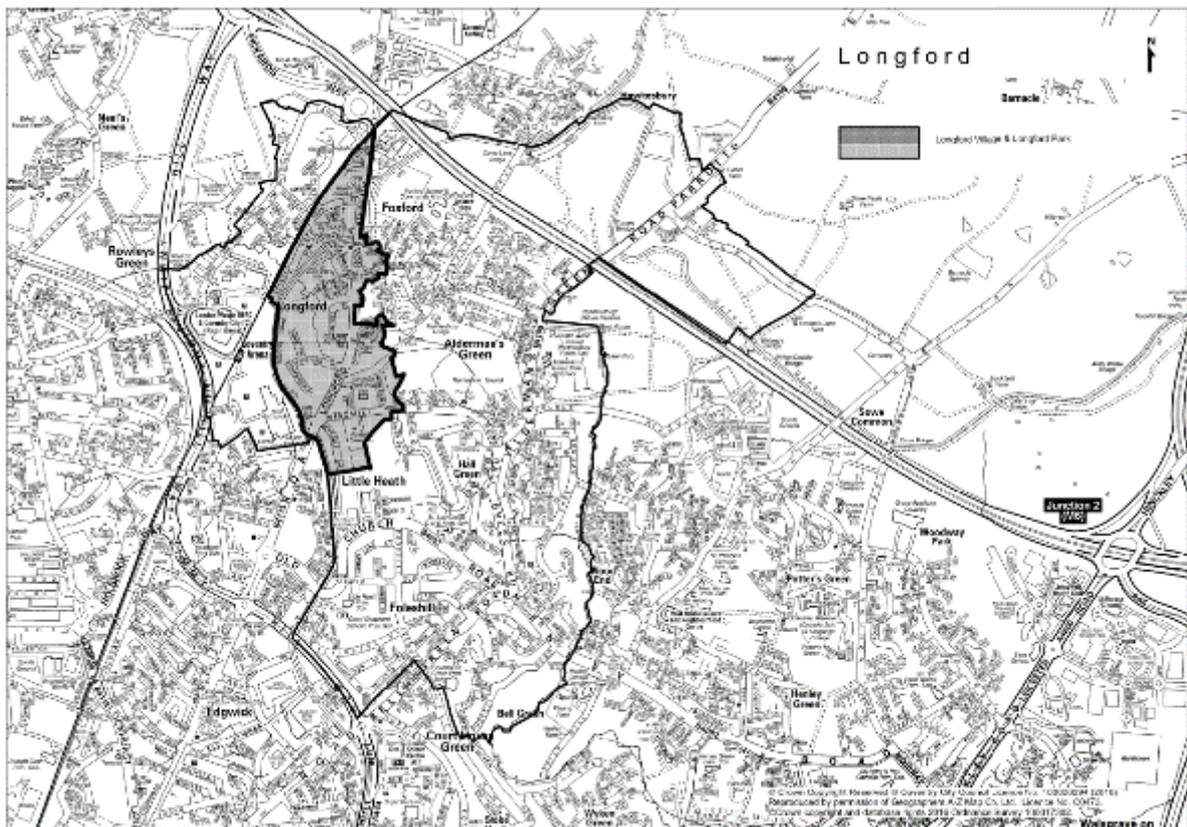
Longford – Hall Green North



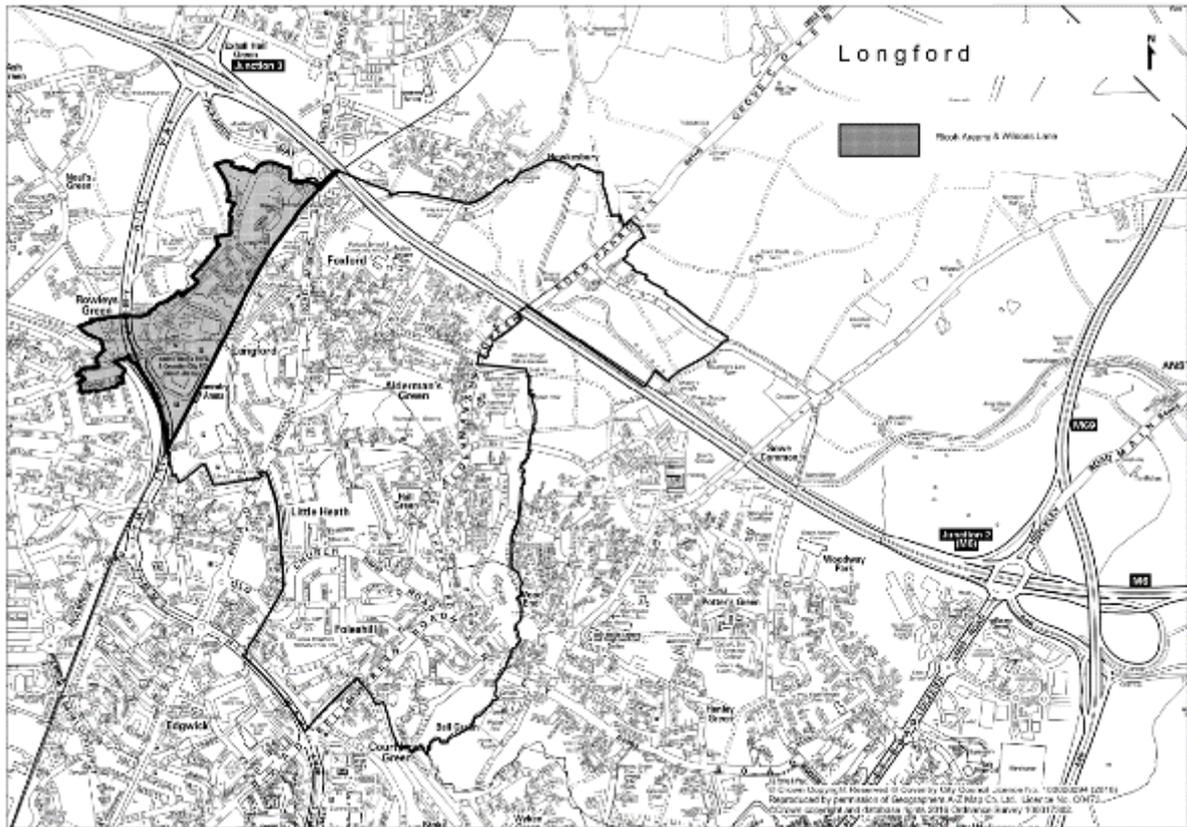
Longford – Hawkesbury, M6 & Foxford School, Anderton Road



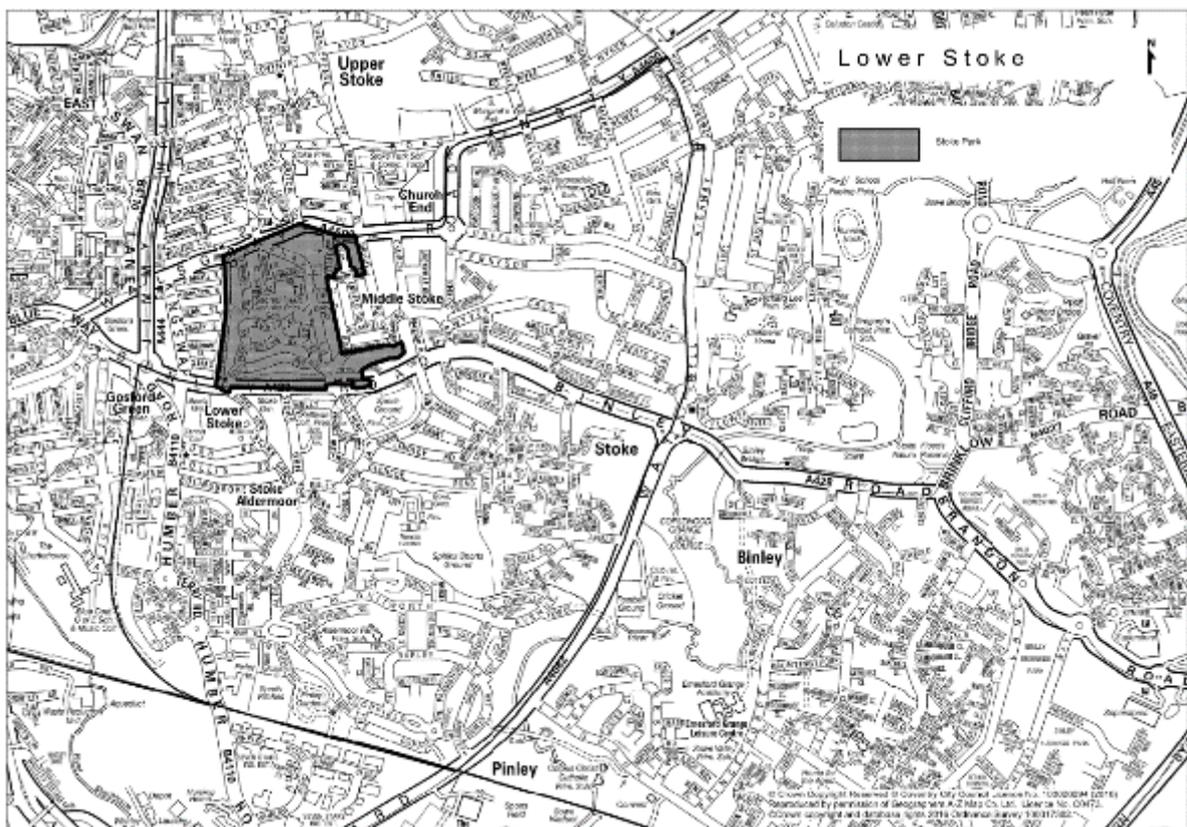
Longford – Longford Village & Longford Park



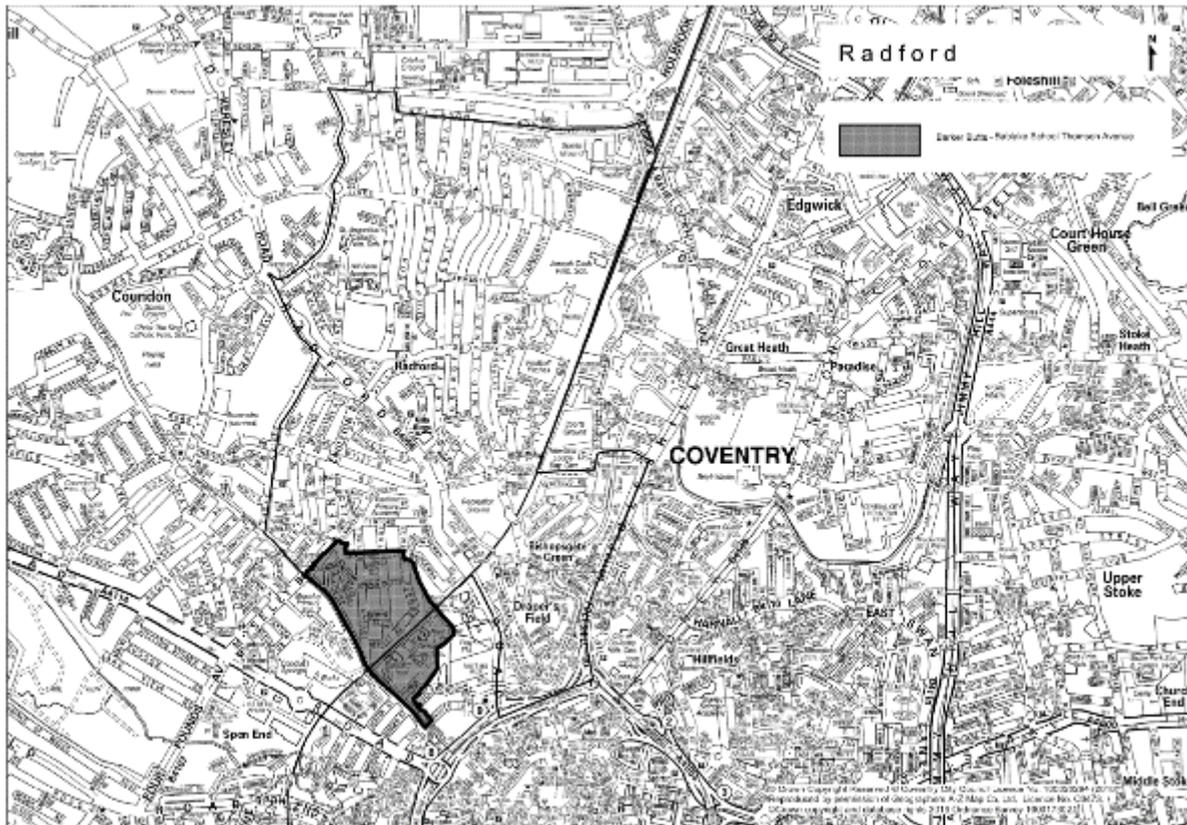
Longford – Ricoh Arena & Wilsons Lane



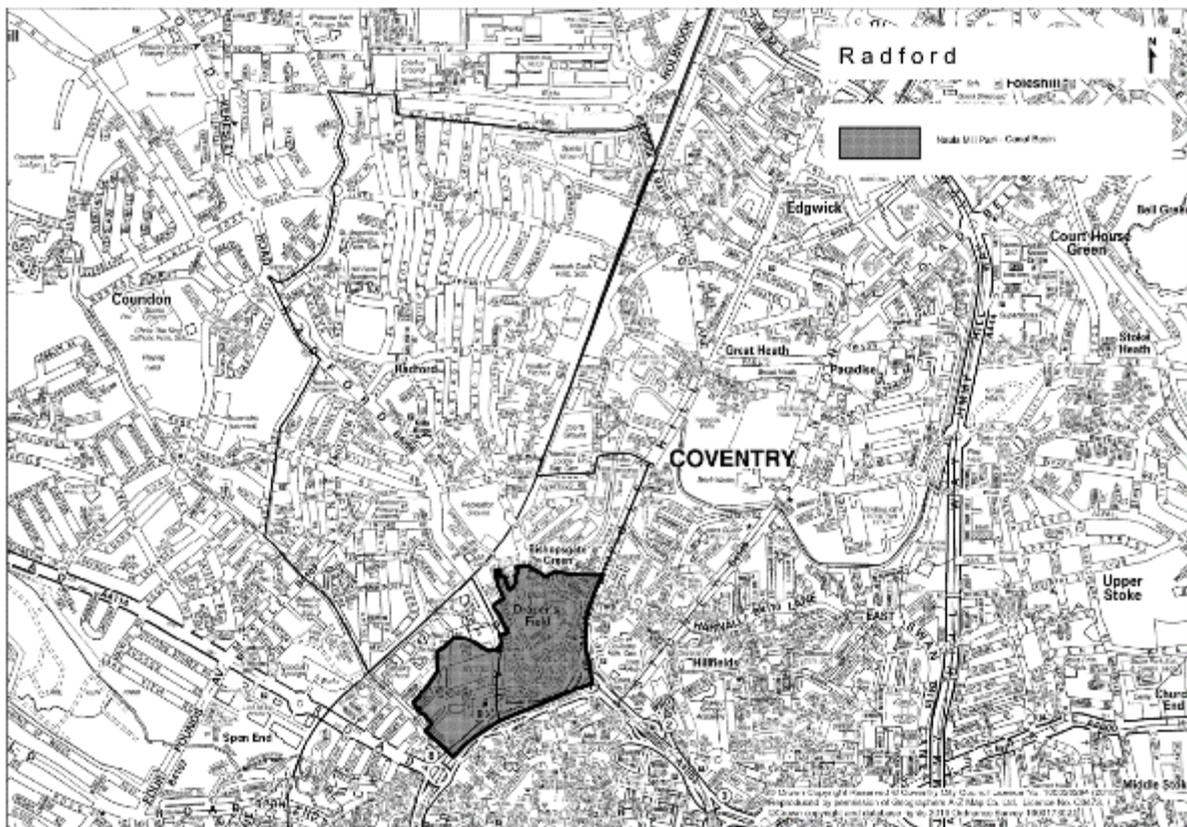
Lower Stoke – Stoke Park



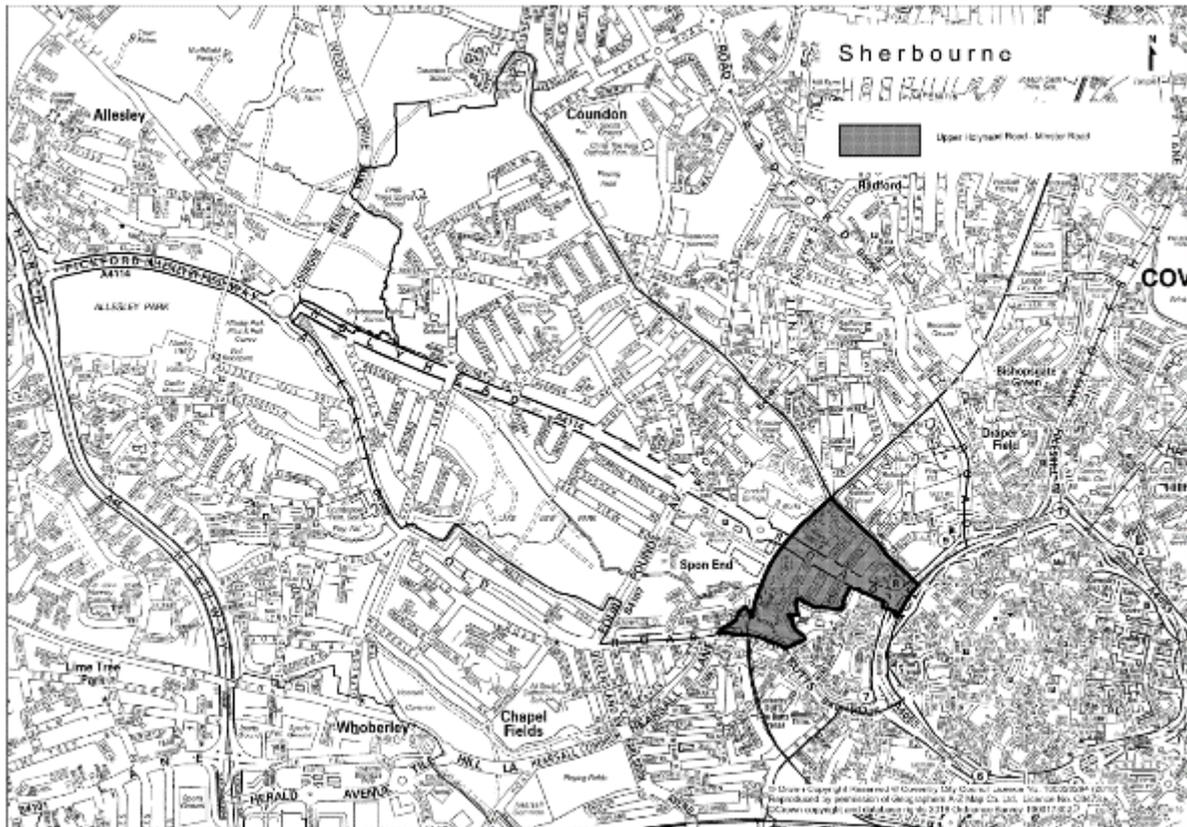
Radford – Barker Butts/ Bablake School Thomson Avenue



Radford – Nauls Mill Park/ Canal Basin



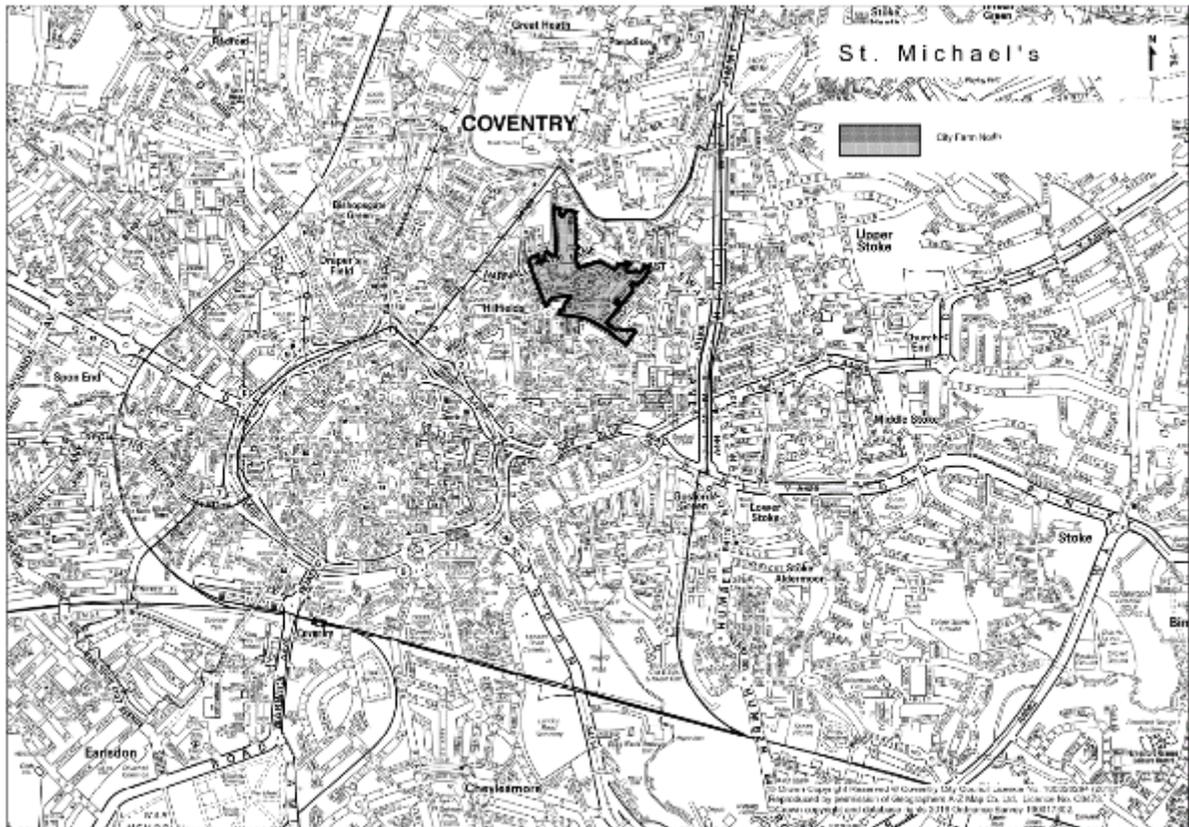
Sherbourne – Upper Holyhead Road/ Minster Road



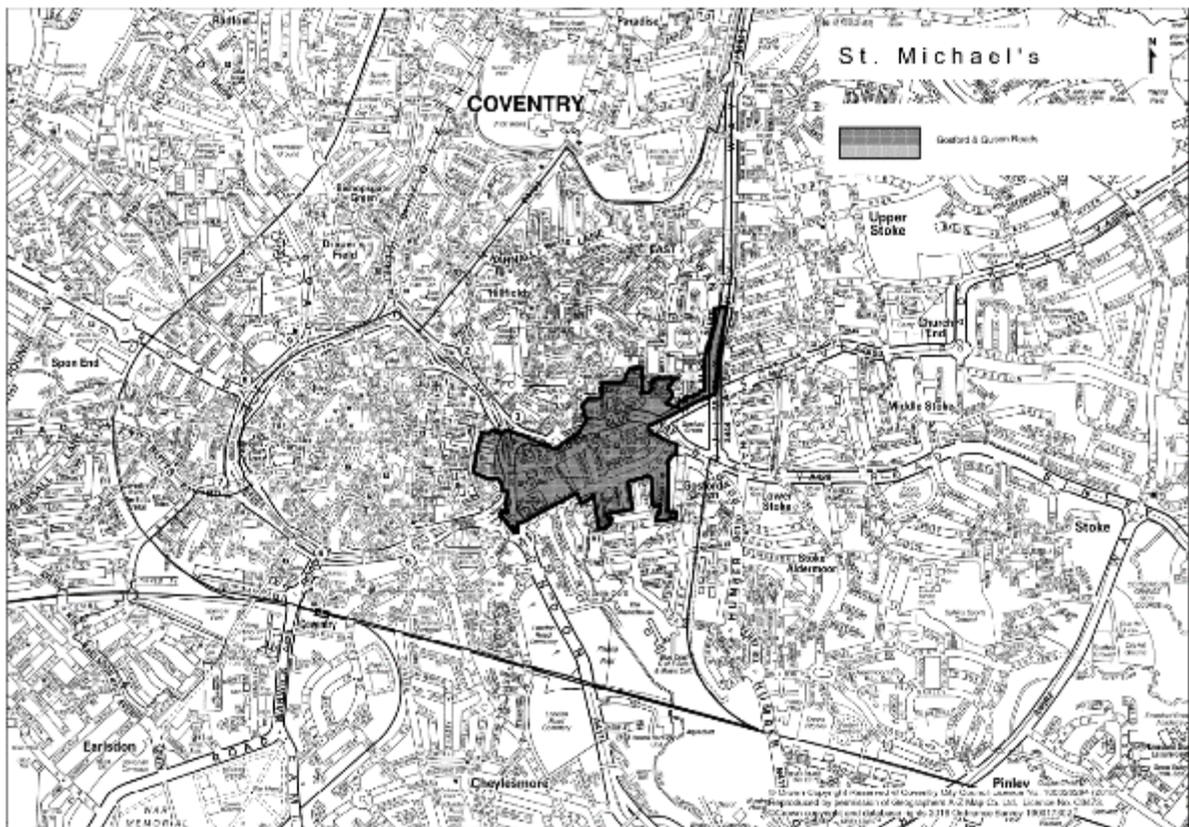
St Michaels – Central Six Retail Park / Queens Road



St Michaels – City Farm North



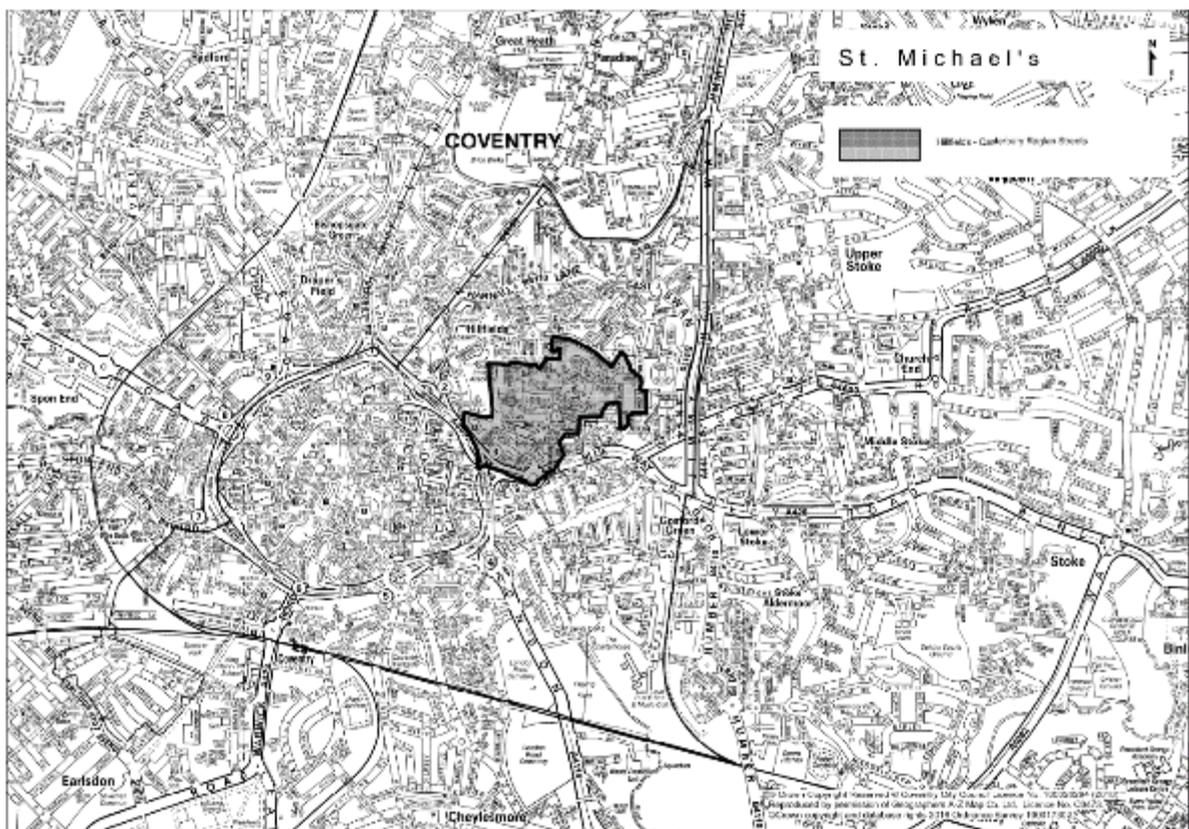
St Michaels – Gosford & Gulson Roads



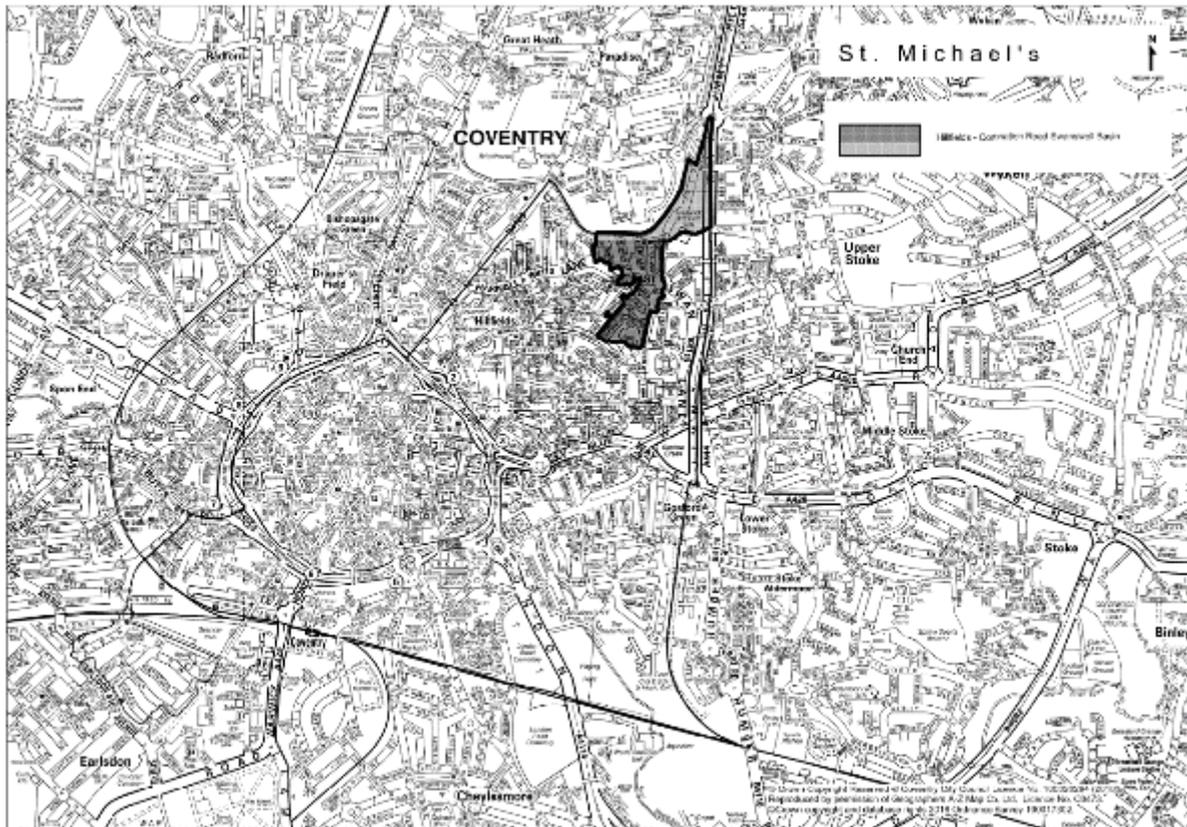
St Michaels – Hillfields/Cambridge Street



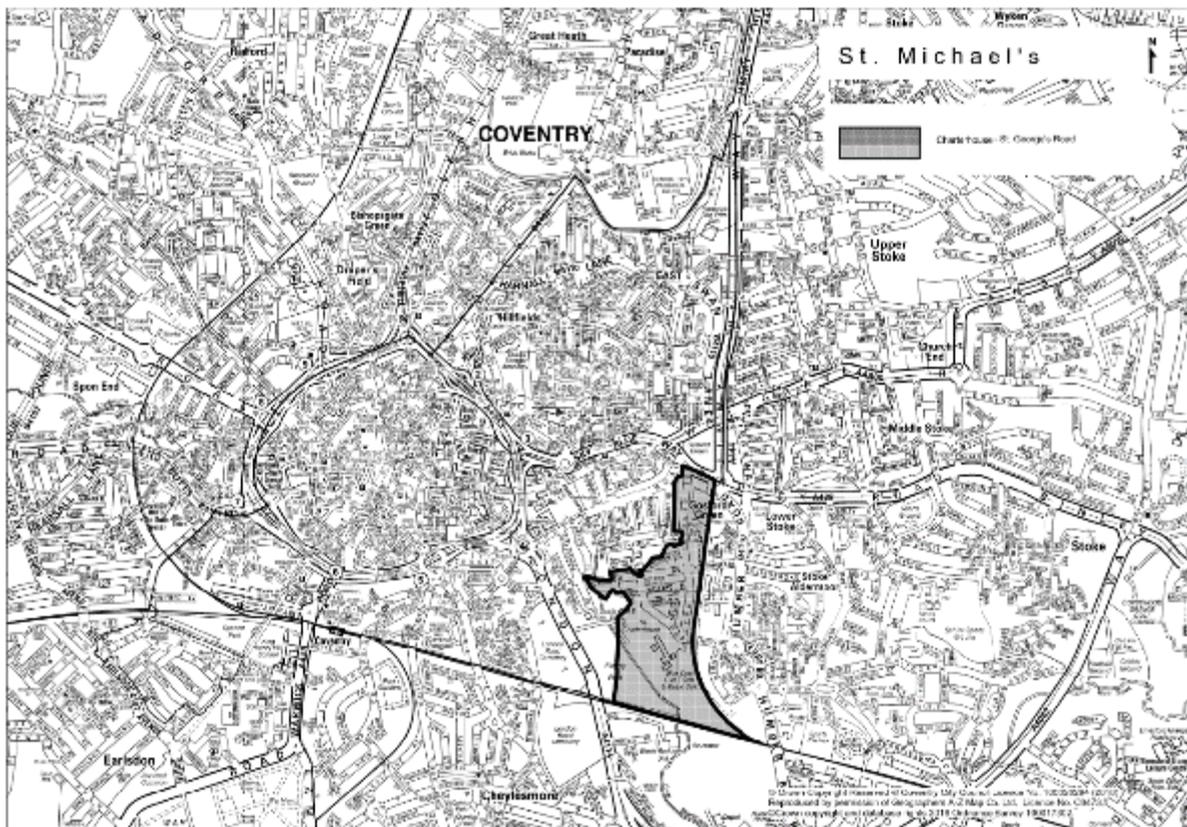
St Michaels – Hillfields/ Canterbury Raglan Streets



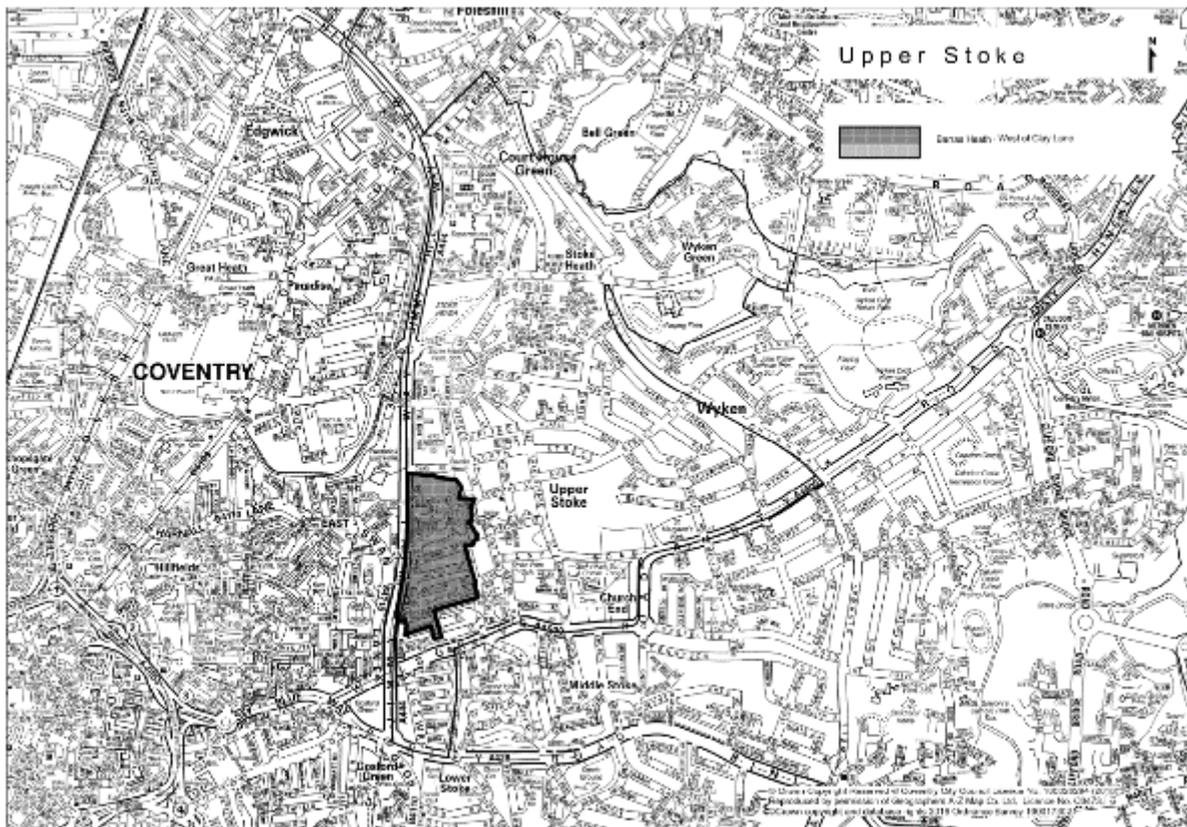
St Michaels – Hillfields/Coronation Road Swanswell Basin



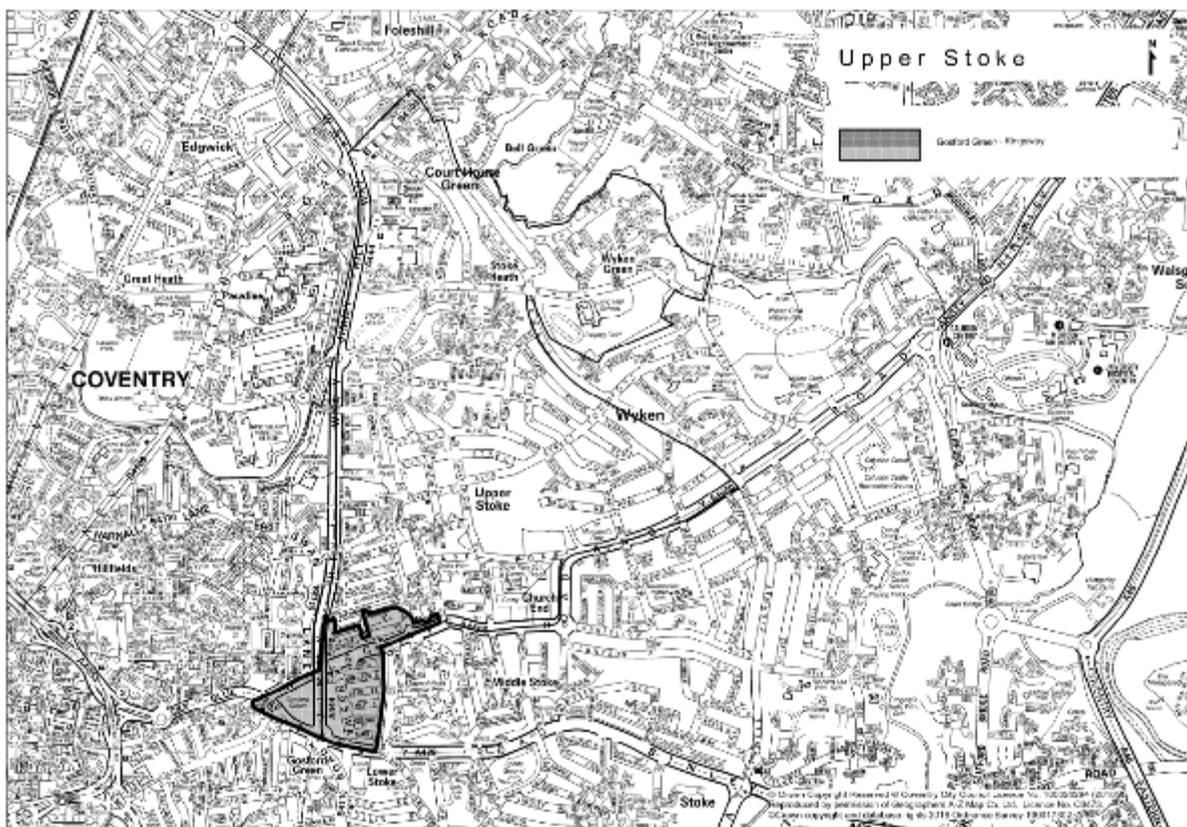
St Michaels – Charterhouse/St George`s Road



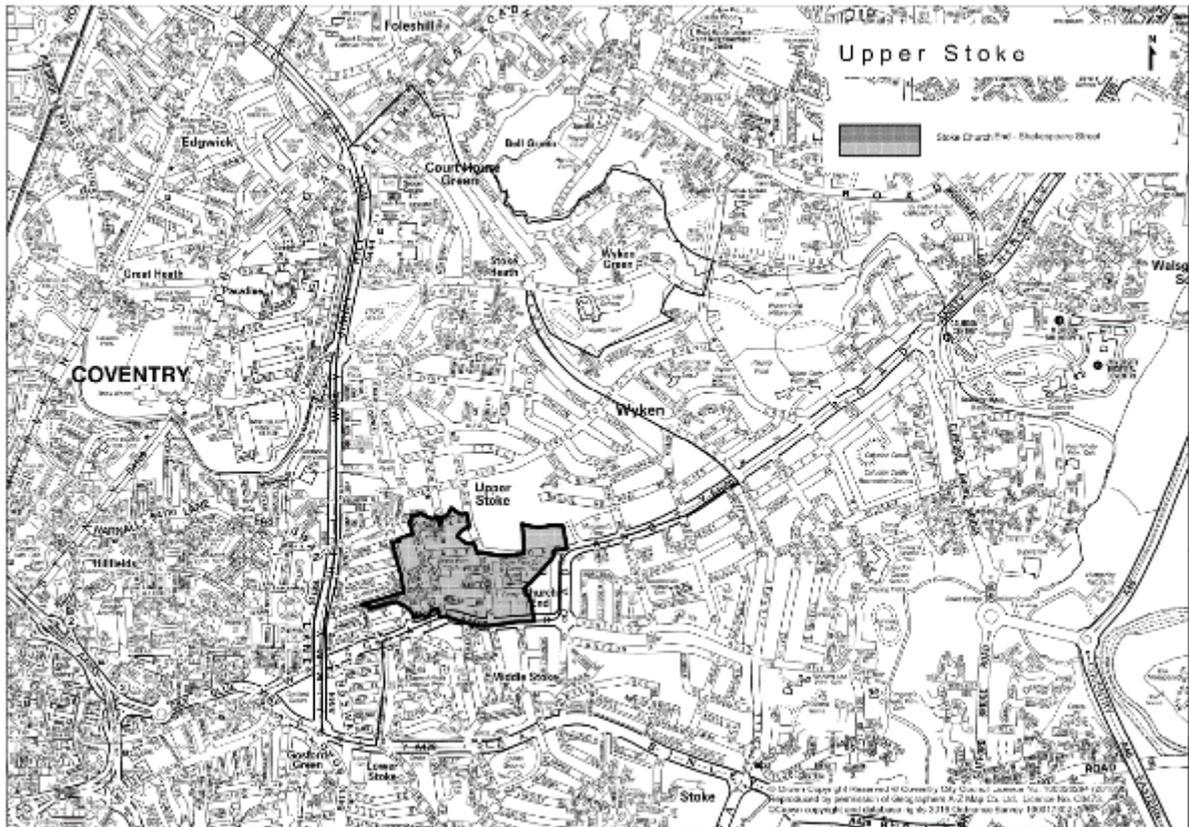
Upper Stoke – Barras Heath/West of Clay Lane



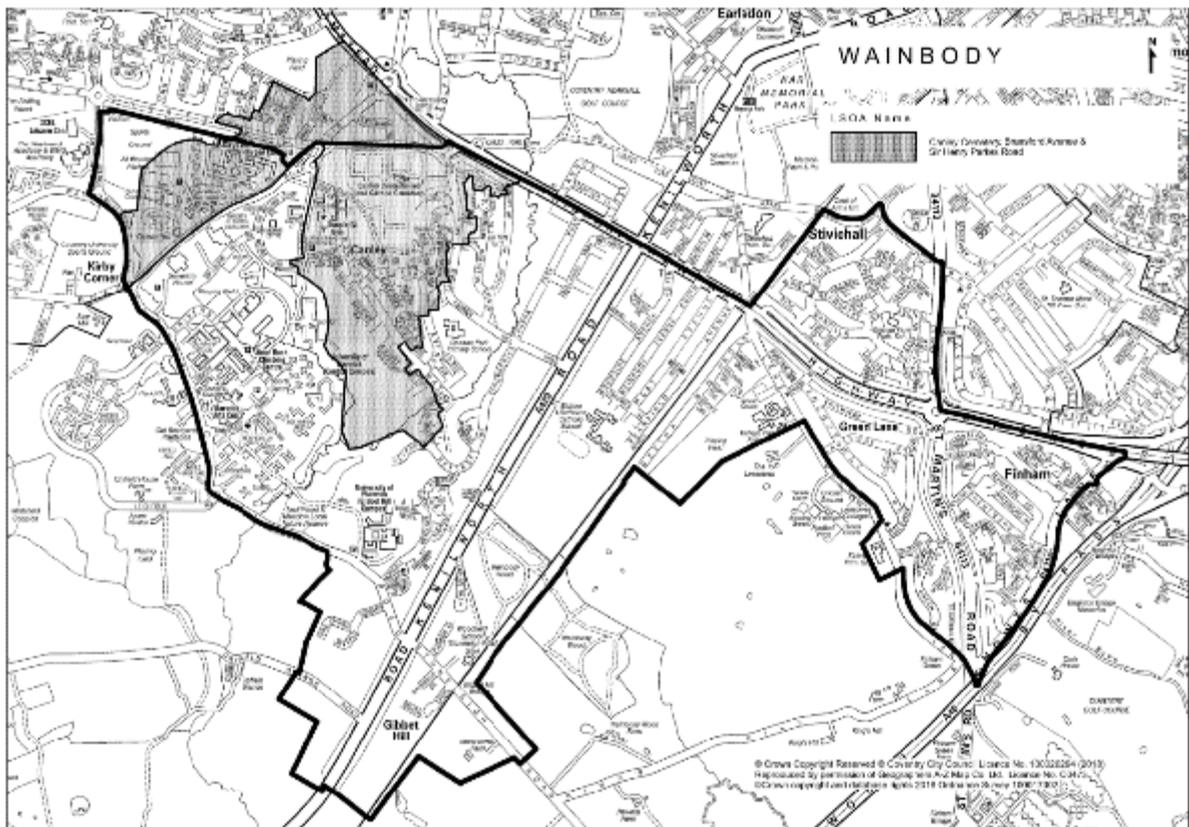
Upper Stoke – Gosford Green/Kingsway



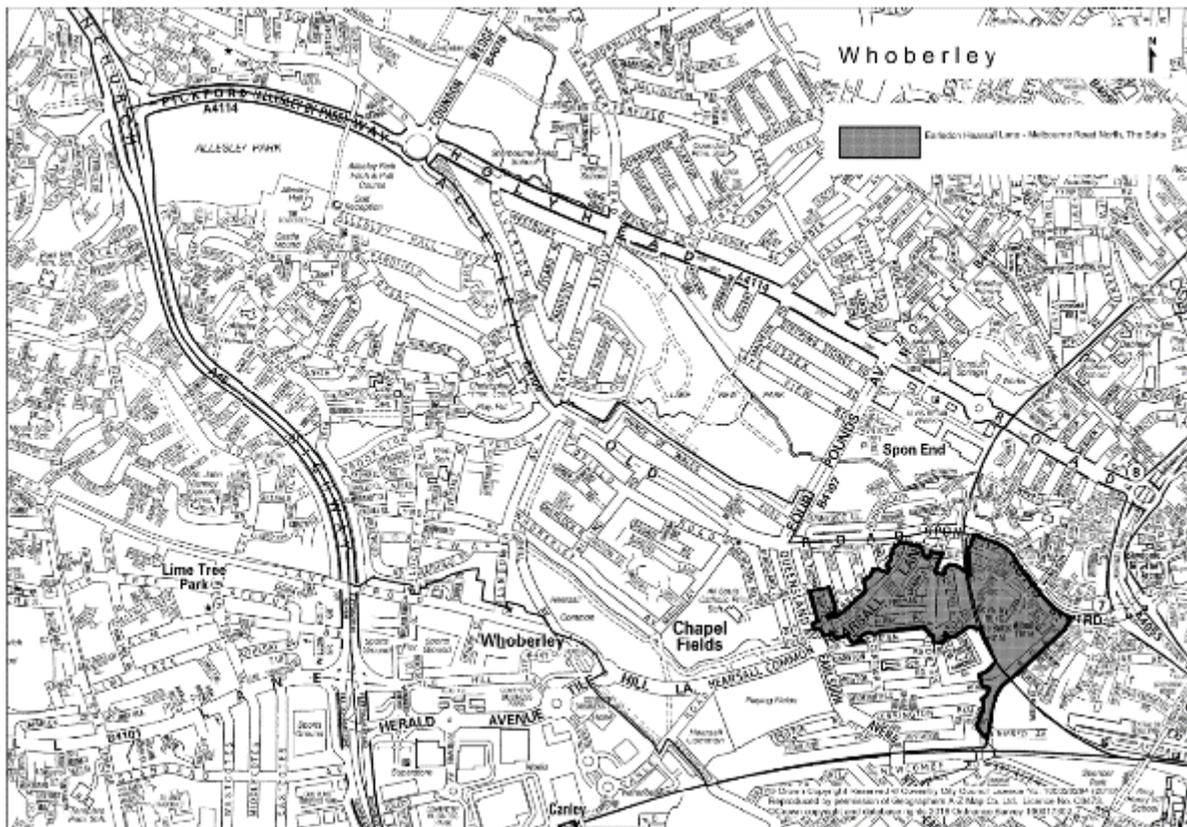
Upper Stoke – Stoke Church End/Shakespeare Street



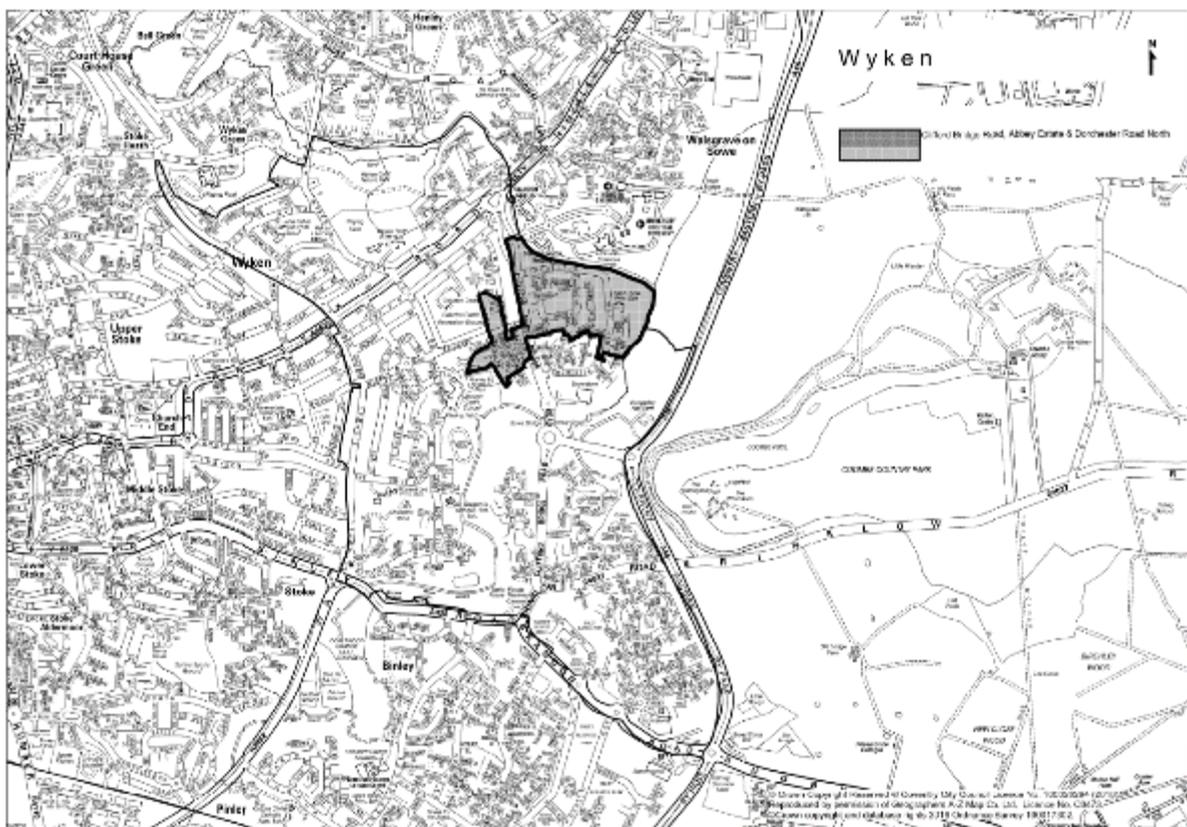
Wainbody – Canley Cemetery, Bransford Avenue & Sir Henry Parkes Road



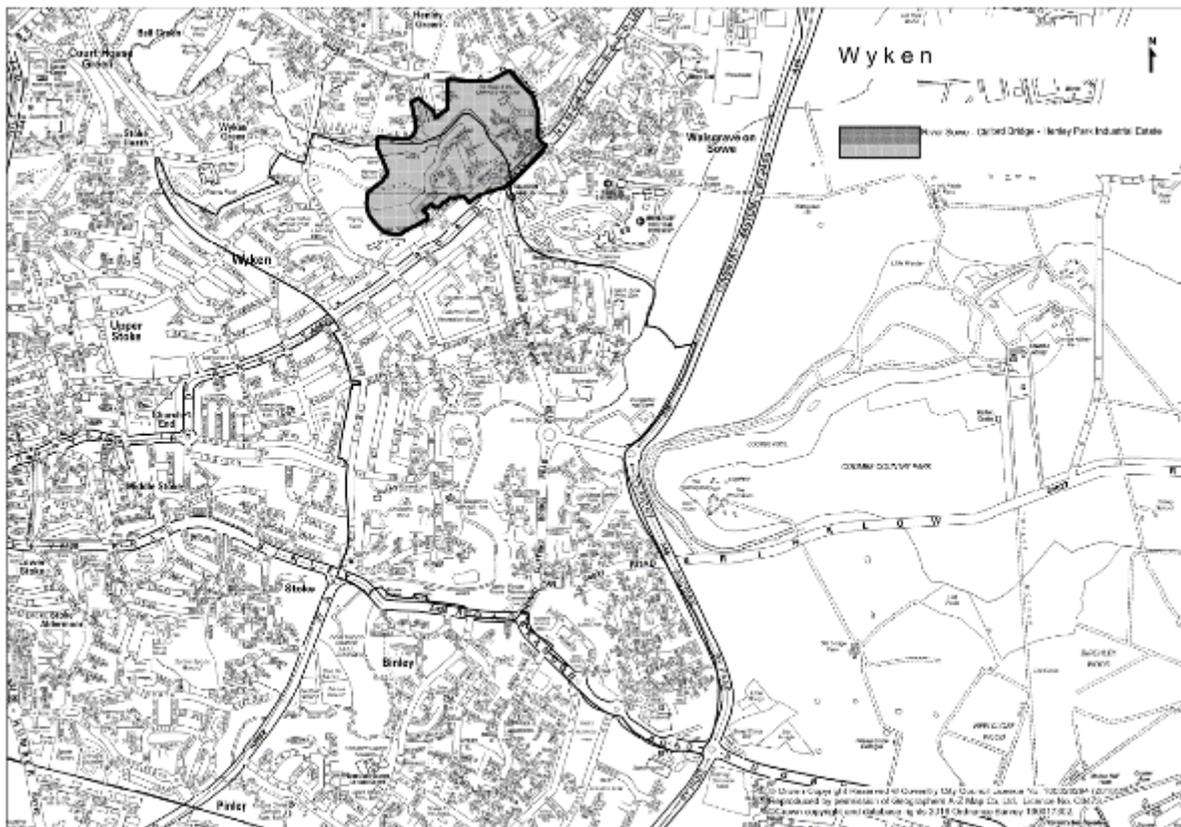
Whoberley – Earlsdon Hearsall Lane/Melbourne Road North, The Butts



Wyken – Clifford Bridge Road, Abbey Estate and Dorchester Road North



Wyken – River Sowe, Clifford Bridge & Henley Park Industrial Estate



Appendix B – List of Streets

Table 18 - List of Streets in Proposed Selective Licensing Areas

ABBOTSBURY CLOSE	EAGLE STREET	OAKLEY CLOSE
ABBOTTS LANE	EAST AVENUE	OAKMOOR ROAD
ACHAL CLOSE	EAST STREET	OAKS PLACE
ADAM ROAD	EDEN STREET	OLAF PLACE
ADDERLEY STREET	EDGWICK ROAD	OLD CHURCH ROAD
AINSDALE CLOSE	EDMUND ROAD	OLD FARM LANE
ALBANY ROAD	EDWARD STREET	OLD MILL AVENUE
ALBERT FEARN GARDENS	ELD ROAD	OLIVER STREET
ALDER ROAD	ELLERMAN GARDENS	ONLEY TERRACE
ALDERMANS GREEN ROAD	ELMSDALE AVENUE	ORDNANCE ROAD
ALDRIN WAY	ENA ROAD	ORLESCOTE ROAD
ALEXANDRA ROAD	ETHELFIELD ROAD	ORWELL ROAD
ALFRED ROAD	EVELYN AVENUE	OSLO GARDENS
ALMA STREET	EVESHAM WALK	OXFORD STREET
ALVERSTONE ROAD	FAIRBANKS CLOSE	PARK STREET
AMY CLOSE	FAIRVIEW WALK	PARKSTONE ROAD
ANDERTON ROAD	FAR GOSFORD STREET	PARROTTS GROVE
ANSELL DRIVE	FARMAN ROAD	PAYNES LANE
ANSTY ROAD	FARMCOTE ROAD	PEARSON AVENUE

ARBURY AVENUE	FARNDALE AVENUE	PEEL CLOSE
ARENA AVENUE	FEILDING CLOSE	PEEL STREET
ARGYLL STREET	FENWICK CLOSE	PEMBURY AVENUE
ARKLE DRIVE	FINBARR CLOSE	PENSILVA WAY
ARTHUR STREET	FIRE Drake CROFT	PERSHORE PLACE
ASHMORE ROAD	FISHER ROAD	POPPLETON CLOSE
ASTLEY AVENUE	FLETCHAMSTEAD HIGHWAY	POWELL ROAD
ATHERSTON PLACE	FOLESHILL ROAD	PRIDMORE ROAD
AUGUSTUS ROAD	FOWLER ROAD	PRINCESS STREET
AWSON STREET	FRAMPTON WALK	PRIORS HARNALL
AYLESFORD STREET	FRANCIS STREET	PRIORSFIELD ROAD NORTH
BALMORAL CLOSE	FREEBURN CAUSEWAY	PRIORSFIELD ROAD SOUTH
BARKER BUTTS LANE	FREEHOLD STREET	QUARRYWOOD GROVE
BARRAS GREEN	FREEMAN STREET	QUEEN MARYS ROAD
BARRAS LANE	FRETTON CLOSE	QUEENS ROAD
BARSTON CLOSE	GATESIDE ROAD	RADFORD CIRCLE
BARTLETT CLOSE	GEORGE ELIOT ROAD	RAGLAN STREET
BARTON ROAD	GEORGE STREET	RANDLE STREET
BASFORD BROOK DRIVE	GILBERT CLOSE	RANSOM ROAD
BAYLISS AVENUE	GLENEAGLES ROAD	RAYMOND CLOSE
BEACONSFIELD ROAD	GLENMORE DRIVE	RECREATION ROAD
BEAKE AVENUE	GLENMOUNT AVENUE	RED LANE
BECKBURY ROAD	GLENRIDDING CLOSE	REDCAR ROAD
BEDFORD STREET	GOLDRICK ROAD	REGENT STREET
BEDLAM LANE	GORDON STREET	REGINA CRESCENT
BEDWORTH ROAD	GORING ROAD	REGIS WALK
BELGRAVE ROAD	GOSFORD STREET	REPTON DRIVE
BELMONT ROAD	GRAFTON STREET	RICHMOND STREET
BELVEDERE ROAD	GRANGE ROAD	ROLLASON CLOSE
BENTHALL ROAD	GREENODD DRIVE	ROLLASON ROAD
BERESFORD AVENUE	GREENWOOD PLACE	ROLLASONS YARD
BERKELEY ROAD NORTH	GRESHAM STREET	ROMAN ROAD
BERKSWELL ROAD	GRESSINGHAM GROVE	ROWLEYS GREEN LANE
BERRY STREET	GREYHOUND ROAD	RUDGARD ROAD
BINLEY ROAD	GRINDLE ROAD	RUNCORN WALK
BIRD GROVE COURT	GROSVENOR ROAD	RUSSELL STREET NORTH
BLACKSHAW DRIVE	GUILD ROAD	SANDOWN AVENUE
BLACKTHORN CLOSE	GULSON ROAD	SANDY LANE
BLANDFORD DRIVE	HAMILTON ROAD	SAPCOTE GROVE
BLYTHE ROAD	HAMPTON CLOSE	SAXON ROAD
BOOTH'S FIELDS	HAMPTON ROAD	SEAFORD CLOSE

BOSTON PLACE	HANSON WAY	SEVERN ROAD
BOSWELL DRIVE	HAREFIELD ROAD	SHAKESPEARE STREET
BRACKNELL WALK	HARLEY STREET	SHAKLETON ROAD
BRAEMAR CLOSE	HARLOW WALK	SHORTRIDGE DRIVE
BRAMBLE STREET	HARMER CLOSE	SHULTERN LANE
BRAMWELL GARDENS	HARNALL LANE EAST	SILVERTON ROAD
BRANSFORD AVENUE	HARNALL LANE WEST	SIR HENRY PARKES ROAD
BRAYS LANE	HAROLD RAFFERTY CLOSE	SIR THOMAS WHITES ROAD
BRIDGE STREET	HARROW CLOSE	SMITH STREET
BRIDPORT CLOSE	HARTLEPOOL ROAD	SOUTH AVENUE
BRIGHT STREET	HARTLEY CLOSE	SOUTH STREET
BRIGHTMERE ROAD	HASTINGS ROAD	SOVEREIGN ROAD
BRIGHTON STREET	HAVENDALE CLOSE	SPARKBROOK STREET
BRILL CLOSE	HAWKSWORTH DRIVE	SPENCER AVENUE
BRINDLEY PADDOCKS	HAYDOCK CLOSE	SPINDLE STREET
BRITANNIA STREET	HEARSALL LANE	SPON END
BRITON ROAD	HEATH ROAD	SPRING CLOSE
BROAD STREET	HEN LANE	SPRINGFIELD PLACE
BROADWAY	HENLEY ROAD	SPRINGFIELD ROAD
BROOK CLOSE	HENRIETTA STREET	SQUIRES WAY
BROOKLYN ROAD	HERMES CRESCENT	ST AGATHAS ROAD
BROOMFIELD PLACE	HERTFORD PLACE	ST ANNS ROAD
BROOMFIELD ROAD	HEWITT AVENUE	ST COLUMBAS CLOSE
BRUNEL CLOSE	HIGHWAYMANS CROFT	ST ELIZABETHS ROAD
BRUNSWICK ROAD	HINCKLEY ROAD	ST GEORGES ROAD
BRYANSTON CLOSE	HOLBROOK LANE	ST LAWRENCES ROAD
BRYN ROAD	HOLLYBUSH LANE	ST MARGARETS ROAD
BURBAGES LANE	HOLMSDALE ROAD	ST MARYS PRIORY ROAD
BURLINGTON ROAD	HOLYHEAD ROAD	ST MICHAELS ROAD
BURNABY ROAD	HONEYFIELD ROAD	ST NICHOLAS STREET
BUTTS	HOOD STREET	ST OSBURGS ROAD
CALICO WAY	HORNSEY CLOSE	ST PAULS ROAD
CALUDON ROAD	HORSE SHOE ROAD	ST THOMAS ROAD
CAMBRIDGE STREET	HOWARD STREET	STANIER AVENUE
CAMDEN STREET	HUMBER AVENUE	STANWAY ROAD
CANAL ROAD	HUNTINGDON ROAD	STARE GREEN
CANAL VIEW	HURN WAY	STATION STREET EAST
CANBERRA ROAD	HURST ROAD	STATION STREET WEST
CANNOCKS LANE	IDEN ROAD	STEPNEY ROAD
CANNON HILL ROAD	ISAMBARD DRIVE	STEVENAGE WALK
CANTERBURY STREET	IVOR ROAD	STOCKTON ROAD
CARADOC CLOSE	IVY FARM LANE	STOKE ROW

CARGILL CLOSE	JACKERS ROAD	STONEY STANTON ROAD
CARLTON ROAD	JACKSON ROAD	STRATFORD STREET
CARMELITE ROAD	JACOB DRIVE	SULGRAVE CLOSE
CASHS LANE	JAMES FULLARTON WAY	SUNNINGDALE AVENUE
CATHERINE STREET	JENNER STREET	SUTTON STOP
CAWTHORNE CLOSE	JESMOND ROAD	SWALEDALE
CENTENARY ROAD	KEPPEL STREET	SWAN LANE
CENTRAL AVENUE	KILBY MEWS	SWANAGE GREEN
CHANCELLORS CLOSE	KILDALE CLOSE	SYDNALL FIELDS
CHANDOS STREET	KING EDWARD ROAD	SYDNALL ROAD
CHARTER AVENUE	KING GEORGES AVENUE	TARRANT WALK
CHARTERHOUSE ROAD	KINGFIELD ROAD	TENERIFFE ROAD
CHELTENHAM CROFT	KINGSWAY	TERRY ROAD
CHESFORD CRESCENT	KIRBY CLOSE	THAMLEY ROAD
CHESTER STREET	KIRBY CORNER ROAD	THE CHANTRIES
CHILDER CLOSE	KIRBY ROAD	THE CHEVIOT
CHURCH STREET	KITCHENER ROAD	THE CROFT
CHURCHILL AVENUE	KNIGHT AVENUE	THE MOORINGS
CLARA STREET	LADY LANE	THE OLD YARD
CLAY LANE	LAMBETH CLOSE	THIMBLER ROAD
CLEMENTS STREET	LANCASTER GARDENS	THORNHILL ROAD
CLEVELAND ROAD	LANCIA CLOSE	THREADNEEDLE STREET
CLINTON ROAD	LANSBURY CLOSE	TIVEYCOURT ROAD
CLOUD GREEN	LANSDOWNE STREET	TOCIL CROFT
COBDEN STREET	LARKIN GROVE	TOLLARD CLOSE
COLCHESTER STREET	LATHAM ROAD	TOM MANN CLOSE
COLLETT WALK	LAWRENCE SAUNDERS ROAD	TOMSON AVENUE
COLSTON WALK	LEAM GREEN	TORCASTLE CLOSE
COMRIE CLOSE	LEEMING CLOSE	TOWNLEY WALK
CONGLETON CLOSE	LEICESTER CAUSEWAY	TRAFALGAR MEWS
CONISBROUGH KEEP	LEICESTER ROW	TRENTHAM ROAD
COOK CLOSE	LEIGH STREET	TURLANDS CLOSE
COPE ARNOLDS CLOSE	LEOPOLD ROAD	UNION PLACE
COPPER BEECH CLOSE	LEWIS ROAD	UPPER HILL STREET
CORFE CLOSE	LICHEN GREEN	UPPER YORK STREET
CORONATION ROAD	LIGHT LANE	VAUXHALL CLOSE
COTTON WAY	LILACVALE WAY	VAUXHALL STREET
OUNDON ROAD	LINSTOCK WAY	VECQUERAY STREET
OUNDON STREET	LITTLE LAWN CLOSE	VERNON CLOSE
COURTELLE ROAD	LIVINGSTONE ROAD	VICTORY ROAD
CRABMILL LANE	LOACH DRIVE	VILLIERS STREET

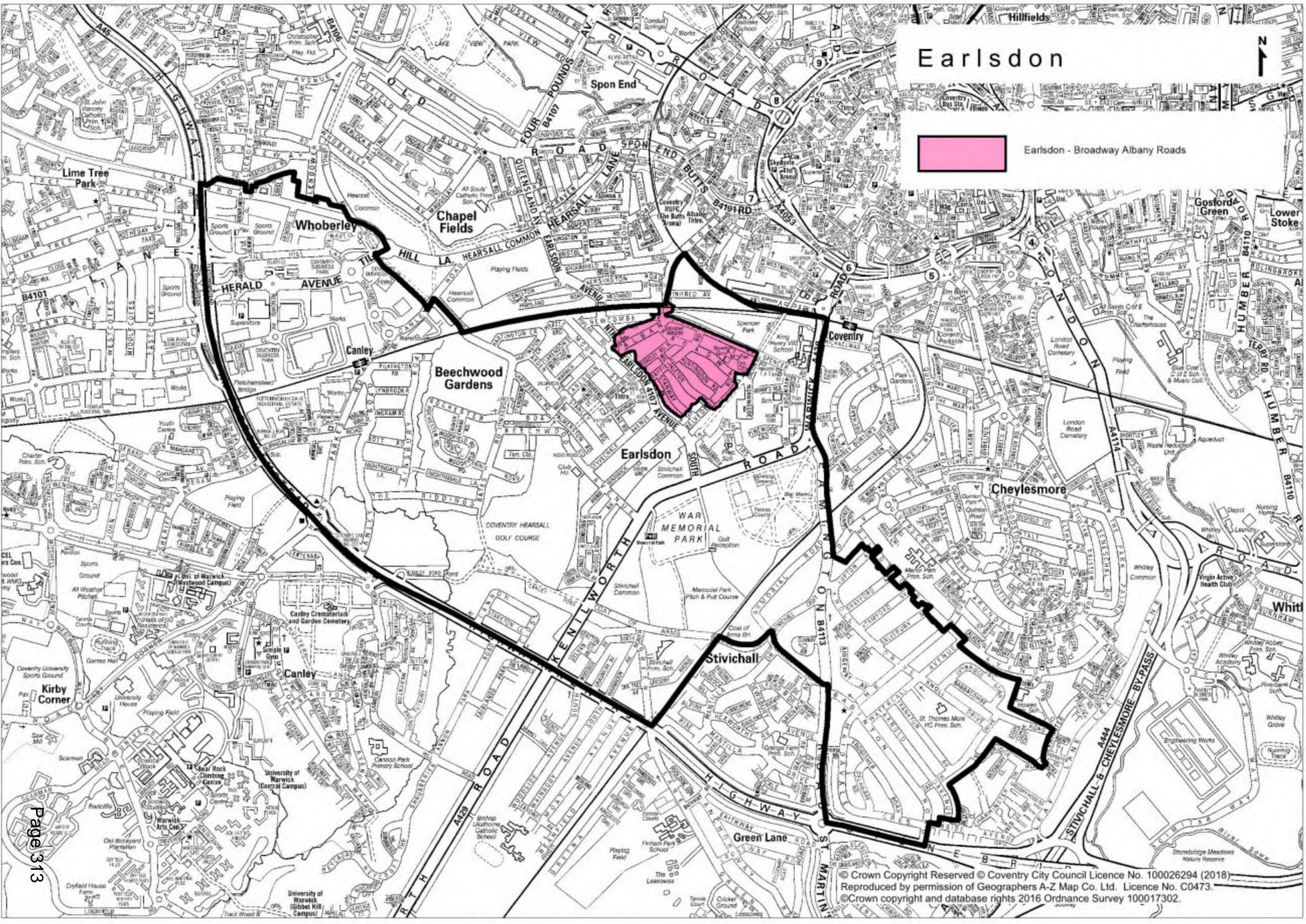
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CRATHIE CLOSE	LONGFORD ROAD	VOGUE CLOSE
CRAVEN STREET	LONGFORD SQUARE	WALSGRAVE GARDENS
CRESSAGE ROAD	LOWER FORD STREET	WALSGRAVE ROAD
CROMWELL STREET	LUNAR CLOSE	WAREHAM GREEN
CROSS ROAD	LYNCHGATE ROAD	WARNER ROW
CROWMERE ROAD	LYNTON ROAD	WATERLOO STREET
CROWN GREEN	LYTHALLS LANE	WAVELEY ROAD
CUBBINGTON ROAD	MANFIELD AVENUE	WEBSTER STREET
CULWORTH COURT	MANSEL STREET	WELFORD PLACE
CULWORTH ROW	MAPLE WALK	WELLAND ROAD
CUMBERNAULD WALK	MARION ROAD	WELSH ROAD
CUMBRIA CLOSE	MARLBOROUGH ROAD	WEST AVENUE
CURZON AVENUE	MARLWOOD CLOSE	WEST STREET
DALTON GARDENS	MASON ROAD	WESTMINSTER ROAD
DALWOOD WAY	MATLOCK ROAD	WESTMORLAND ROAD
DANE ROAD	MAY STREET	WILLIAM ARNOLD CLOSE
DARNFORD CLOSE	MAYCOCK ROAD	WILSONS LANE
DAWES CLOSE	MAYFIELD ROAD	WINCHESTER STREET
DAWLEY WALK	MEDINA ROAD	WINDMILL ROAD
DAYS CLOSE	MELBOURNE ROAD	WINIFRED AVENUE
DE MONTFORT WAY	MELVILLE ROAD	WOODROFFE WALK
DEAN STREET	MERIDEN STREET	WOODSHIRES ROAD
DELAGE CLOSE	MICKLETON ROAD	WOODWAY LANE
DERSINGHAM DRIVE	MIDDLEBOROUGH ROAD	WOOLGROVE STREET
DODGSON CLOSE	MILL HOUSE COURT	WORSDELL CLOSE
DOE BANK LANE	MILL RACE LANE	WREN STREET
DONCASTER CLOSE	MINSTER ROAD	WRENBURY DRIVE
DOONE CLOSE	MOAT HOUSE LANE	WRIGHT STREET
DORCHESTER WAY	MODULAR MEWS	WYKEN CROFT
DOVEDALE AVENUE	MONKS ROAD	YELVERTON ROAD
DOVER STREET	MOREY STREET	
DRAKE STREET	MOSELEY AVENUE	
DRAKELEY CLOSE	MULLINER STREET	
DRAPERS FIELDS	NETHERMILL ROAD	
DRUID ROAD	NEWCOMBE ROAD	
DUNLOP CLOSE	NEWDIGATE MEWS	
DUNSHAW ROAD	NEWDIGATE ROAD	
DYSART CLOSE	NEWLAND ROAD	
	NEWMARKET CLOSE	
	NEWNHAM ROAD	

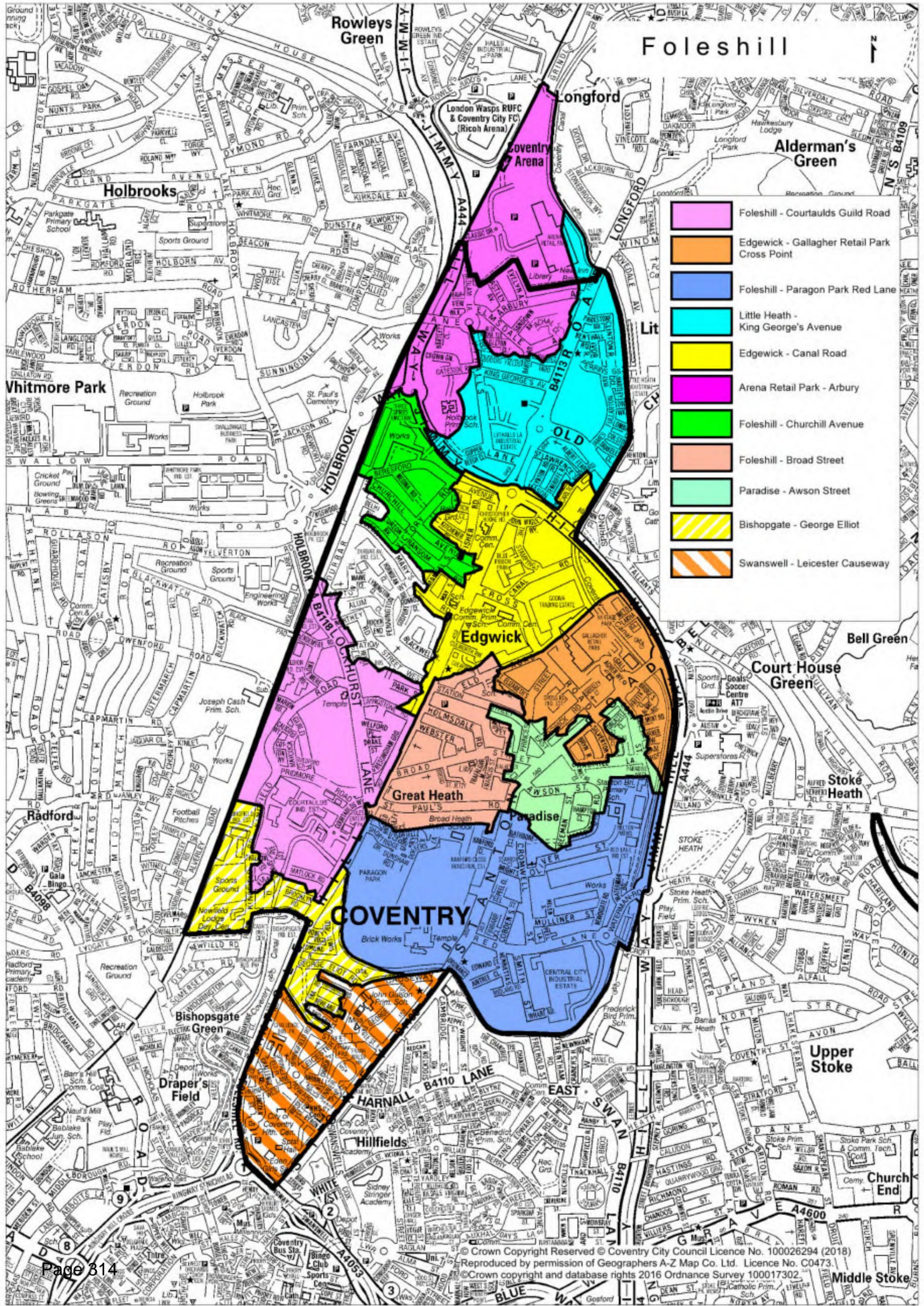
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	NORDIC DRIFT	
	NORTH AVENUE	
	NORTHEY ROAD	
	NORTHFIELD ROAD	
	NORTHFOLK TERRACE	
	NORTHUMBERLAND ROAD	
	NORTON HILL DRIVE	

Earlsdon



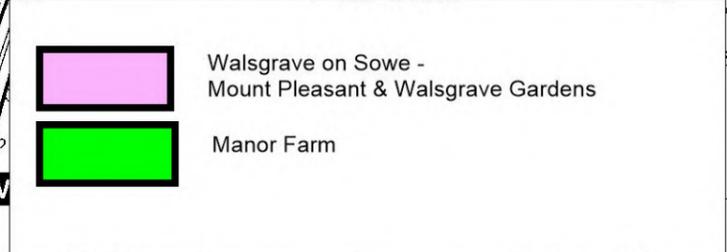
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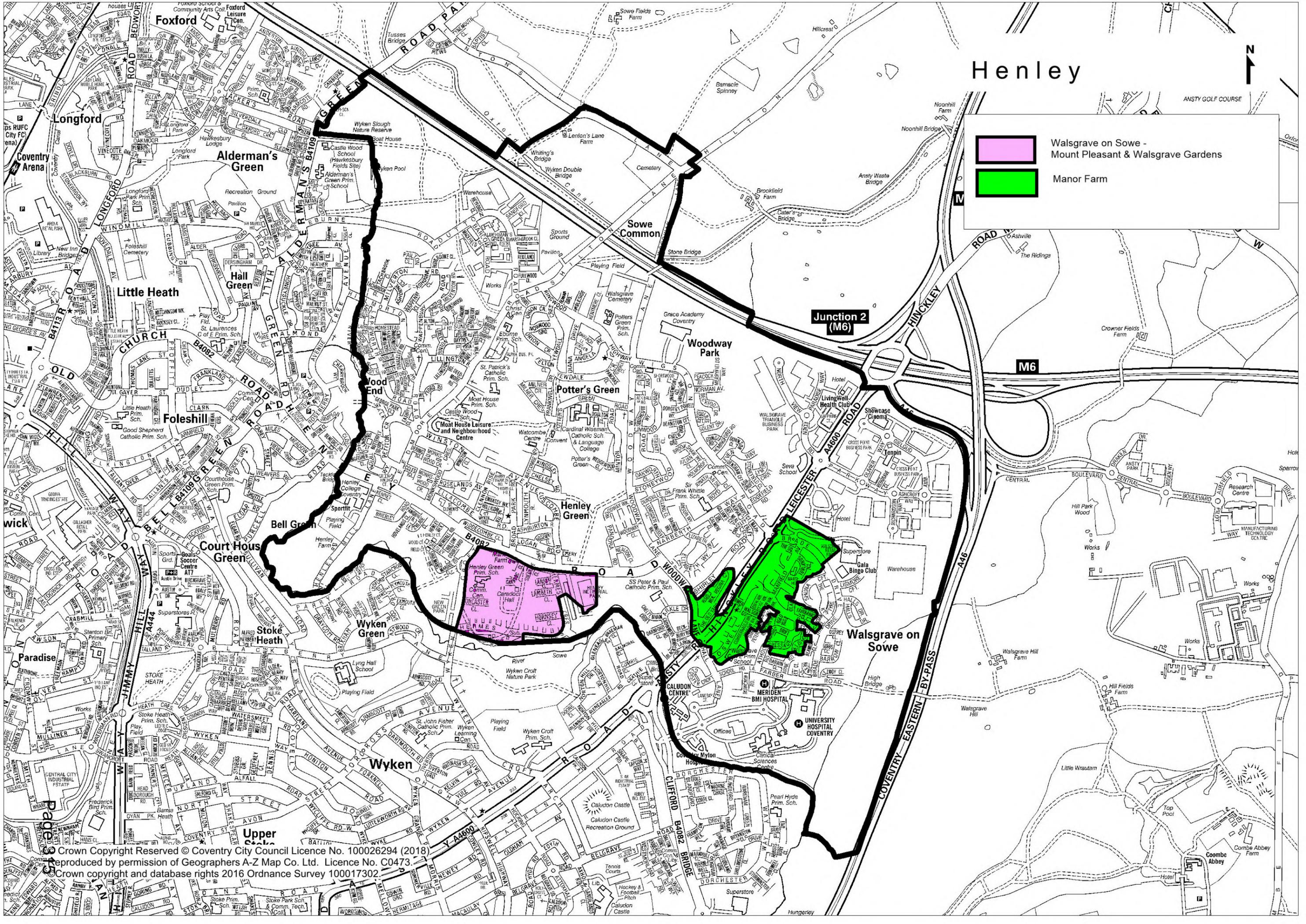
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- Edgwick - Gallagher Retail Park Cross Point
- Foreshill - Paragon Park Red Lane
- Little Heath - King George's Avenue
- Edgwick - Canal Road
- Arena Retail Park - Arbury
- Foreshill - Churchill Avenue
- Foreshill - Broad Street
- Paradise - Awson Street
- Bishopgate - George Elliot
- Swanswell - Leicester Causeway

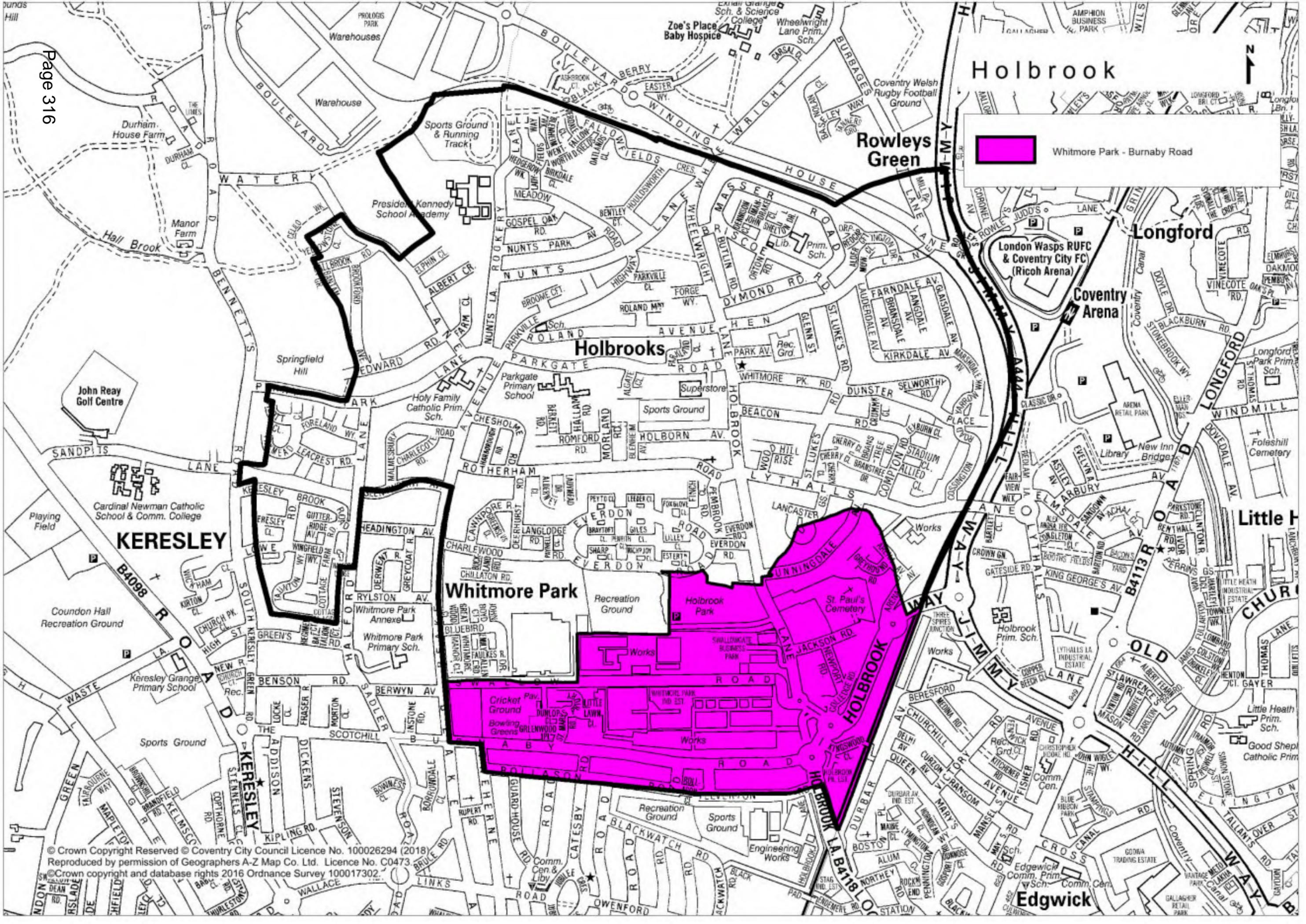
Henley



Walsgrave on Sowe -
Mount Pleasant & Walsgrave Gardens

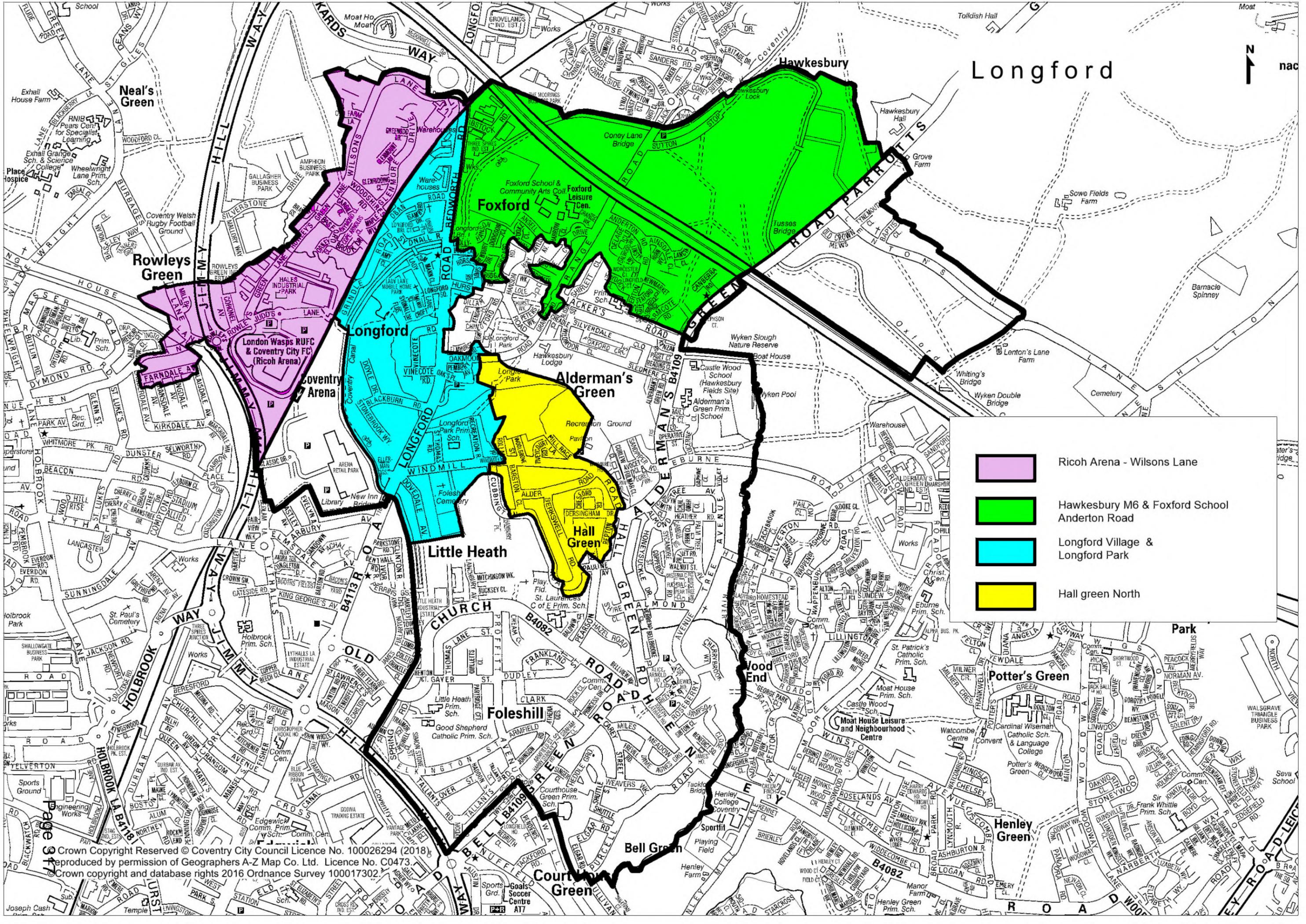
Manor Farm



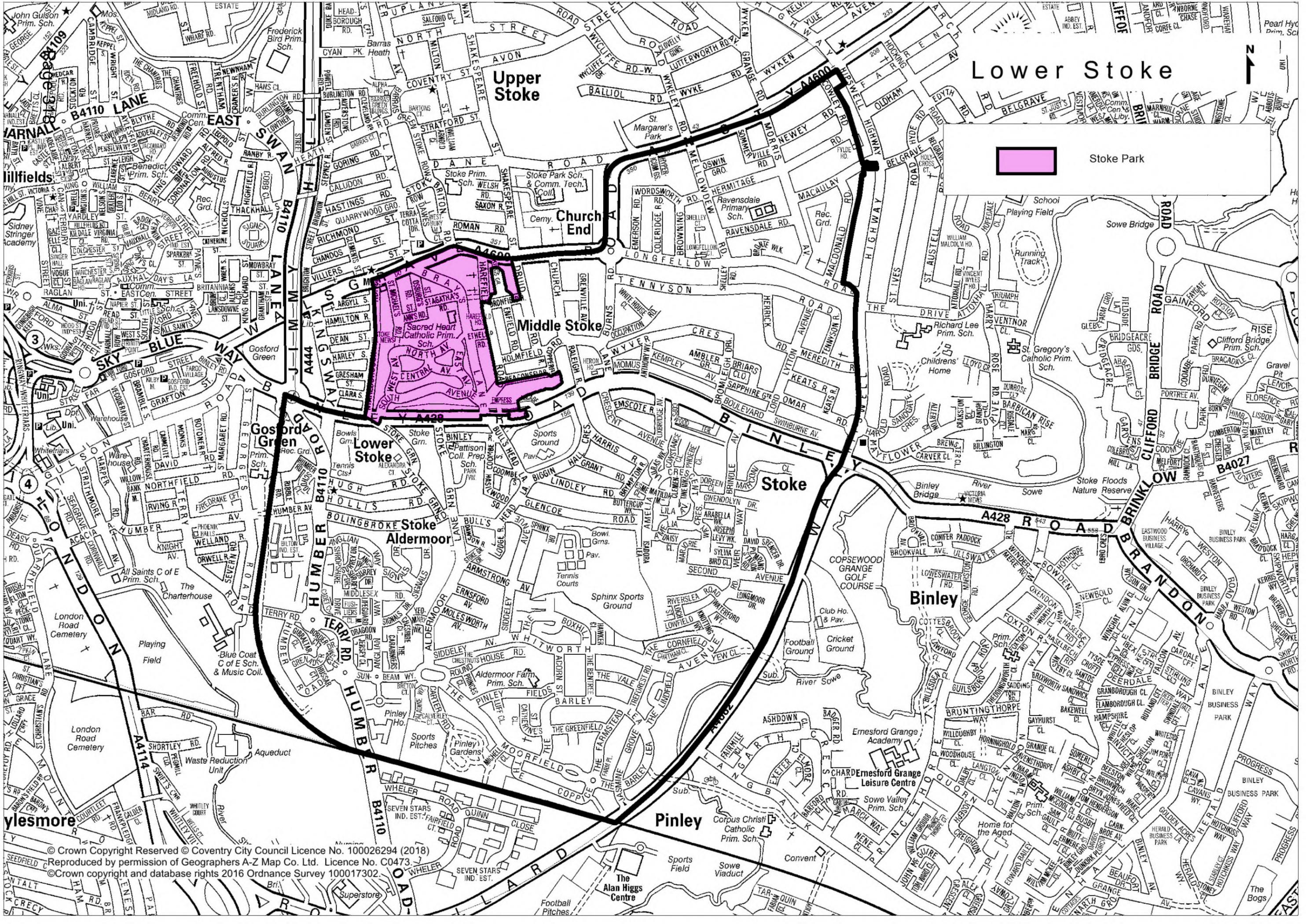


Whitmore Park - Burnaby Road





	Ricoh Arena - Wilsons Lane
	Hawkesbury M6 & Foxford School Anderton Road
	Longford Village & Longford Park
	Hall green North



Lower Stoke

Upper Stoke

EAST

Church End

Middle Stoke

Lower Stoke

Stoke

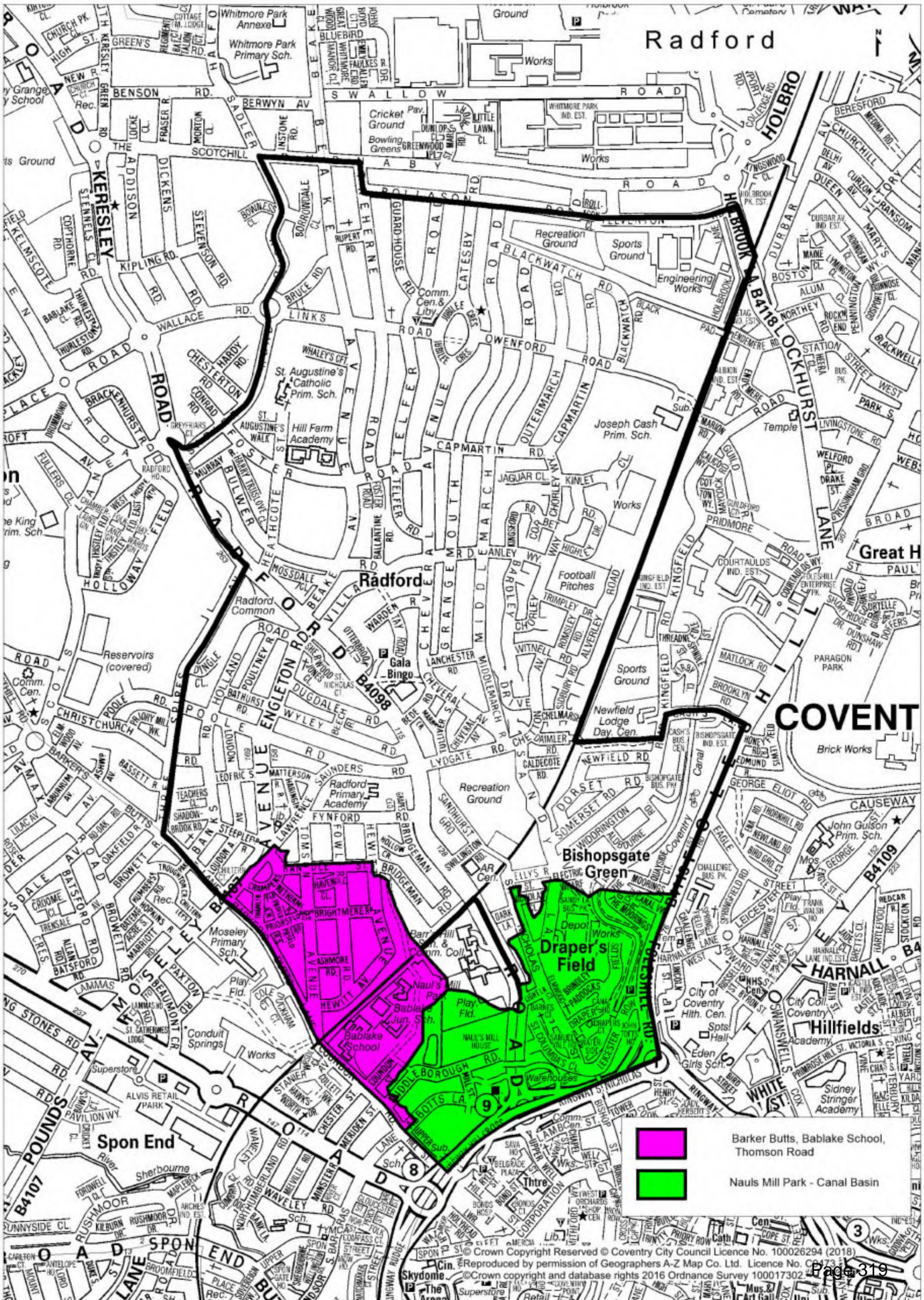
Alderbrook

Binley

Pinley



Stoke Park



Radford

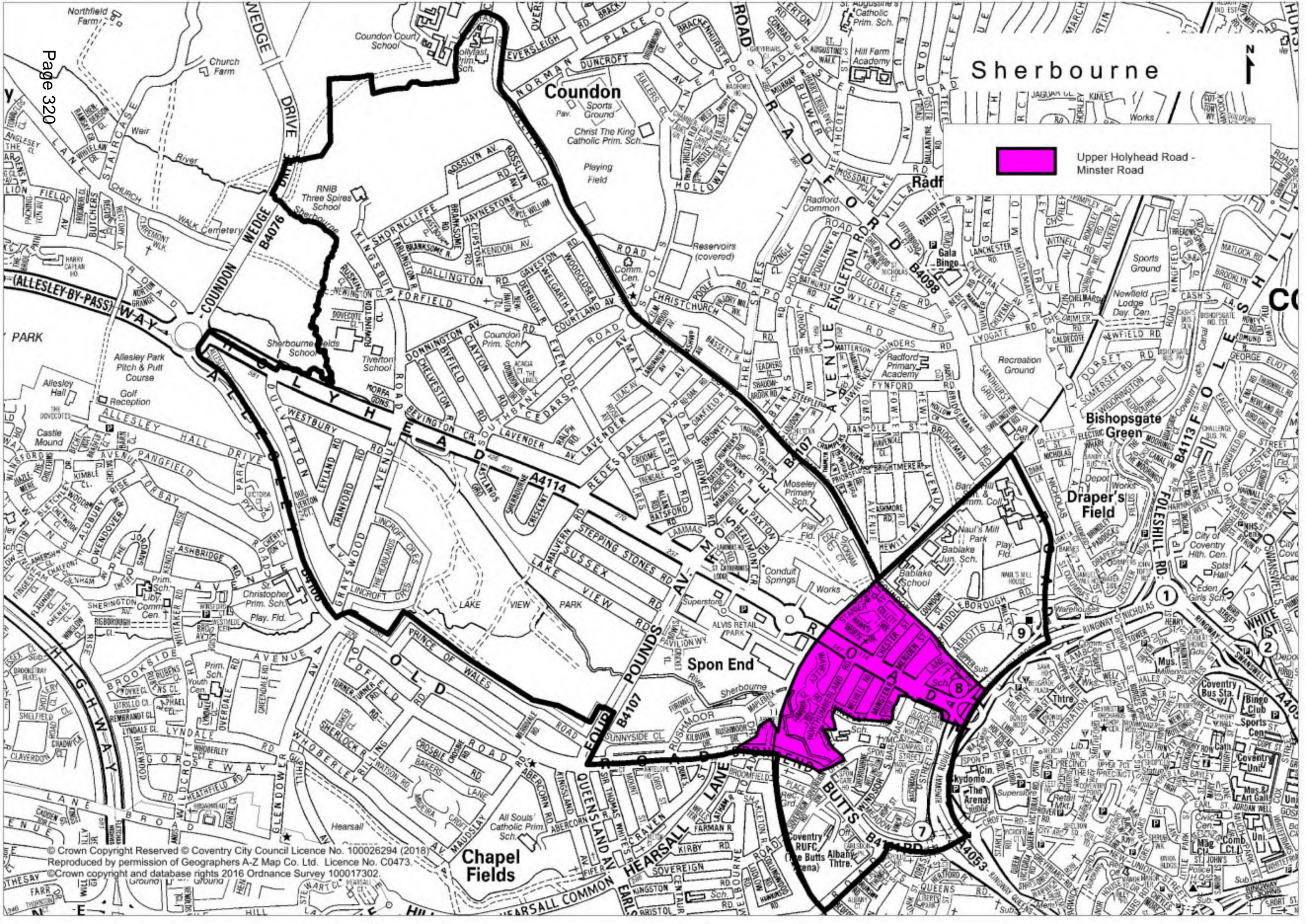
COVENT

- Barker Butts, Bablake School, Thomson Road
- Nauls Mill Park - Canal Basin

Sherbourne



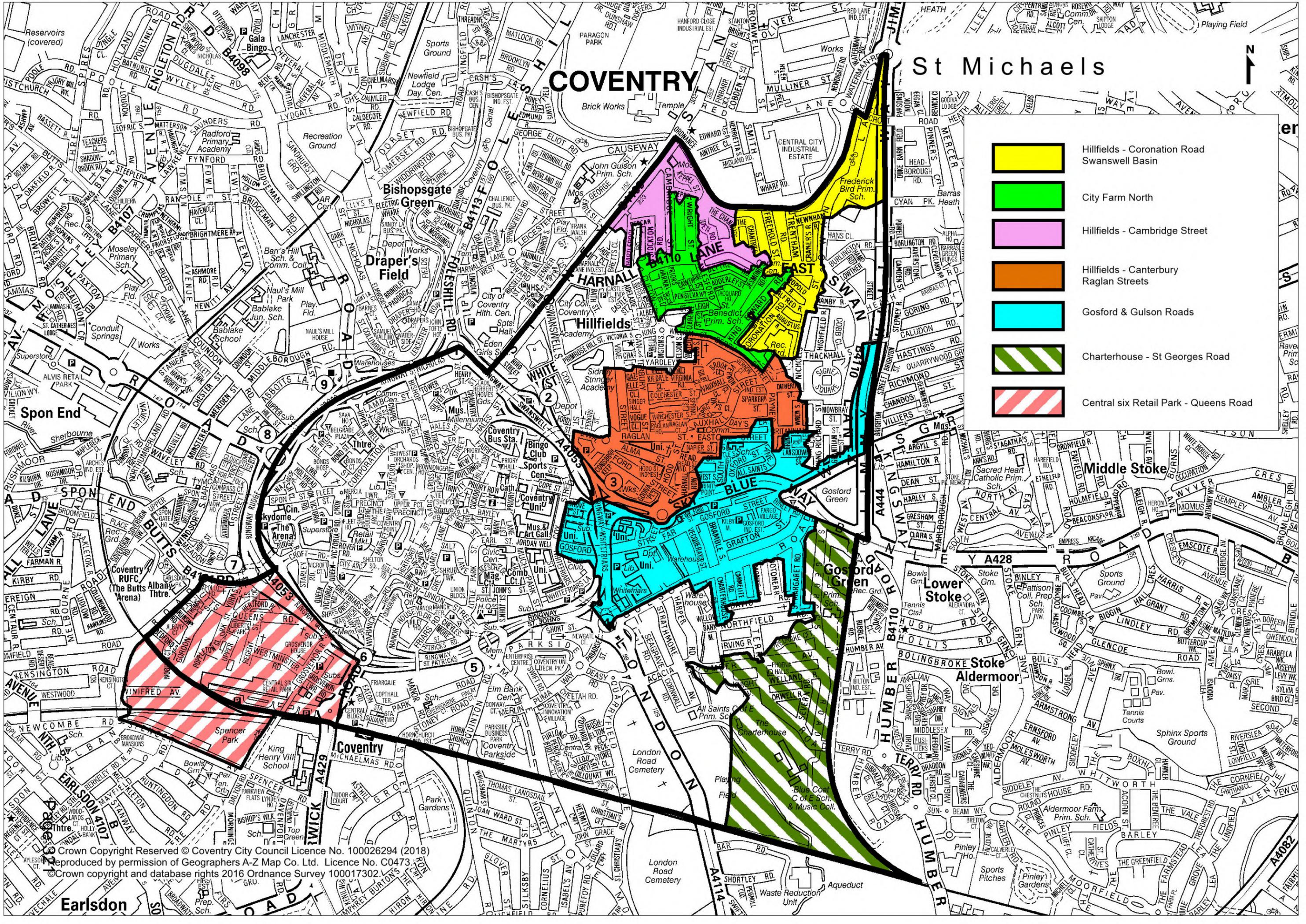
Upper Holyhead Road -
Minster Road



COVENTRY

St Michaels

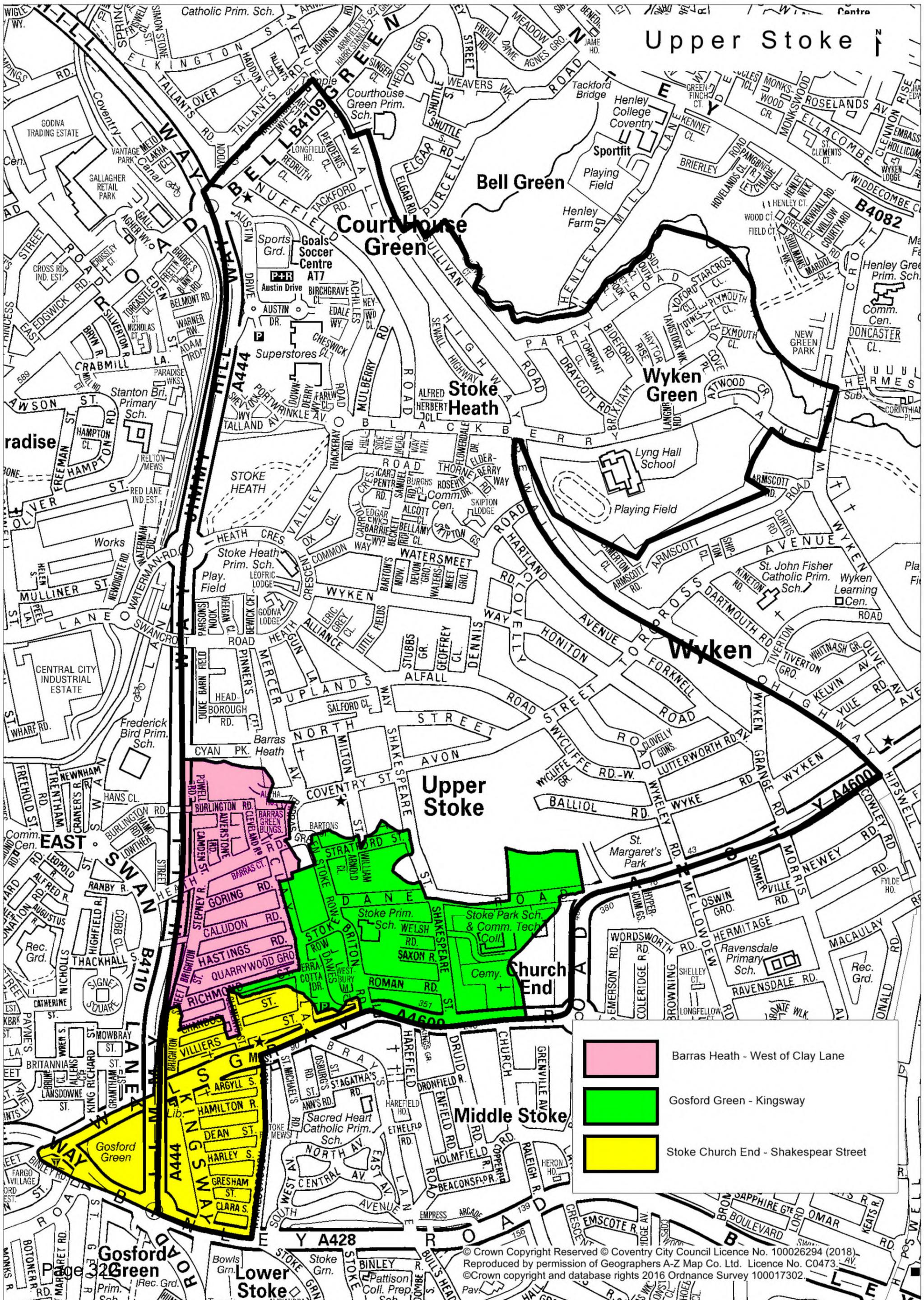
-  Hillfields - Coronation Road Swanswell Basin
-  City Farm North
-  Hillfields - Cambridge Street
-  Hillfields - Canterbury Raglan Streets
-  Gosford & Gulson Roads
-  Charterhouse - St Georges Road
-  Central six Retail Park - Queens Road



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Earlsdon

A4082



Upper Stoke

Bell Green

Courthouse Green

Stoke Heath

Wyken Green

Wyken

Upper Stoke

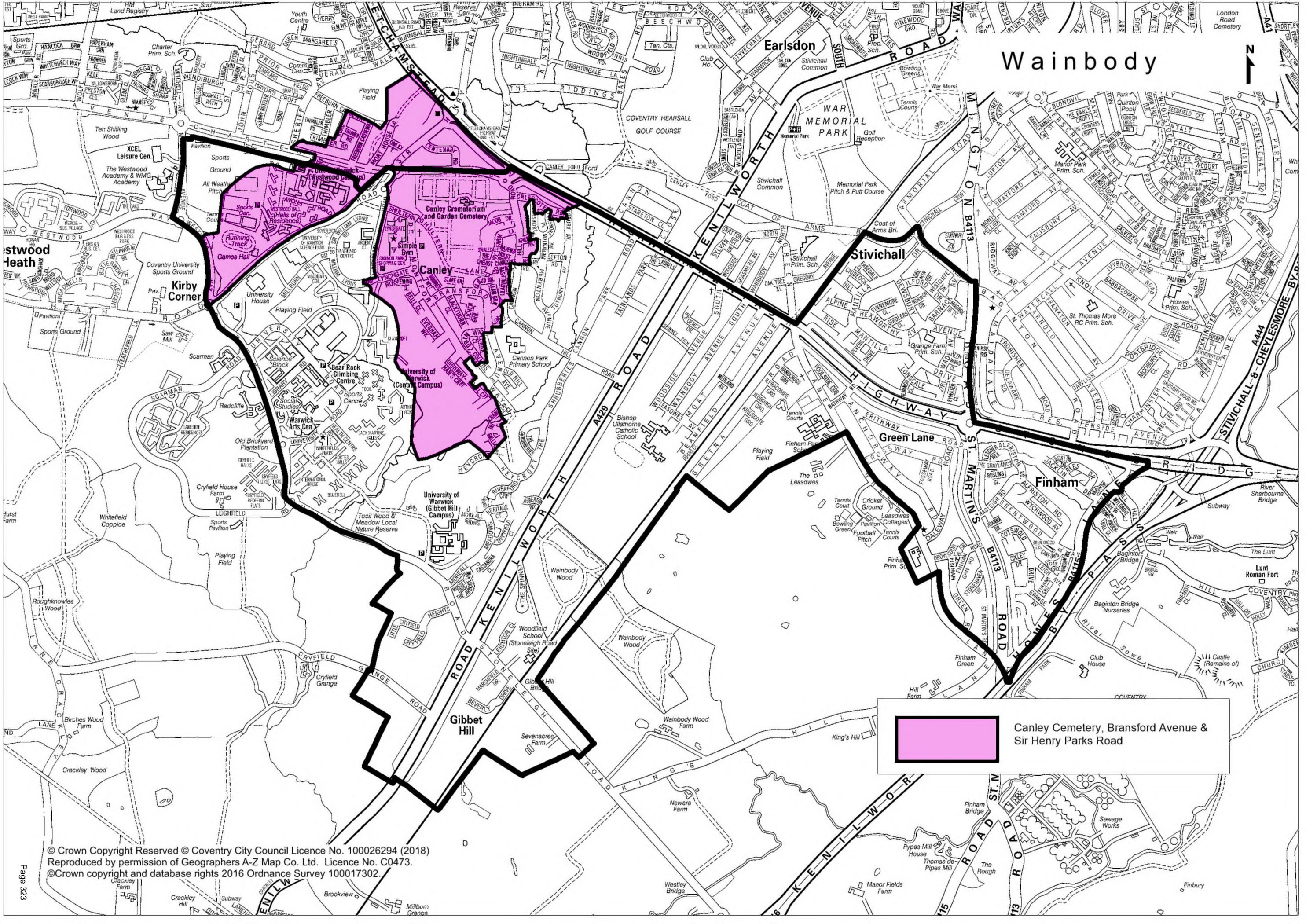
Church End

Middle Stoke

Gosford Green

Lower Stoke

- Barras Heath - West of Clay Lane
- Gosford Green - Kingsway
- Stoke Church End - Shakespear Street



Wainbody

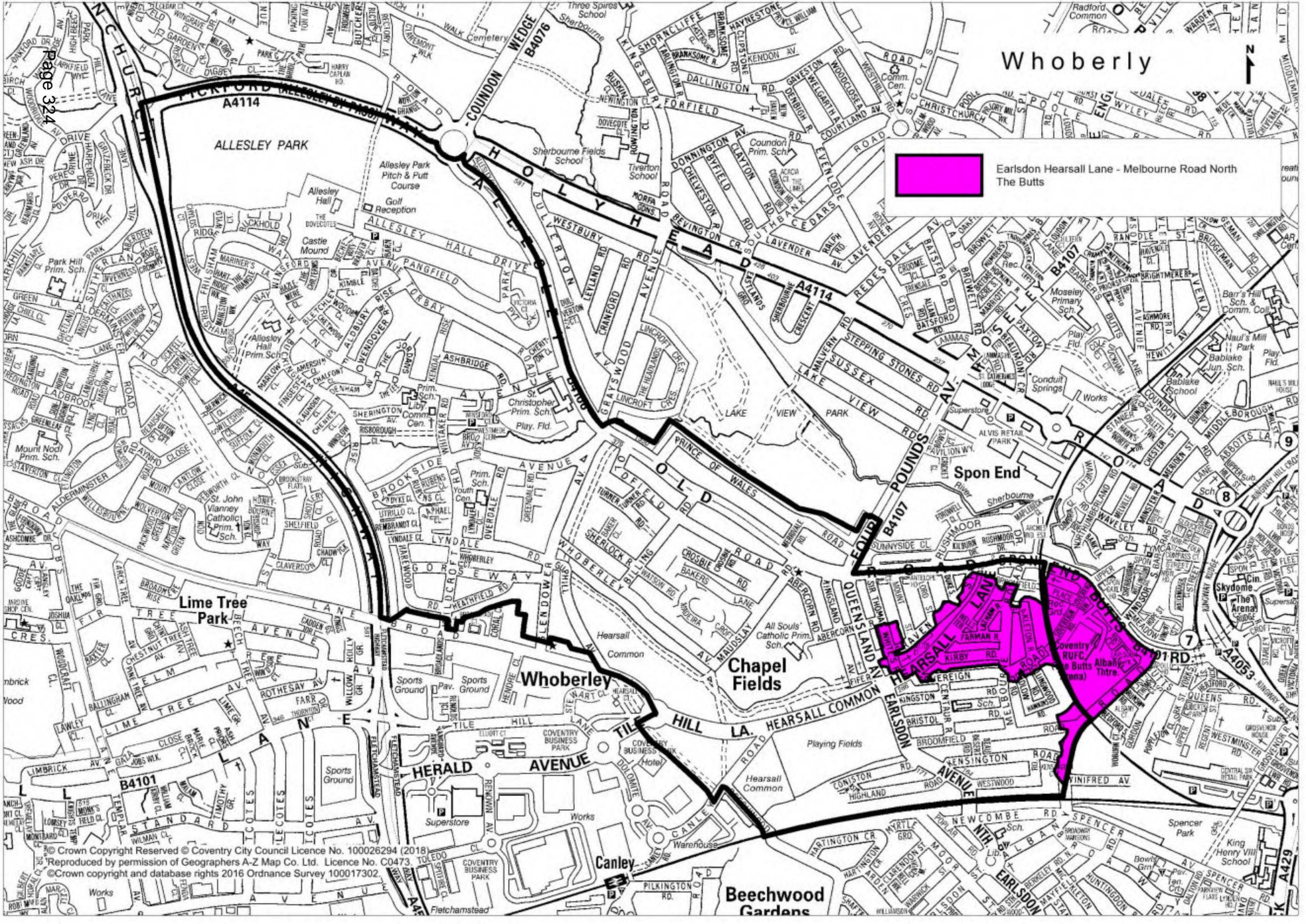


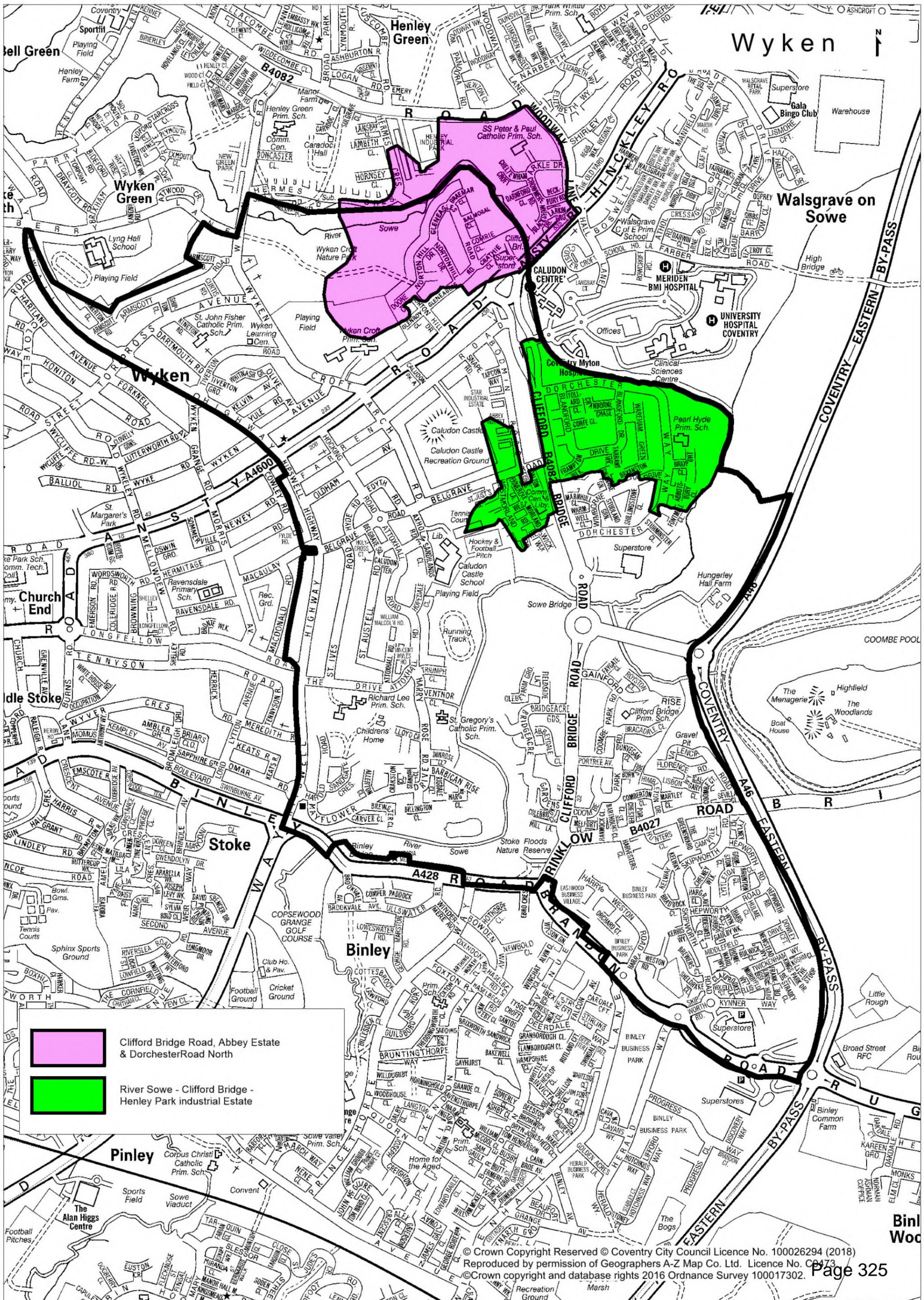
 Canley Cemetery, Bransford Avenue & Sir Henry Parks Road

Whoberly



Earlsdon Hearsall Lane - Melbourne Road North
The Butts





- Clifford Bridge Road, Abbey Estate & Dorchester Road North
- River Sowe - Clifford Bridge - Henley Park industrial Estate

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Selective Licensing Policy.

VERSION 1 – DECEMBER 2018

COVENTRY CITY COUNCIL – PLANNING AND REGULATORY SERVICES

1 | Page

Coventry Selective Licensing Policy and Procedures

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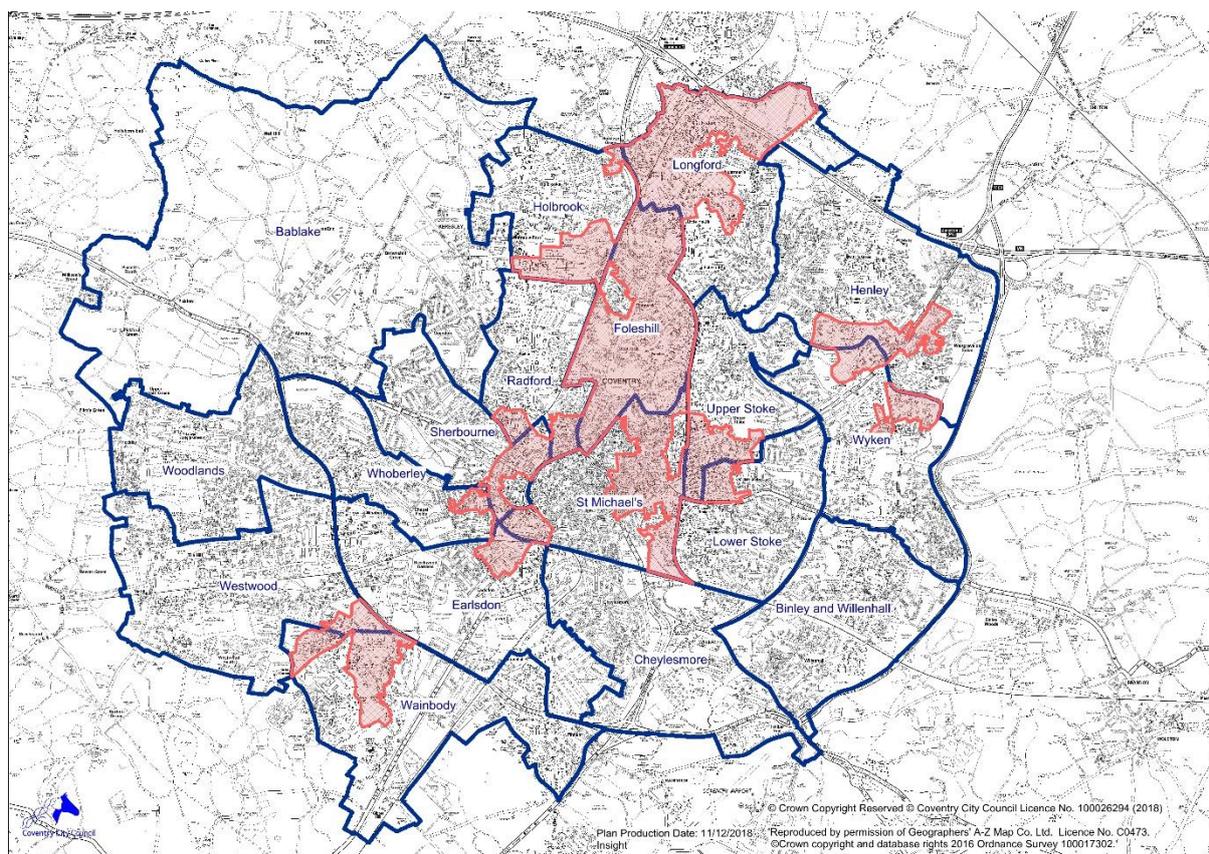
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Introduction

Under Section 80 of the Housing Act 2004 Coventry City Council has the power to designate areas of the City subject to Selective Licensing of certain types of rented houses.

Coventry City Council has exercised this power and designated the following areas of the City as subject to Selective Licensing.

Figure 1 - Map of Selective Licensing areas.



Selective Licensing covers all private rented houses within the designated areas and all licence applications are to be accompanied with a fee determined by the Council. Once a licence is issued it is not transferable.

This document sets out the structure of the scheme and the fees and charges and criteria Coventry City Council will apply to all licences in relation to its Selective Licensing schemes.

Selective Licensing in Coventry

Under the “Coventry City Council Areas (TBC) Designation for Selective Licensing 2019” which will come into force on the (DATE), most privately rented homes in the City are required to have a property licence.

The Council has exercised its powers to charge under Section 87(3) and (7) of the Housing Act 2004 and does so taking into account the Provision of Services Regulations 2009, which themselves implement the EU Services Directive.

Under Part 3 of the Housing Act 2004, a house is required to be licensed if:

- The whole of it is occupied under a single non-exempt tenancy or licence; or
- The whole of it is occupied under two or more non-exempt tenancies or licences in respect of different separate dwellings within the building.

In the event that a building has multiple dwellings contained within it the Council will require a separate application and fee for each of the dwellings within the building. The Council will consider each application and will take the following factors into account before deciding to issue a multi property licence or not:

- Each of the dwellings are separate dwellings (usually self-contained flat,) which are contiguous to one another in the same building;
- Each of the dwellings are occupied under non-exempt tenancies; and
- Each of the dwellings within the same building are within common ownership and management control.

Where the Council is satisfied that individual property licences should be granted, it will give notice of this to the applicant and every relevant person. There is a right to appeal this decision to the First Tier Tribunal (Residential Property Chamber), notwithstanding the grant of these licences.

In cases of a registered `not for profit` charity i.e. Cyrenians or an individual housing provider, such as a private landlord or organisation who is assisting the Council by offering permanent accommodation to meet our homelessness duties applications will be accepted, for the particular property being provided without a fee being payable. An assessment of the organisation will then be carried out and if appropriate the Council will determine the application and issue a licence without requiring any fee. Each case will be considered on its merits based on the type of individual or organisation submitting the application and the removal of the fee requirement will only be applied to the licence for the house being provided for homelessness purposes.

Licence Fees

Section 87 of the Housing Act 2004 permits the Council to require any application for a licence under Part 3 to be accompanied by a licence fee and that this fee may properly cover all costs incurred by the Council in carrying out its functions.

Coventry Selective Licensing Policy and Procedures

In developing its fee structure the Council has had regard to the European Court of Justice ruling in *R (Hemming) V Westminster City Council* (Case C-316/15) and the High Court decision in *R (Gaskin) v LB Richmond Upon Thames* (2018) EWHC 1996 (Admin) which held that the EU's Provision of Services Directive, which is enshrined in UK law as the Provision of Services Regulations 2009 should apply to property licensing fees and the processes involved in implementing and delivering such schemes.

The Services Directive, in particular should be interpreted as precluding charging in advance for costs other than those directly related to the authorisation process of the scheme. In other words, the Council is not permitted to demand fees in advance for anything other than the costs of administering the application for a licence even if it makes it clear that unsuccessful applicants are provided with a refund of the remaining part of the fee. The Council may legitimately recover its wider costs, over and above those relating to the administration of applications, but this should be at the point at which the Council has determined that a licence is to be granted.

The judgements in *Hemming* and *Gaskin* has therefore had the effect that the fee for a Selective Licence under Part 3 of the 2004 Act must be levied in two separate parts.

The Council is not allowed to demand fees in the Stage 1 process for anything other than the costs of administering and processing the application for a licence. Furthermore this element of the fee is non-refundable should the application be unsuccessful.

In the case of Stage 2 payments these can only be requested if the initial application is successful and will be charged to cover the costs of running and enforcing the scheme.

As such the Council, when setting its fees, has adopted the two stage approach. All fees and charges will be reviewed on an annual basis and the following tables set out those fees for the period (DATE TBC).

Table 1- Fees and Charges

Stage	Type of Licence	Fee
Stage 1 Fee – Payable at the time of making the application	1 year licence	£ 251.32
Stage 2 Fee – Payable once the Council has determined to grant a Licence.	1 year licence – where landlord has been found to be operating an unlicensed property	£ 488.59

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Total Fee		£ 740.00
Stage	Type of Licence	Fee
Stage 1 Fee – Payable at the time of making the application	1 year licence	£ 251.32
Stage 2 Fee – Payable once the Council has determined to grant a Licence.	1 year licence – where the landlord is licensing a new property without being identified as part of the Council proactive enforcement regime.	£ 290.54
Total Fee		£ 540.00
Stage	Type of Licence	Fee
Stage 1 – Payable at the time of making the application	5 year licence – subject to criteria	£ 221.52
Stage 2 – Payable once the Council has determined to grant a Licence	5 year licence	£ 160.00
Total Fee		£ 380.00
Stage	Type of Licence	Fee
Stage 1 – Payable at the time of making a Renewal Application.	Renewal of a licence – subject to criteria	£ 191.72
Stage 2 – Payable once the Council has determined to Grant a Renewal of a Licence	Renewal of a licence	£ 225.10
Total Fee		£ 415.00

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Under Section 90 (6) of the Housing Act 2004 the Council has the power to impose a restriction / obligation on a particular person (with their consent). In accordance with this power the Council will require the licence holders consent to pay the Stage 2 fee in advance of the licence being issued, this will be required as part of the application process.

In addition, the Council will attach a condition to all licences requiring this obligation to be met i.e. to pay the Stage 2 fee. This approach is consistent with that set out in the *Hemming* case.

Failure to make the Stage 2 payment will result in the Council taking action through, either the revocation or refusal of the licence or by enforcing the non-compliance of the licence condition associated with the making of the Stage 2 payment.

Processing the application

Under the Housing Act 2004 the Council can either grant or refuse a licence. In determining whether to grant or refuse a licence the Council must satisfy itself of the following:

- That the proposed licence and manager of the property
- That there are satisfactory management arrangements in place or that such arrangements can be put in place by the imposition of conditions in the licence.

Tests for fitness etc. and satisfactory management arrangements.

Coventry City Council must be satisfied that “the proposed management arrangements are satisfactory” before granting a licence. Those arrangements include (but are not limited to) consideration of whether:

- the person(s) proposed to be involved in the management of the premises has/have a sufficient level of competence to be involved;
- the person(s) proposed to be involved with the management of the premises is/are actually involved in the management;
- the person(s) is/are ‘fit and proper’ (which is discussed above); and
- the proposed management structures and funding arrangements are suitable.

If there are concerns about the competencies and structures in place to manage the premises then conditions can be imposed on the licence to ensure that the necessary arrangements are in place. However, if such conditions will still not be possible or practical to impose then it may be necessary to refuse to grant a licence.

It is for a Council to determine whether a person has sufficient competence to be involved in the management of premises and, of course, the level of competence

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required will in some measure be determined by the complexity of the management challenges posed. The Council will, therefore, be looking at the applicant's experience and track record of managing residential premises and, in particular where he/she is the existing manager, the premises to which the application relates. In most cases landlords who belong to a recognised trade association or are members of an accreditation scheme will be regarded as having the necessary competence to be involved in the management of the premises because, at least such organisations can be called upon for advice and assistance where necessary.

The management structures must be such that the manager is able to comply with any licence conditions and deal with the day to day operational management issues that arise as well as being able to deal with longer term management issues. In considering whether the structures are appropriate the Council may take account of the following:

- evidence as to whether the systems in place are sufficient to enable the manager to comply with any condition of a licence or if such systems can be put in place through a condition of a licence to ensure compliance;
- evidence of the systems for dealing with:
 - i) emergency repairs and other issues;
 - ii) routine repairs and maintenance to the premises and its curtilage;
 - iii) cyclical maintenance;
 - iv) management and the provision of services (if any) to the building and its curtilage;
 - v) management of tenancies or occupants;
 - vi) management of the behaviour of tenants, occupants and their visitors to the premises; and
 - vii) neighbourhood issues (including disputes)
- evidence of structures for engagement with the local authority, police and other agencies, where appropriate.

In order to be able to demonstrate much of the above evidence it is likely that the manager will need to operate within a reasonable proximity to the premises, so that he/she can attend to matters promptly and retain an overview on the condition of the premises and the management of the tenancies.

The Council must also be satisfied that the financial arrangements relating to the premises are suitable. In that regard the manager must be sufficiently funded or have access to funding to carry out his obligations under the licence and his/her general management functions.

Coventry City Council can vary or revoke a licence at any time during the licence period if there is sufficient evidence to support these decisions. Unannounced visits of licensed properties will therefore be undertaken during the licence period to check for

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compliance with the licensing and management regimes which apply. This is consistent with the powers provided under Section 239 of the Housing Act 2004.

Breach of any such legislation is a strict offence for which further action will be taken. The Housing, Health and Safety Rating System (HHSRS) also applies to rented properties and (if appropriate) remedial works can be enforced via this legal mechanism separately to the powers provided under the licensing scheme.

The fit and proper test

In deciding to grant a licence Coventry City Council must be satisfied that the proposed licence holder “is a fit and proper person to be the licence holder ...” and that “the proposed manager of the house is a fit and proper person to be the manager of the house ...”.

This requirement is to ensure that those responsible for operating the licence and managing the premises are of sufficient integrity and good character to be involved in the management of the particular residential premises to which the application relates and as such they do not pose a risk to the health, safety or welfare of persons occupying and visiting the premises.

When considering whether a person is ‘fit and proper’ Coventry City Council will have regard to any misdemeanours (wrong doings) of the relevant person concerned. This is evidence that the person has:

- committed any offence involving fraud or other dishonesty, violence or drugs and certain types of sexual offences;
- practised unlawful discrimination on the grounds of sex, colour, race, ethnic or national origins or disability, in connection with the carrying out of business;
- contravened any provision of housing or landlord and tenant law; or
- acted otherwise than in accordance with an approved code of practice.

The above list is not exhaustive and Coventry City Council can and will consider whether a relevant person has committed other relevant misdemeanours, for example, discrimination under Regulation 5 of the Equality Act (Sexual Orientation) Regulations 2007. A relevant person will not be deemed unfit, simply because of poor management, although this is highly relevant to determining any question of suitability or competence.

Coventry City Council do not adopt a blanket policy with its consideration of factors under a fit and proper person test. Each case will be considered on its own merits and regard will be had to information provided / omitted from an application form; historical information already held by Coventry City Council relating to the

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premises and / or any relevant person connected with the licence application.

In an application for a licence the applicant must provide details of the following in relation to him/herself and the proposed manager (if the applicant is not to be the licence holder):

- unspent convictions;
- any findings of a court/tribunal that the person has practised unlawful discrimination;
- any judgement entered against that person in relation to a contravention of housing or landlord and tenant law (and, in so far it relates to the housing or landlord and tenant law, any contravention of any enactment relating to public or environmental health);
- any control order made in respect of any HMO under his/her management or ownership (and also in respect of any former HMO he/she owned or managed);
- any enforcement action in respect of any house or HMO under his/her management or ownership (and also any former HMO or house he/she owned or managed) under the housing health and safety rating system in Part 1 of the Housing Act 2004 so far as that enforcement action related to a category one hazard;
- details of any refusal to grant a licence, or details of the revocation of a licence granted for non-compliance of a condition or conditions in respect of any house or HMO under his/her management or ownership (and also in relation to any former HMO or house he owned or managed); and
- details of any interim or final management orders made by an LHA in respect of any house or HMO under his management (and also in respect of any former HMO or house he owned or managed).

An applicant for a licence must disclose any misdemeanours which relate to themselves, the proposed manager and any other relevant person, if any. Coventry City Council should therefore have sufficient information to decide a person's fitness based on the application.

If Coventry City Council are not satisfied that it has sufficient information (being that supplied in connection with the application) to make a determination, it may require the applicant to provide further details and / or undertake their own further enquiries with other relevant Council departments and external bodies as it deems necessary, including for example Disclosure & Barring Service checks (DBS). The completion and signing of the Licence application form will be taken as an agreement to any such action

Checks will also be made internally with other Council departments such as Licensing, Trading Standards, Planning, Building Control, Council Tax and Housing Benefit.

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Coventry City Council are also able to request information on criminal convictions, and although this is not undertaken as a matter of routine a Police National Computer (PNC) checks will be requested where there is sufficient evidence that this is necessary. A PNC check may also be requested for the purposes of officer safety during the course of the licensing application should this also be considered necessary.

Such reasons for a PNC check may include that:

- Coventry City Council have evidence of a history of complaints or problems with the landlord (which in themselves might not amount to 'evidence' of unfitness to meet the test), but further investigation may be required;
- the applicant has been evasive or untruthful in their application for a licence;
- the applicant, or proposed manager, is unknown to Coventry City Council and has not demonstrated any history or competence of managing HMOs or other private rented properties;
- Coventry City Council has reasonable grounds to suspect that the applicant, or the proposed manager, has committed an offence which is relevant to the determination of any question of his/her fitness; or
- the premises provides accommodation mainly to vulnerable persons.

In deciding whether a misdemeanour (including a criminal offence) is relevant to the determination of a person's fitness a Council may wish to consider the following factors:

- the relevance of the misdemeanour(s) in relation to the person's character and integrity to manage residential premises and in particular the type of premises to which the licence relates;
- the seriousness of the misdemeanour(s) in terms of impact, or potential impact, upon the residents and the wider community, including if more than one misdemeanour has been carried out the cumulative impact;
- the length of time since any misdemeanour; and
- any mitigating circumstances.

Consideration of 'persons associated or formerly associated' with the proposed licence holder or manager.

If there is evidence that a person associated, or formally associated, with the person proposed to be the licence holder or manager of the property, has committed any misdemeanours, that evidence may be taken into account in determining the proposed licence holder's or manager's fitness (even if that person has himself or herself an unblemished record).

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The purpose of this requirement is to ensure that only fit and proper persons hold licences or are in any way involved in the management of licensed properties. It would not be appropriate for a licence to be granted to someone, or for someone to be the manager of a property, if that person was merely acting as a 'front' for someone else who, if he or she were not unfit, would be entitled to be the manager or licence holder.

An example might be that of a husband and wife, where the husband is the landlord (or indeed both he and his partner are joint landlords), but only the wife has applied for the licence. If there is evidence that the husband has committed misdemeanours and those misdemeanours are relevant to the wife's management of the property or licence then the Council may refuse to grant her a licence.

Likewise if a landlord with an unsatisfactory record nominated a "manager" who had a clean record, but had acted for him whilst the misdemeanours were committed, Coventry City Council may consider the managing agent by association to be unfit too.

Issuing a Licence

All properties subject to an annual property licence will be inspected prior to the issuing of a draft licence to ensure that the property meets the required standards and the necessary and appropriate management arrangements are in place.

Where the licence holder and manager has satisfied the requirements for a longer licence the licence will be issued after an initial inspection being completed. All properties will however remain subject to further inspections during the lifetime of the licence to check compliance with licence conditions, management responsibilities and minimum standards. In certain cases the Council may decide to carry out such inspections without prior notice being given to the owner, licence holder and /or manager.

Where the inspection has been pre-arranged then all applicants will be required to provide access to all rooms in the house at a suitably arranged appointment.

All contact with the licence holder and relevant person(s) will be made using the contact information provided by the applicant on the original application. Accordingly, it is the licence holder's responsibility to ensure that all contact details are up to date and you must notify the Property Licensing Team of any change in details. The Property Licensing Team will not be held responsible for any delay in communication if it is as a result of any contact information changing.

A draft licence with conditions will be issued based on the findings from this inspection. The draft licence (known as an Intention Notice) will be emailed to all relevant persons and other interested parties for consultation.

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The relevant persons will have an opportunity to make any representations, which will be considered.

When this process is complete a full licence with the conditions (known as the Decision Notice) will be issued. Again, copies will be sent to all interested parties.

If the licence holder is still dissatisfied with the conditions of the licence, they will have an opportunity to appeal to the First-tier Property Tribunal. The details of how this appeal can be made will be provided with the Licence.

All properties will be inspected at least once during the period of the licence to check conditions have been complied with. Failing to comply with any conditions on a licence is an offence under Section 95(2) of the Housing Act 2004 and, if found guilty the licence holder could face a prosecution or issued with a Civil Penalty of up to £30,000.

In cases where the licence is being issued to or on behalf of a new landlord who has never licensed a property before the first licence will run for one (1) year, and the licence must be renewed before it expires. After the first year, the opportunity will be provided to apply for a longer licence, provided all the relevant criteria is met.

The Council considers this approach is justified in furtherance of the overriding public interest of improving the standard of rented properties and their management.

Renewal Applications

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (Amendment) (England) Regulations 2012 set out amendments to “renewal applications”, which reduces the burden on landlords applying for the renewal of a licence.

In the case of renewal applications the applicant must:

- supply with the application, completed and signed declarations in the form specified in paragraph 4 of Schedule 2 of the Housing Act 2004;
- supply in addition a completed and signed declaration in the form specified in paragraph 5 of that Schedule; and
- in either case, sign the application.

The form of declaration mentioned above will be available for applicants to sign as part of any renewal application.

The regulations define a “renewal application” as “*an application for a licence under section 87 of the Act where, at the time the application is made a licence of the kind applied for is already held by the applicant and has effect in respect of the HMO or house*”.

The effect of this part of the Regulations is that in order for the Council to treat any application as a “renewal” the application must be made during the active period of the

current licence. If a renewal application is received on or after expiry of the current licence then the application will be treated as a new application and the appropriate fees above will apply.

Application for a revocation or variation of a licence.

If circumstances regarding the property change during the licence period, for example a change in the number of letting units, the licence holder must notify the Property Licensing Team directly so the licence can be re-assessed and varied if the premises is considered suitable to accommodate the variation request.

Similarly, if the premises are no longer going to be occupied as a rented property or the licence holder changes, then the licence holder must make an application for the licence to be revoked. Any remaining period of the licence will be forfeited and there will be no right to a refund of the original payment.

Licence Criteria

One year licence application criteria

Annual licences are normally issued to new landlords where they have recently acquired or converted their property into a licensable property. This licence will be issued for a probationary period of 12 months and will be subject to the inspections process described earlier.

Upon renewal the landlord/licence holder will be able to apply for a longer licence and, subject to meeting the relevant criteria, may be issued with a 5 year or “end of scheme” licence. In cases where the landlord/licence holder is not able to meet the qualifying criteria an annual licence will be issued as a renewal.

It is important that a renewal application is submitted before expiry of the current licence otherwise it may be determined that this is a new application and additional information will be required. A different fee may also apply to reflect the increased time involved in processing the application.

Annual licences will automatically be issued to those landlords who are found to be operating an unlicensed property through proactive visits carried out by the Council. In cases such as these it is likely that the landlord may also be subject to a formal investigation by the Council – given that they have been found to be operating an unlicensed property. This may affect their eligibility as licence holder or manager so they will be required to nominate an alternative competent person to be licence holder/manager.

Upon renewal the landlord/licence holder will be able to apply for a longer licence and, subject to meeting the relevant criteria, may be issued with a 5 year or “end of scheme” licence. In cases where the landlord/licence holder is not able to meet the qualifying criteria an annual licence will be issued as a renewal.

In all cases the applicant must:

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Complete a valid application within 12 weeks of the property being licensable; and

Comply with all licence conditions before the licence is due for renewal.

Five year / End of Scheme licence application criteria

All applicants that meet the criteria set out below will be eligible for a 'five-year' licence (granted for 5 calendar years or up to the expiry date of the operating scheme).

The criteria for such a licence is as follows:

- Valid renewal application completed promptly before or within 2 weeks of being sent the first renewal reminder;
- In the case of new applications , a complete application form;
- Fee paid;
- Declaration signed; and
- Five-year licence self-certification forms signed by the licence holder and (if applicable) managing agent.

All parties actively involved in managing the property (i.e. joint or sole management responsibility) must be accredited with Coventry City Council's Landlord Accreditation Scheme (CLAS). See *Additional Notes* below for details.

All parties involved in the licensing and management of the property must also have a good history with the Council. When determining the compliance with this element of the criteria the Council will take the following into account:

- All licence applications made on time;
- No outstanding licence conditions;
- No recent complaints about the property we have taken action to resolve;
- All certificates provided up to date and satisfactory;
- No issues with other departments within the council i.e. planning/highways;
- Have suitable maintenance arrangements in place with suitably qualified and competent tradespeople for the upkeep of the property; and
- Adhere to the principles set out in the **Private Rented Sector Code of Practice**;

Managing Agents (with sole or joint management responsibility) must meet the following additional criteria:

- 50% or more of the company's employees are suitably qualified in residential property management;
- All employees carry out regular continued professional development (CPD); and
- The company is registered with a recognised professional association.

Should any issues arise or new information be discovered after the licence is issued, Coventry City Council reserves the right to revoke the licence. If any relevant person

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is found to have provided false or misleading information or made a false declaration, we may take enforcement action against them separately.

It is the responsibility of the proposed licence holder and manager(s) to meet all of the eligibility criteria for the licence and provide all necessary evidence when requested. If all requested documentation is not provided in time, the Council will automatically assess the application based on the evidence we hold and issue a licence accordingly, which will generally be an annual licence.

Coventry Landlord Accreditation Scheme (CLAS)

All parties actively involved in managing the property must be accredited with Coventry City Council Landlord Accreditation Scheme (CLAS) to be eligible for five-year licences. Read the (WEB PAGE LINK TBC) or contact (EMAIL TBC) for further information on becoming accredited.

The licence holder **does not** need to be CLAS accredited if the managing agent has CLAS accreditation and full management responsibility.

The landlord **does not** need to be CLAS accredited if the managing agent is the licence holder, has CLAS accreditation, and full management responsibility.

The licence holder and managing agent **both** need to be CLAS accredited if they have joint management responsibility.

The licence holder **only** needs to be accredited if they have full management control and their agent has **no** property management responsibility (i.e. agent is used only for finding tenants and/or rent collection.)

The licence holder must complete a self-certification form in all cases, even when full management control has been given to a managing agent (who in that case must also complete the form).

'Suitable maintenance arrangements' means having arrangements in place with suitably qualified and competent tradespeople to carry out maintenance and emergency repairs. For example, having ready details of a Gas Safe Registered plumber, a NICEIC registered electrician and reputable builder/handyman; or having a comprehensive emergency cover plan for your properties.

'Recognised professional associations' for agents include: ARLA, ARMA, IRPM, NAEA, and RICS.

A Disclosure and Barring Service (DBS) check may be requested from the landlord in cases where the agent has full management control (irrespective of whom the licence holder is).

Will tacit consent apply?

In deciding whether tacit consent applies the Council has taken into consideration the recent High Court decision in the case of *R(Gaskin) v Richmond LBC* [2018] EWHC 1996 (Admin).

The *Gaskin* case says that the Provision of Services Directive applies to licensing schemes in full and that regulators should set out how long it will take to carry out a licensing approval process and if they do not meet that timeline then approval (tacit consent) should happen automatically.

Upon receiving a valid application, the Council will aim to provide a decision as soon as is reasonably practicable, however each case will require different processes to be completed, for example if an inspection of the property is necessary then the Council will be required to complete this before issuing you with a decision. This could therefore extend the time it takes to process your application.

It is therefore the Council's aim to process all valid applications and provide the relevant persons with a decision within 12 weeks of receipt. This will require the full co-operation of the applicant with the Council's requirements for determining a licence application.

If a decision about a licence application has not been received after this period, then tacit approval may apply but the proposed licence holder should not assume they will automatically have been granted a licence.

As mentioned the target completion period for issuing a decision and a licence is subject to many factors and as such applicants should check with the Council on the status of their application.

By the Council setting out and displaying publicly their licensing processing time, the Council considers this will instil confidence in local landlords and help to keep them informed about the process.

Public registers

A register of property Licences is available online and details of this can be obtained by sending a formal, written request to the Property Licensing team.

Appeals

If an application for a property Licence is refused, there is a right to appeal this decision within 28 days to the First-tier Tribunal (Property Chamber - Residential Property). The details of this will be provided with the Decision Notice.

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PRIVATE RENTED SECTOR CODE OF PRACTICE

Updated July 2015



Private rented sector code of practice

Updated July 2015

This code of practice, originally published in September 2014, has been revised to reflect more recent changes in legislation.

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Ombudsman Services: Property

Property Redress Scheme

The Property Ombudsman

Deposit Protection Service

My Deposits

Tenancy Deposit Scheme

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Foreword

We are committed to building a bigger and better private rented sector. The private rented sector provides valuable flexibility within the housing market, with increasing numbers of tenants choosing to rent as a matter of choice. We want to support it and see it grow.

A key part of this is our commitment to minimising excessive regulation of the sector, which would force up rents and reduce choice for tenants. We have put in place measures to create greater choice, professional services and higher quality properties for tenants. That is why we are financing the construction of up to 10,000 new homes specifically for private rent through our £1 billion Build to Rent Fund, while our Private Rented Sector Housing Debt Guarantee Scheme will support up to £3.5 billion of investment in private rented projects, plus a potential share of £3 billion held in reserve.

We know that the majority of tenants are satisfied with the performance of their landlords and that the majority of landlords and letting agents provide a good service. However, the small minority of rogues or criminals who exploit tenants drag the reputation of the sector down. We are cracking down on these landlords using a range of tools from legislation, funding and other support to local government.

It is important that tenants and landlords are able to choose letting agents who do operate to best practice. That's why, in October 2013, we asked the Royal Institution of Chartered Surveyors to work with other leading sector organisations to develop a Code of Practice.

I am delighted that the leading organisations representing landlords, letting agents and property managers have come together to create this comprehensive Code that may be used by anyone involved in the letting and management of private rented property.

Where this Code is particularly valuable is that it not only explains what is legally required, but provides a model for best practice. Members of any organisations which have signed up to this Code agree to abide by its contents, giving tenants assurance of a good service, driving up standards in the sector.

I am delighted, therefore, to introduce this Code of Practice. I truly believe it will lead to an even better and more professional private rented sector in England.



Brandon Lewis, Minister of State for Housing and Planning



1 Introduction

1.1 Scope

This Code is intended to promote best practice in the letting and management of *private rented sector* housing in England. The aim of the Code is to ensure:

- Good-quality homes for rent.
- Consistent and high standards of management.
- Choice for the *consumer*.

The Code is intended for use by landlords and lettings and management agents in the private rented sector (PRS).

Whether you are a landlord or an *agent*, if you are responsible for the letting and management of homes you have a minimum duty to achieve basic compliance required by law. However, landlords and agents should aspire to a standard above minimum legal requirements and in line with industry best practice as set out in this Code. If you are unsure of what you should do or what is required of you, seek professional advice. Ignorance or inexperience is not an acceptable defence for poor practice.

A useful checklist has been provided for inexperienced landlords at the back of this Code of Practice – see [Appendix B](#).

1.2 How to use this Code

Terms shown in italics are defined in a [glossary](#) at the end of the Code.

Landlords are responsible for ensuring that they comply with the law when letting and managing residential property. When a landlord engages an agent, the tasks and responsibilities of letting and managing property will be allocated between them. It is for the landlord and the agent to decide and to understand who is responsible for which tasks and responsibilities.

This Code uses the words ‘you’ and ‘responsible person’ to refer to whoever is responsible for a particular task or responsibility. Where items in the Code are aimed *only* at agents or landlords, this is indicated where required.

In the Code:

- The word ‘*must*’ indicates a legal requirement.
- The word ‘*should*’ indicates best practice. Where you should do something and have not, you ought to be able to justify reasons for not doing it.

Where procedures are recommended for specific tasks, these are intended to represent ‘best practice’; that is, procedures that, in the opinion of the property management industry, meet a high standard of competence.

When an allegation of professional negligence or a breach of obligation is made against a responsible person, a court or tribunal is likely to take account of the contents of the Code in deciding whether or not you have acted with reasonable competence.

The principles on which this Code is based are:

- 1 To comply with all laws relating to the letting and management of residential private rented sector property.
- 2 To meet all other legal requirements and relevant codes of practice.
- 3 To let and manage properties in an honest, fair, transparent and professional manner.
- 4 To manage properties with due skill, care and diligence, and ensure that, where staff are employed, they have the skills and training needed to carry out their tasks.
- 5 To do their best to avoid conflicts of interest and, where they do arise, to deal with them openly, fairly and promptly.

- 6 You must not discriminate on the basis of age, gender, race, language, sexuality or any other factor that might place an individual at a disadvantage.
- 7 To ensure that all communications and dealings with *clients* and tenants are fair, clear, timely and transparent.
- 8 To ensure that all relevant information is provided to clients and tenants, including publicising fees, prior to them committing to a *transactional decision*.
- 9 To ensure that all advertising and marketing material is accurate and not misleading.
- 10 To take steps to look after *client money* and to hold this separately from other funds.
- 11 To behave ethically and responsibly at all times.

The Code contains some principles aimed specifically at letting and management agents, as follows:

- To ensure that landlords and tenants are given details of complaints-handling procedures and the redress scheme to which the agent belongs.
- To ensure client money is covered by client money protection.

2 Lettings and management

2.1 For landlords only: selecting an agent

Landlords should only engage agents who:

- are members of an accredited body
- are members of an independent redress scheme
- protect client money by way of a *clients' money protection scheme*; and
- have appropriate insurance such as public liability and professional indemnity insurance.

2.2 For agents only: accepting instructions from a landlord

2.2.1 Conflict of interest

Before confirming instructions, agents and contractors must check that they will not have any *conflict of interest*. If they do, they must declare it and get written permission from the landlord that they can continue to act.

If the landlord gives permission then, at the earliest practical opportunity, and definitely before negotiations begin, the agent or contractor must give details of the conflict of interest, *in writing*, to the prospective tenant.

2.2.2 Giving correct advice

An agent must provide truthful, accurate and unbiased advice to a landlord.

Where an agent advises a landlord about a letting a realistic rental assessment must be made, reflecting current market conditions. It should be supported by comparable market evidence, if available.

2.2.3 Consumer Protection from Unfair Trading Regulations 2008

When offering services to a landlord:

- An agent must comply with the:
 - *Consumer Protection from Unfair Trading Regulations 2008* (CPRs)
 - *Business Protection from Misleading Marketing Regulations 2008* (BPRs)
 - *Unfair Terms in Consumer Contracts Regulations 1999* (UTCCRs)
 - *Supply of Goods and Services Act 1982* (SGSA); and
 - *Unfair Contract Terms Act 1977* (UCTA).
- An agent must not engage in any unfair commercial practice by saying, doing or omitting to do something which causes, or is likely to cause, the *average consumer* to take a different transactional decision.
- An agent should refer to the Competition and Markets Authority's [Guidance for lettings professionals on consumer protection law](#) for further information and guidance on the regulations.

2.2.4 Confirming identity

Agents should make every reasonable effort to confirm a landlord's identity before accepting instructions.

If the landlord operates as a business, the agent should identify and confirm who within the business has the authority to act on its behalf.

2.2.5 Agreeing the scope of work

The agent should agree the scope of work and then issue terms of engagement, which should detail the duties the landlord expects the agent to perform.

2.2.6 Terms of engagement

Agents must give landlords written confirmation of their instructions to manage a property on their behalf. This must include details of:

- fees and expenses
- business terms
- the duration of their instructions; and
- the extent of the agent's financial authority to authorise expenditure such as essential repairs/maintenance.

The agent must give these details to the landlord before the landlord is committed or has any liability towards them. The landlord should be given sufficient time to read and understand the agreement before signing.

Terms of engagement must clearly state the scope of the work the agent will carry out and any additional responsibilities. The terms must be fair and must be written in plain and intelligible language.

The terms of engagement should state that a copy of the agent's complaints-handling procedure is available on request, together with details of the redress scheme to which the agent belongs.

If a landlord signs a contract:

- with the agent present at their home; or
- at another location away from the agent's premises; or
- by post or online; or
- without having met the agent

the landlord must be given a right to cancel that contract within 14 calendar days from the date of signing.

If the landlord requires the contract to start before the end of this cancellation period the agent must obtain confirmation of this in writing.

Both parties should sign and date the terms of engagement. Any subsequent changes to terms of engagement must be confirmed in writing and signed by both parties.

2.2.7 Fees, charges and taxes

Agents must provide clearly defined details of their fees and expenses which may become payable. All fees, charges and penalties applicable to both landlords and tenants need to be displayed inclusive of VAT. This is in accordance with the [Advertising Standards Authority](#), the *Consumer Rights Act 2015* and *Consumer Protection from Unfair Trading Regulations 2008* requirements. Agents must prominently display these on their website and at each office where they deal face-to-face with those using or proposing to use their services. They must also state whether or not they are a member of a client money protection scheme and which redress scheme they belong to.

If the agent does not know the exact amount at the time, they should give details of how it will be calculated. This should include any renewal commission and the method of calculation, making clear that this will only arise where the agent is instructed to renew the tenancy or the landlord has specifically agreed to the agent's entitlement. The intention of the legislation is that both tenants and landlords are able to understand what a service or cost is for and why it is being imposed.

Agents should state all fees inclusive of tax, a legal requirement where the landlord is not a business.

Agents must include any contractual right to interest on late payment in the terms of engagement. The terms of engagement should set out which party retains any interest accruing from client money held.

2.2.8 Using subagents

Agents who want to appoint a subagent must first obtain the landlord's authorisation. Appointing a subagent without authorisation may be considered a breach of duty unless it is contained within the agent's terms of engagement.

2.2.9 Commissioning other documentation

You must follow legislative requirements about documentation to be provided at the point of marketing, during the marketing process or on completion. This must include an Energy Performance Certificate (EPC) and, where gas is provided at the property, a current Gas Safety certificate.

3 Lettings

As described in [section 2.2.5](#), landlords who use an agent will have agreed the scope of work that the agent will provide. If the landlord has not instructed an agent to carry out the following tasks then the landlord is responsible.

3.1 Marketing and advertising

You must always act in good faith, with the standard of care and skill that is in accordance with honest market practice.

Before letting, you must obtain any consent needed – for example, joint owner, lender, insurance company, *superior landlord*, freeholder and local authority. You must also comply with the obligations and requirements of the various safety legislation, standards and regulations that apply to rented property.

If the owner of a leasehold property wishes to let, they must consider the terms of that property's lease to the immediate landlord and any covenants or other obligations that will need to be included in the tenancy agreement. You must draw these to the attention of potential tenants at the earliest appropriate opportunity.

You must not exert undue pressure on any potential tenant.

You must comply with the *Consumer Protection from Unfair Trading Regulations 2008* and the *Consumer Rights Act 2015*.

You should treat all tenants, prospective tenants, landlords and prospective landlords as consumers for the purposes of the regulations, unless they are clearly not, such as in the case of a limited company landlord or tenant.

You should refer to the Competition and Markets Authority's [Guidance for lettings professionals on consumer protection law](#) for further information and guidance.

You must take reasonable steps to ensure that all statements made about a property, whether oral, pictorial or written, are correct and are not misleading. The information must be provided in a clear and timely manner and must not omit or hide *material information*.

You must not engage in any unfair commercial practice by saying, doing or omitting to do something which causes, or is likely to cause, the *average consumer* to take a different transactional decision.

You must not engage in any of the 31 specific practices that the *Consumer Protection from Unfair Trading Regulations 2008* ban outright (see [Regulation 3 and Schedule 1 of the Regulations](#)).

Advertisements must comply with the Committees of Advertising Practice (CAP)'s [UK Code of non-broadcast advertising, sales promotion and direct marketing](#).

You must ensure that the property particulars and any advertisements include the alphabetical [Standard Assessment Procedure \(SAP\)](#) rating from the EPC.

You should explain all the possible tenancy options to the prospective landlord and tenant, including any potential for longer term lets. You should also explain that longer agreements may include rent review clauses to allow for changes in rent during longer fixed-term tenancies. If the agreement is for a fixed term of three years or more, the agreement must be executed as a deed. If you know that the property is only available in the short term, you should advise prospective tenants of this at the earliest opportunity, preferably before viewing.

'To let' boards must comply with [planning requirements](#).

For agents only

If asked to let a leasehold property, the agent must ask the *leaseholder* for full details of all covenants or obligations that may apply to the tenant and which must be incorporated in any tenancy agreement.

3.2 The Green Deal

You must disclose the existence of a *Green Deal* charge to a potential tenant at the earliest appropriate opportunity using the prescribed wording in the [Statutory Instrument](#). You must obtain confirmation in writing from the tenant that they understand they will be:

- liable to pay the Green Deal plan and instalments; and
- bound by the terms of the Green Deal Plan.

3.3 Viewings

You must advise tenants of all material information and ensure that there are no misleading omissions from the information provided. This includes responses to questions from potential tenants.

When arranging for a potential tenant to view an already tenanted property, you must ensure that the existing tenant is given appropriate and reasonable notice (24 hours recommended) of the appointment and in accordance with any provisions within the tenancy agreement, unless other arrangements have been made with the agreement of the tenant.

When accompanying a potential tenant on a viewing, you should take appropriate steps to ensure the [personal safety](#) of all involved.

3.4 Agreeing the letting

You should ensure you understand the requirements of potential tenants and the flexibility on tenancy length offered by the *assured shorthold tenancy* to meet these requirements. Consideration should be given to the granting of longer tenancy agreements where this is appropriate for both parties.

You should provide tenants with a copy of [How to rent – the checklist for renting in England](#).

When negotiations are concluded, you should send written confirmation to the potential tenant setting out:

- the tenancy terms
- the costs that the tenant will be responsible for
- the deposit
- any holding deposit, clearly stating the basis of such a deposit and all associated terms and conditions
- the total sum required on signing
- any guarantor requirements, if applicable
- the methods of payment that could apply; and
- the procedure to follow when the tenant comes to sign the tenancy agreement.

3.5 References and checks

You must obtain the prospective tenant's consent before seeking a reference or carrying out a credit check.

You should take references that are in accordance with the individual circumstances of the tenant and should take care in validating their authenticity. You should keep a record of the steps you take to do this. You should ensure that you understand any additional requirements around obtaining a reference for a tenant in a selective licensing area.

You must make reasonable endeavours to check the lawful immigration status of any potential tenant or other persons living at the property where required to do so by law (*Immigration Act 2014*).

3.6 Inventory

Prior to the commencement of the tenancy, an appropriate inventory should be prepared. The principle items to be included in the inventory must be made clear to the potential tenant at the earliest convenient opportunity.

You can find further guidance about inventories in [A guide to best practice for inventory providers](#) published jointly by RICS, APIP, ARLA, Asset Skills and NAEA.

3.7 Formal agreement

The tenancy agreement should be written in plain, intelligible language. You must give a prospective tenant enough time to read and understand the agreement before signing. You must give the tenant the opportunity to raise queries to clarify the rights and obligations of the tenancy agreement.

An appropriate payment method for the rent should be agreed with the tenant.

The tenancy agreement must be signed by the landlord or their representative. The counterpart tenancy agreement must be signed and dated by all of the tenants in order to come into effect. The tenant should be given the signed tenancy agreement. The landlord should retain the counterpart agreement.

Where letting to joint tenants, you should ensure that all tenants sign the tenancy agreement wherever possible. If this is not practical, someone else can sign on their behalf so long as they are duly authorised to do so and you have clear evidence of this authority.

Any guarantors must sign a written deed of guarantee that clearly states their obligations.

You should ensure the inventory is signed by or on behalf of the parties and dated.

You should provide the tenant with at least one complete set of keys that is recorded in the inventory.

You should consider identifying a lead tenant to whom key correspondence and enquiries are directed and who arranges rent payments. However, some legal documents need to be served on all tenants.

3.8 Tenancy deposits for assured shorthold tenancies

Tenancy deposits for assured shorthold tenancies must be protected in a Government-authorised scheme within the statutory timescale and otherwise in accordance with the [relevant scheme rules](#).

You should consider the amount of a deposit based on what is fair in relation to the potential liability the tenant has in relation to the property.

The tenancy agreement must make provision for the holding of any deposit, specifying:

- how the deposit is to be held; and
- who keeps any interest earned on it.

The tenancy agreement must also state why the deposit is being held and the circumstances in which it is to be released, in whole or in part.

The tenancy agreement should also state which tenancy deposit protection scheme the deposit is held under.

You must make *prescribed information* regarding the tenancy deposit protection scheme available to the tenant(s) within the statutory timescale of receiving the deposit. See www.gov.uk for further information. The tenant(s) must be given an opportunity to check and sign the prescribed information.

Where a deposit is held by an agent, this should be held as a 'stakeholder' on behalf of both parties. These matters should be made clear to the prospective tenant before the deposit is paid and the tenancy agreement is signed.

Where a deposit is held by an agent, deposit money must be dealt with in the same way as other client money (see [section 4.21](#)). The letting commission or other charges owed by the landlord to an agent must not be taken from the deposit.

The deposit must be released only in compliance with the terms under which it was originally held.

3.9 Company lets

Where residential properties are let to a company rather than an individual, the company is responsible for all of the tenant's obligations under the terms of the tenancy agreement in the same way an individual tenant would be. Company tenants are not treated as consumers under the relevant legislation. Agreements will not be an assured shorthold tenancy.

You should request sufficient details to legally identify the company, such as the company registration number and who may legally contract on behalf of the company.

You should be informed of the identity of the licensee of the tenant company. The tenancy agreement should allow the property to be occupied by the permitted occupier together with their family.

The tenancy agreement should include a clause making clear that money paid by the licensee towards the rent will be paid as an agent on behalf of the company and will not give the licensee rights as a company tenant.

4 Property management

4.1 General arrangements

You should always manage properties in a professional manner. If you are unsure what this entails then consider either undertaking accreditation or similar qualification yourself or using an accredited agent.

You should always manage properties in an open and transparent way, subject to maintaining confidentiality in respect of personal information.

You should advise tenants of your contact details for day-to-day tenancy management matters and should be available:

- to be contacted during normal working hours
- to meet tenants; and
- to inspect the property at reasonable times and intervals.

If requested, you should assist tenants in understanding their tenancy agreement or other terms of occupation by explanation or by referring them to www.gov.uk and to the [Citizen's Advice Bureau](#) for independent advice. You should not give advice about the tenant's legal rights, and should avoid a conflict of interest when giving any advice.

You should maintain appropriate records relating to the building and decide how long to keep them, taking account of periods of statutory limitation of action.

You should take steps to keep informed of developments in legislation affecting residential management to keep wholly within the law.

So far as it is reasonably practicable and consistent with statutory and contractual obligations, personal information must be kept confidential and must not be disclosed to other people without consent. It may be permissible to disclose information without consent in accordance with the advice of the Information Commissioner's Office (ICO). However, a privacy notice to the tenant may be required. You are required to register with ICO if you hold any personal data electronically (this would include holding a tenant's phone number in your own phone) or pass personal information to someone else, such as carrying out an immigration check with the Home Office. Almost all agents and landlords who do not use agents need to register with the ICO. Landlords who use agents for some or all of the letting and management process may need to register depending on personal information held and/or passed on. See www.ico.org.uk.

You should be aware of the local private rented sector licensing requirements in the area of the premises. This includes additional licensing, selective licensing and mandatory *Houses in Multiple Occupation* (HMOs) licensing and planning consent requirements (see [Licensing of houses in multiple occupation in England: a guide for landlords and managers](#) and [Selective licensing in the private rented sector: a guide for local authorities](#)).

You must ensure that the property and all equipment meet the requirements of the relevant regulations and licensing.

You must not cause or permit a dwelling to be overcrowded.

4.2 Financial management

4.2.1 Client's money

Money held, deposits or rent collected for and on behalf of an applicant, tenant or ex-tenant, client or ex-client landlord is considered as client money.

You should keep adequate accounts and records to show all dealings with client money.

Client money should be held separately from landlord or agent money and you must be able to account immediately for all money held on behalf of a client or a tenant.

Clients' money should only be withdrawn from an account:

- where it is properly required for payment to, or on behalf of, the person entitled to it
- when meeting agreed costs
- for payment of any remuneration or reimbursement of expenses in carrying out services to which the landlord or agent is entitled, with the written agreement of the client
- in the exercise of any *lien* to which the landlord or agent is entitled
- for transfer to another client account; and
- when non-client money was used to open or maintain the account.

Otherwise, no deductions should be made from clients' money without that client's prior written permission. You should give sufficient notice prior to the deduction so they are able to object to it.

You should advise clients or tenants in writing that you are not liable to repay lost money through bank failure.

4.2.1.1 For agents only: client's money

You should keep adequate and up-to-date accounts and records to show that money has been paid into a dedicated client account and to explain all dealings with that money.

You should advise your client or tenant that the monies will be held in a designated client account and provide them with details of this account.

A client account should be in credit at all times. There must not be any borrowing from one client's fund to pay another client or those entitled to receive money from the latter's account.

The clients' money should be deposited into a [Financial Conduct Authority](#) (FCA)-authorised bank or building society.

Unless the client or tenant has agreed otherwise in writing you should credit interest earned on any client bank accounts to the appropriate client or tenant.

The letting commission or other charges due to the agent from the client must not be taken from a tenant's deposit. You must ensure at all times that the deposit is released only in compliance with the terms under which the deposit was originally held.

You should be a member of a clients' money protection scheme and you must clearly display, in your offices and on your website, whether or not you are a member of such a scheme.

4.2.2 Proceeds of crime

You must report any suspicion that another person is engaged in money laundering or other related financial crime to the National Crime Agency (NCA) before proceeding with any transaction with that person.

4.2.3 Taxes

Landlords should ensure that HMRC is aware of rental income and deductions and that they pay the appropriate tax.

4.3 Tenancy management

You must levy rents and other charges and manage the property in accordance with the law and the clauses of the relevant tenancy agreement.

You must include the landlord's name and address on any written rent demand. Until such information is provided, rent is deemed not to be lawfully due from the tenant. If that address is not in England or Wales then you must notify the tenant of an address in England and Wales to which notices may be served.

You must give the tenant the landlord's name and address within 21 days of any written request. If the landlord is a company and the tenant requests more information after receiving the name and address of the landlord, the name and address of the directors and the secretary of the company must also be given to the tenant within 21 days of that request.

You should communicate promptly with the tenant, and any client as appropriate, on any important issues or obligations relating to the use and occupation of the property, including material breaches of the tenancy agreement that you become aware of.

You should respond promptly to reasonable written requests from tenants for and, where appropriate, consents required under the tenancy agreement should be granted promptly. Where applicable under the terms of the tenancy when an application is refused, reasons should be given. Unless authorised by the tenancy or lease or, in the case of certain transactions accepted by the courts (e.g. subletting), you should not charge the tenant for considering an application or granting permission.

4.3.1 Actions following a new letting

You should assist the tenant with the necessary information to ensure that the tenant registers as the customer for services from the commencement of the letting in accordance with their obligations under the tenancy agreement.

Where utilities are metered, meter readings should be taken and recorded. The local authority should be informed of the date the letting commences for council tax and utility companies should be similarly advised for water, sewerage, gas and electricity, as appropriate.

4.3.2 Rent

4.3.2.1 Rent payments and review of rent

Rent demands (if used) should be clear and easily understandable by tenants. Avoid using codes and abbreviations if possible; if you do use them, they should be clearly explained.

You must provide a rent book if the rent is paid weekly and ensure that any rent book is kept up to date. Where payment of rent is handed over in cash, a receipt should be given. In other cases, a receipt should be given if requested. An annual statement of rent payments received should be made available to tenants on request.

Where rent review clauses are included in the tenancy agreement you must follow those procedures for any review of rent.

4.3.2.2 Local housing allowance and rent

Where appropriate, you should co-operate with a tenant's claim for local housing allowance/housing benefit/ Universal Credit and supply any necessary information promptly to ensure that the claim can be processed as quickly as possible.

You should ensure the tenant is made aware before signing any agreement that they are committed to pay the rent, whether or not they are entitled to receive local housing allowance/housing benefit and that they will be required to make up any shortfall of local housing allowance/housing benefit.

4.3.2.3 Arrears

Where rents are not received when due, you should communicate promptly with the tenant. Where housing support is being paid directly to the tenant, for example local housing allowance (LHA) or as part of Universal Credit, and payments cease or are varied, you should inform the local housing authority or the Department for Work and Pensions as soon as possible. Where housing support is paid directly to you and payments cease or are varied, you should notify the tenant as soon as possible.

You should keep channels of communication open with your tenants and encourage tenants to let you know if they are under financial difficulties. You should maintain contact with tenants in cases where arrears continue to accumulate and recommend that they seek independent advice (e.g. from the Citizens Advice Bureau, the [Money Advice Service](#), or a legal adviser).

A tenant must not be evicted without a possession order and following due process. If tenants are facing eviction and are threatened with homelessness (especially if they are vulnerable or there are children living with them) you should suggest they contact their local authority housing team for support in accessing alternative accommodation.

For agents only

If you are retained to collect rent, you should have a system in place to notify a client landlord promptly if rent becomes overdue. In the event of arrears, you must notify any rent warranty insurers promptly and ensure that the timescale for any rent warranty notification is met.

4.3.3 Service charge

If administering a service charge, refer to the RICS *Service charge (residential) management code* for guidance, as this is outside the scope of this Code.

4.3.4 Repairs and maintenance

You must take all reasonable measures to provide housing that is safe and without risks to health.

The duties of the parties should be stated in the tenancy agreement, as set out in relevant legislation.

You should be aware of repairing obligations imposed by statute and common law.

You must ensure a safe and healthy environment for the tenants and act upon demands for improvements by the local housing authority under the [Housing Health and Safety Rating System \(HHSRS\)](#).

You must be prudent in the selection of persons who are competent to perform repairs and maintenance on the property. You should take reasonable steps to ensure such contractors have:

- public liability insurance
- professional indemnity insurance, if appropriate
- relevant trade qualifications where required; and
- appropriate health and safety risk assessments and adopt safe systems of work.

You must also pass over any relevant health and safety information you hold to any contractor/designer, including regarding asbestos.

Matters of disrepair should be dealt with promptly and in a timely manner appropriate to their urgency, placing a priority on reducing any risk to people.

You should ensure tenants know how to report repair and maintenance issues and have an established procedure for dealing with urgent requests for repair work, particularly for out-of-office hours.

Tenants must never be evicted for simply requesting repairs to the property.

Landlords must keep the structure and exterior of the property in repair. If an agent is charged with this duty then, in the event that the agent is unable to carry out this duty for any reason, the duty must return to the landlord or otherwise provisions must be put in place for keeping the structure and exterior of the property in repair.

You must repair and keep in proper working order the installations for space heating and water heating, together with the installations for the supply of gas, water, electricity and drainage.

You must take reasonable care to maintain and repair paths, driveways and car parking areas so that they are safe to use. You must maintain and repair gutters, downpipes, drains and gullies.

You should ensure that tenants are [aware of their responsibility](#) to act in a *tenant-like manner* and to carry out minor repairs, such as replacing bulbs or clearing pipes or drains they have blocked.

When arranging repair and maintenance work on a let property, you must be aware that tenants are entitled to the quiet enjoyment of their homes and you must seek to minimise disruption.

You should consult tenants on the details and programme for carrying out such works, unless urgency or the tenancy agreement dictates otherwise. Works must be carried out to a reasonable minimum standard so that they do not need to be repeated within a short period of time relative to their nature and reasonable expectations.

You should maintain accurate and complete records of all maintenance and insurance of the property and hold records safely for the required period of time.

For agents only

You should ensure that sufficient funds from the landlord are available prior to instructing a contractor. The method of payment should be agreed between all parties prior to works commencing.

You should disclose any commission you might receive from the contractor at the time that estimates are provided to the landlord.

For landlords only

If you use a managing agent, you should ensure that the agent is provided with sufficient funds to be able to commission agreed repairs/maintenance once an estimate has been accepted.

4.3.5 Health and safety and contractor management

You should inspect the property at appropriate intervals to identify whether or not there are any hazards or repairs that require attention. You should maintain a record of the inspections and any action required and taken.

You should seek to reduce any unacceptable health and safety risks that are identified.

4.3.6 Services

4.3.6.1 Fire safety and testing

You should have regard to the Local Government Association (LGA) LACORS [Housing – Fire safety](#) guidance. For larger buildings such as HMOs and buildings with common parts, you should have regard to the Department for Communities and Local Government (DCLG) document [Fire safety risk assessment: sleeping accommodation](#).

Where recommended in accordance with the above guidance, fire extinguishers and fire blankets should be provided and must comply with current British Standards. Where they are required they must be provided, including complying with HMO licence conditions.

Where required (any building where there are *common parts*) you must ensure that a fire risk assessment is carried out to identify and evaluate all fire risks to which anyone legally allowed on the premises could be exposed.

You must ensure that any furniture provided by the landlord complies with current regulations for fire safety.

All properties should be fitted with smoke detectors. Properties built after 1992 must be fitted with smoke detectors. With effect from 1 October 2015 all properties must be fitted with a smoke alarm on every floor ([The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015](#)).

Detectors must:

- comply with current British Standards
- be installed in accordance with the manufacturer's recommendations; and
- be kept in working order and tested at the beginning of each tenancy.

Tenants may be made responsible for replacing batteries by prior written agreement made at the start of the tenancy.

4.3.6.2 Carbon monoxide alarms

Carbon monoxide detectors should be provided in all properties where a gas or solid fuel appliance is present. Detectors must comply with current British Standards and be installed in accordance with the manufacturer's recommendations. The fitting of carbon monoxide detectors is mandatory when a new solid fuel burning appliance is installed and it will become mandatory for all rooms with an existing solid fuel appliance from 1 October 2015 ([The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015](#)). Alarms must be tested at the start of all new tenancies.

4.3.6.3 Electrical

You should ensure that a competent electrician undertakes a full-fixed wiring test within 10 years of installation for new properties/full installations and it is recommended every five years thereafter. For HMOs the test must be undertaken every five years or as recommended by an electrician.

On any change of tenancy, you should check the fixed wiring installation for defects that are visually obvious to a non-qualified layman, including checking leads and plugs (unless the plug is of the moulded type).

You should provide an appropriate electrical certificate to the tenant.

You must ensure that all alterations/repairs/improvements to the fixed electrical system comply with the latest edition of Part P of the Building Regulations and the latest Institution of Engineering and Technology (IET) Wiring Regulations.

A competent person should undertake a portable appliance test (PAT) of all moveable electrical items or equipment provided by the landlord; for example, kettles, fridges, etc. as recommended in the HSE publication [Maintaining portable electrical equipment in low-risk environments](#), or at more frequent periods recommended by a competent person or as a result of a risk assessment.

If you are informed of a fault that could compromise safety, this should be dealt with immediately.

4.3.6.4 Gas

All gas appliances, flues, installation pipework etc. must be maintained in a safe condition in accordance with the *Gas Safety (Installation and Use) Regulations 1998*.

A gas safety check must be carried out every 12 months by a Gas Safe-registered engineer, and a record kept for two years. You must issue a copy of this safety check to each existing tenant within 28 days of the check being completed and to any new tenants before they move in.

You should ensure that new tenants understand how to turn off the gas supply in case of an emergency. If a fault is reported, this must be dealt with immediately.

4.3.6.5 Solid fuel

You must ensure the safety of solid fuel heating installations and carry out appropriate routine maintenance. You should maintain a record of servicing and work carried out.

4.3.7 Access

The tenancy agreement may stipulate the procedure for the routine inspection of the property by the landlord or agent. If this is not stated in the tenancy agreement, the property must be visited at normal times of the day, provided that reasonable written notice (at least 24 hours) has been given to the tenant.

If the tenant refuses access, you have no right to enter the property without a court order. To enter the property against the wishes of the tenant may be considered harassment.

The tenancy agreement should contain provision for entry in emergencies. In the event that you hold a spare key, entry should only be with the express consent of the tenant or in the case of a genuine emergency. Forced entry should only be considered:

- if it is an emergency event such as a fire
- in the event of problems with gas, electrics or escape of water that pose real risk of injury or significant damage to the property or adjoining properties; or
- in the event that the tenant is unavailable or does not respond and you have genuine reason to believe the property has been abandoned.

4.3.8 Harassment and unlawful eviction

Tenants are entitled to quiet and peaceable enjoyment of the property. You must not interfere with this right except with the tenants' agreement or in the event of an emergency. Locking the tenant out of the property, cutting off services or otherwise interfering with the tenants' right to quiet and peaceable enjoyment is an offence.

4.3.9 Insurance

The insurance obligations of the parties should be set out in the tenancy agreement. The tenant should be made aware of their responsibilities and the scope and limitations in respect of any insurance held by the landlord in respect of the property.

Insurers should be notified of claims or potential claims at the earliest opportunity. Claim settlements should be treated as belonging to the persons suffering damage. Unless otherwise agreed, you should not deduct arrears or other payments due when passing them on to the claimant.

Any arrangements regarding payment of any excess should be clearly set out in the tenancy agreement.

Agents dealing with insurance issues should be mindful of the insurance regulations on regulated activities. See the Financial Conduct Authority (FCA) website (www.fca.org.uk) for further guidance. When a claim arises it should be processed promptly and appropriately. Agents may charge for this service, depending on the terms of engagement.

5 Terminating a tenancy

5.1 Bringing a tenancy to an end

On giving or receiving notice to bring a tenancy to an end, you should provide a tenant with general written guidance as to what steps need to be taken to prepare the property for the final checkout, handover of keys and other matters. You should draw the tenant's attention to any specific clauses or obligations within the tenancy agreement relating in particular to proposed deductions from the tenancy deposit but also, for example, to specified standards of cleaning etc.

If you serve a notice on a tenant to terminate a tenancy you must ensure that the deposit has been protected and that the tenant has, at the appropriate time, been given the correct prescribed information relating to the protection of their deposit. The property must also have a valid EPC and CP12 Gas Safety Certificate. There should be a system in place to monitor the response from a tenant regarding the vacation of a property when notice has been served.

For agents only

You should inform a client landlord, promptly and in writing, of the receipt of a lawful notice from a tenant.

Where a tenant does not vacate a property on the due date, you should make reasonable efforts to ascertain the tenant's intentions as soon as practicable and before instigating possession proceedings through the courts.

For agents only

Where a tenant does not vacate a property on the due date, you should advise the client landlord promptly and co-operate fully and promptly with legal advisers acting for, or appointed on behalf of, client landlords.

Where appropriate, you must take steps to notify any legal protection or expenses insurer.

All keys and fobs relating to the tenanted property should be received or collected on the day the tenancy terminates.

5.2 Once the property has been vacated

The vacated property should be inspected within 24 hours of vacation, or on the next working day, to establish whether it has been returned to the landlord in the condition specified in the tenancy agreement. The tenant should be given a reasonable opportunity to attend the inventory checkout.

The local authority and utility companies should be notified of the change in, or discontinuance of, occupation.

In obtaining estimates for restoring the property and contents, all actions should be duly recorded. You must make proper allowance for fair wear and tear and no claim can be made for any deterioration which is fairly attributable to fair wear and tear. You should seek guidance from the relevant tenancy deposit scheme.

The tenant's deposit should not be refunded until the final inspection has taken place and you are satisfied that the deposit should be refunded. Deposit sums not in dispute should be refunded to the tenant within a reasonable time (in accordance with the scheme rules) from the end of the tenancy. Any balance remaining should be refunded within a reasonable time (in accordance with the scheme rules) after reaching agreement between the parties of what is to be refunded or after the decision of the tenancy deposit scheme adjudicator.

The grounds for any retention from the deposit must be provided to the former tenant in writing, if requested, and in compliance with tenancy deposit legislation and the requirements of the relevant tenancy deposit protection scheme.

You should refer disputes about the return of tenancy deposits to the relevant tenancy deposit protection scheme.

6 Tenancy renewals and changes

If necessary, you should seek legal advice in connection with company tenancies, as the legal requirements will differ from lettings to individuals.

You must be clear and transparent about all fees payable and potentially payable to you by a tenant in all and any circumstances prior to that tenant making a transactional decision to enter into a contractual relationship with you in the first place, i.e. before the tenancy is entered into.

For agents only

Where a tenancy is to be renewed you should satisfy yourself that all the necessary consents including from lenders and superior landlords have been obtained.

You must be clear and transparent to the client about all fees payable and potentially payable on any tenancy renewal or change to a tenancy prior to that client making a transactional decision to enter into a contractual relationship with you in the first place.

Where the tenancy is to be renewed by contract, a procedure should be in place for consulting the landlord well in advance of serving statutory notices.

For landlords only

Where a tenancy is to be renewed you should obtain all the necessary consents including from lenders, superior landlords.

7 Additional responsibilities for the management of multi-let buildings and common parts

7.1 Health and safety

Note: In sections 7.1.1–7.1.6 the terms ‘responsible person’ and ‘you’ do **not** refer to the person responsible for the maintenance and management of the building but are defined by the *Health and Safety at Work etc. Act 1974* as being the person responsible for all health and safety matters in regard to the building.

7.1.1 Health and safety risk assessment and policy

Health and safety risk assessments and policies vary significantly in scope and proportionality depending on the building and individual circumstances. While legal responsibilities and liabilities are absolute, the required actions to ensure compliance should be proportionate to the individual circumstance.

A competent ‘responsible person’ as defined by the *Health and Safety at Work etc. Act 1974* must be appointed and that person must be clear as to their responsibilities and liabilities.

A health and safety risk assessment of any common parts must be carried out by a suitably competent person.

The risk assessment and the subsequent health and safety policy must be proportionate in scope to the property and circumstances. You must continually ensure the scope of the risk assessment has not changed; for example, if the building is let to individuals who are unusually vulnerable or have special needs. The health and safety policy must address lone worker safety.

All recommendations of the risk assessment and policy must be carried out, with appropriate records kept safely to demonstrate compliance.

You should put a monitoring process in place to ensure the requirements of the risk assessment and policy are being met at all times and that suitable training is provided to individuals to ensure and demonstrate that they are competent to carry out their duties to satisfy the requirements of the assessment.

The risk assessment and policy must be reviewed at the appropriate intervals as recommended by the risk assessment author.

You must put in place a system of contractor control to ensure that all hazards and requirements identified in the risk assessment and policy are drawn to the attention of any party that needs to know that information; for example, staff or contractors working at the building. You must instigate an appropriate system of ensuring contractor compliance with the building’s health and safety risk assessment and policy.

Where appropriate you must ensure that contractors carry out their own risk assessments and maintain their own health and safety policies.

7.1.2 Risks specific to common area management

Risk assessments must be considered for:

- the operation of mixed use areas, including waste disposal and car parking
- car park and personnel gates, both in terms of operational safety and means of escape in the event of fire
- gym, pool, leisure and common rooms
- cycle parking or bike stands; and
- lifts including maintenance and operation in the event of fire.

7.1.3 Asbestos

An asbestos risk assessment must be carried out to common parts. You should take reasonable measures to identify the presence and assess the risk of asbestos to let areas. If appropriate, depending on

circumstances such as the age and history of the building, an asbestos survey should be carried out with all recommendations adhered to. You must draw the attention of occupiers, contractors and others at potential risk to the presence of any asbestos and take all necessary measures to ensure the risk is managed safely.

7.1.4 Fire safety

You must carry out a fire risk assessment and implement all recommendations.

You must formulate and maintain a method of monitoring that all recommendations are continually adhered to, for example maintaining clear escape routes and signage. You must be vigilant to any change in on-site conditions that may require a re-assessment of risk, for example the loss of an assembly area.

7.1.5 Water safety

You should clearly understand the ownership and maintenance responsibilities of the water supply(ies) to the building. Where you are responsible for the maintenance of the supply, you must instigate a programme of maintenance in accordance with your health and safety risk assessment to ensure the supply is clean and fit for its intended purpose. A risk assessment for the control of legionella bacteria must be carried out and all recommendations should be adhered to.

7.1.6 Crisis management

You should develop an appropriate policy and procedure for dealing with emergencies and crisis management. In addition to procedures to follow in the event of an emergency, this should include:

- record keeping
- reporting lines
- insurers' details
- press and communication procedures; and
- counselling.

7.2 Disposal of waste and recycling

You should provide adequate means of storage of waste so as to prevent a risk to health and hygiene.

You should, as required by the local authority or waste removal contractor, provide adequate means of separation of waste by type, including for recycling, and provide clear signage and guidance for tenants on the requirements for waste separation as appropriate.

7.3 Staff management

You should notify tenants of any change in staff who are the tenants' main point of contact.

7.4 Noise

You should seek to reduce disturbance to residents from noise; for example, noisy mechanical and electrical installations or hard surface floors in inappropriate locations.

You should ensure that the right to quiet and peaceable enjoyment of the accommodation is incorporated into the tenancy agreement and that the agreement imposes that obligation on tenants for the benefit of other residents.

7.5 Mixed tenure schemes

Where properties include affordable or social housing alongside private housing, arrangements should be established with the registered provider (of the social housing) for exchange of information and your attendance at joint management meetings.

7.6 Disputes

You should put in place policies and procedures for handling disputes and complaints of nuisance between occupiers. These procedures should be made available, their existence made known and the response times for their various stages included. All parties should be dealt with fairly.

Disputes should be resolved by informal means where possible before turning to any formal provision in the tenancy agreement. Where not provided for in the tenancy agreement, *alternative dispute resolution methods* may be suggested, rather than litigation, as a means of settling particular disputes.

7.7 Security

You should provide adequate security measures, procedures and systems to common parts and living spaces for the protection of residents, visitors and possessions.

You should make reasonable efforts by way of referencing and vetting procedures to ensure that staff and workers employed in a building are fit and proper persons appropriate to their role and level of responsibility and supervision.

You should provide appropriate means of holding mail and deliveries until collected by the tenant.

Appendix A: Glossary of terms

This glossary gives definitions of key terms used in the Code.

Agent	A company or individual employed to let or manage residential property on behalf of a landlord.
Alternative dispute resolution methods	This can include mediation, conciliation and arbitration.
Assured shorthold tenancy	As defined by Chapter II of the <i>Housing Act 1988</i> (as amended).
Average consumer	<p>A consumer who is reasonably well informed and reasonably observant and circumspect, taking into account social, cultural and linguistic factors. It is someone who takes reasonable care of their own interests.</p> <p>This definition can change depending on the target of a particular business or of a marketing campaign. The average consumer will then relate to a member of that target group. A full definition can be found in regulation 2 of the <i>Consumer Protection from Unfair Trading Regulations 2008</i>.</p>
Client	A person or organisation who has instructed you or your organisation to act on its behalf.
Client's money	Money held on behalf of client landlords and deposits or money held for and on behalf of tenants or potential tenants.
Clients' money protection scheme	A compensation scheme to protect client's money.
Common parts	Any part of a building containing the property and any land or premises which the tenant is entitled under the terms of the tenancy to use in common with the owners or occupiers of other dwellings.
Company let	When a company rather than an individual takes on a tenancy or a tenancy agreement as the 'tenant'. An employee of the company then occupies the premises as a licensee of the tenant.
Conflict of interest	Where an agent acts for clients who have competing interests or where an agent's personal interests conflict, or could potentially conflict, with those of the client or tenant.
Consumer	Anyone who is acting outside their trade, business or profession. This can include clients, potential clients, landlords, potential landlords, tenants, potential tenants and others identified within regulation 2 of the <i>Consumer Protection from Unfair Trading Regulations 2008</i> .
Green Deal	A Government initiative to encourage the take-up of energy efficiency measures in existing properties by a loan repaid through the energy bill for a property.

House in Multiple Occupation (HMOs)	A property such as a shared house, bedsits or a hostel, where three or more unrelated individuals share any of the basic amenities (kitchen, bathroom or WC). It includes a block of converted flats not complying with the 1992 or later Building Regulations if more than one-third of flats are rented out. Larger HMOs are subject to mandatory licensing and others may be designated for additional HMO licensing.
In writing or written	Typed or handwritten text, email, fax or in Braille.
Leaseholder	A tenant of a long leasehold property.
Letting agent	A company or individual employed to let or manage residential property.
Lien	A right to keep possession of property belonging to another person until a debt owed by that person is discharged.
Material information	The information that the average consumer needs according to the context to take an informed transactional decision (as defined in section 6(3) of the <i>Consumer Protection from Unfair Trading Regulations 2008</i>).
Misleading omissions	Omissions which cause the average consumer to make a different transactional decision.
Must	Required by law.
Prescribed information	This includes: <ul style="list-style-type: none"> • the name of the deposit protection scheme • the address of the property • the amount of the deposit • a leaflet explaining the scheme • the scheme's procedures for payment and repayment • dispute procedures; and • dispute resolution facilities available.
Private rented sector Definition from the English housing survey 2011–12 administered by DCLG	'Households are typically grouped into three broad categories known as tenures: owner occupiers, social renters and private renters. The tenure defines the conditions under which the home is occupied, whether it is owned or rented, and if rented, who the landlord is and on what financial and legal terms the let is agreed. <ul style="list-style-type: none"> • owner occupiers: households in accommodation which they either own outright, are buying with a mortgage or are buying as part of a shared ownership scheme. • social renters: this category includes households renting from Local Authorities (including Arms Length Management Organisations (ALMOs) and Housing Action Trusts) and Housing Associations, Local Housing Companies, co-operatives and charitable trusts.

	<p>A significant number of Housing Association tenants wrongly report that they are Local Authority tenants. The most common reason for this is that their home used to be owned by the Local Authority, and although ownership was transferred to a Housing Association, the tenant still reports that their landlord is the Local Authority. There are also some Local Authority tenants who wrongly report that they are Housing Association tenants. Data from the EHS for 2008-09 onwards incorporate a correction for the great majority of such cases in order to provide a reasonably accurate split of the social rented category.</p> <ul style="list-style-type: none"> • private renters: this sector covers all other tenants including all whose accommodation is tied to their job. It also includes people living rent-free (for example, people living in a flat belonging to a relative). <p>In places, the report differentiates between market and non-market renters:</p> <ul style="list-style-type: none"> • market renters: households with assured or assured shorthold private tenancies. Under the 1988 Housing Act, all tenancies starting after the 14th January 1989 are Assured (including Assured Shorthold) unless they fall into one of the excluded categories, for example business lettings or lettings by resident landlords. Before March 1997, tenants had to be given a notice in writing to say that a tenancy was an Assured Shorthold. From March 1997, the rules changed and all new tenancies were Assured Shortholds unless the agreement specifically stated that they were not. Assured Shorthold lettings are for a fixed period of six months or more. The landlord can regain possession of the property six months after the beginning of the tenancy provided that two months notice is given. In the case of an assured letting the tenant has the right to remain in the property unless the landlord can prove grounds for repossession. The landlord does not have an automatic right to repossess the property when the tenancy comes to an end. • non-market renters: households with all other types of private rental tenancies including those with rent-free tenancies and tied accommodation (that is tied to employment).’ <p>Crown copyright material is reproduced under the Open Government Licence v2.0 for public sector information: www.nationalarchives.gov.uk/doc/open-government-licence/version/2/</p>
Residential property	Property used as living accommodation.
Responsible person	Person with the responsibility for the letting or management of a residential property. This could be the landlord, managing agent or letting agent.
Should	Recommended best practice.
Stakeholder <i>(Definition from Tenancy deposit scheme for lettings agents and corporate landlords membership rules, TDS, 2012)</i>	‘Any person or body who holds the Deposit at any time from the moment it has been paid by the Tenant until its allocation has been agreed by the parties to the AST, determined by the ADR process, or ordered by the court.’

Superior landlord	An entity that owns the interest in the premises, which gives that entity the right to possession of the premises at the end of the landlord's lease. Sometimes called a head lessor or freeholder.
Subagency	Instruction of a separate or related firm to provide agency services to the landlord on behalf of the principle agent.
Tenant	A leaseholder on a short lease (usually assured shorthold or assured tenancy).
Tenant-like manner	<p>In <i>Warren v Keen</i> 1953, Lord Justice Denning said the tenant is under an obligation:</p> <p>'to use premises in a tenant-like manner [...] the tenant must take proper care of the place. He must, if he is going away for the winter, turn off the water and empty the boiler. He must clean the chimneys, when necessary, and also the windows. He must mend the electric light when it fuses. He must unstop the sink when it is blocked by his waste. In short, he must do the little jobs about the place which a reasonable tenant would do. In addition, he must, of course, not damage the house, wilfully or negligently; and he must see that his family and guests do not damage it; and if they do, he must repair it. But apart from such things, if the house falls into disrepair through fair wear and tear or lapse of time, or for any reason not caused by him, then the tenant is not liable to repair it.'</p> <p>Crown copyright material is reproduced under the Open Government Licence v2.0 for public sector information: www.nationalarchives.gov.uk/doc/open-government-licence/version/2/</p>
Transactional decision	A decision by a consumer relating to a potential or actual transaction and the decision points relating to this. Examples include decisions to accept an offer, view a property or commission a survey (defined in regulation 2 of the <i>Consumer Protection from Unfair Trading Regulations</i> 2008).
You	The responsible person.

Appendix B: Landlord's checklist

The following checklist is provided for inexperienced landlords to give a summary of some of the key aspects of this Code that they should follow. However, it is important that you read the whole Code to be familiar with all its suggested best practice and legal requirements.

- 1 Only use an agent that is accredited. This will provide valuable protections to you and your tenants (see [section 2.1](#)).
- 2 Be clear about all fees that tenants will have to pay you and your agents, and be proactive in making tenants aware of these in advance of them making a decision to take or renew a tenancy (see [section 2.2.6](#) and [section 2.2.7](#)).
- 3 You, or your agent, will have to provide tenants with various documents at different stages of letting the property. This must include an Energy Performance Certificate (EPC) and, where gas is provided at the property, a current Gas Safety Certificate (see [section 2.2.9](#)).
- 4 Make sure you advertise your property honestly and in accordance with the law. Do not mislead prospective tenants (see [section 3.1](#)).
- 5 Provide tenants with a clear written tenancy agreement, agree an inventory, and if you are taking a deposit make sure it is taken in accordance with the law and that relevant documents are served on time. (see [sections 3.6 to 3.8](#)).
- 6 Provide tenants with contact details, including a telephone number they can use in case of an emergency (see [section 4.1](#)).
- 7 Keep informed of developments in legislation affecting residential management so you keep wholly within the law (see [section 4.1](#)).
- 8 Be clear who is responsible for various bills and co-operate with your tenant to ensure they are only getting charged for their usage of the property (see [section 4.3.1](#)).
- 9 It is your responsibility to keep the property you rent out safe and in good repair. Be proactive in maintaining your property. You or your agent should let your tenant know how they can report repairs and should respond promptly and prioritise according to urgency (see [section 4.3.4](#)).
- 10 Houses in Multiple Occupation may require additional services/standards (see [section 4.3.6](#)).
- 11 You must provide working smoke and carbon monoxide alarms, a mandatory requirement from 1 October 2015. You should test electrical wiring at least every 10 years. You must test the electrical wiring every five years for certain Houses in Multiple Occupation, You must arrange an annual gas safety check (CP12) where gas is present (see [section 4.3.6](#)).
- 12 You cannot enter your tenant's home unless invited or with prior permission. You should give at least 24 hours' notice. Be specific in the tenancy agreement about what will happen in an emergency if you need access (see [section 4.3.7](#)).
- 13 Provide your tenant with clear instructions on what they should do at the end of a tenancy. Inspect the property within a day if possible. Make sure any deposit is released in accordance with the rules of the tenancy deposit scheme it is held under (see [sections 5.1 to 5.2](#)).
- 14 Monitor health and safety according to occupation. If one of your tenants is a vulnerable member of society, for example they are elderly or very young, it may mean you have to consider additional health and safety requirements (see [section 7.1](#)).
- 15 Provide tenants with a clear means of making complaints, including any dispute resolution schemes or mechanisms you are a member of. Ensure tenants are aware of the standards of behaviour they should follow and how they will be dealt with if they fail to meet such standards (see [section 7.6](#)).

Appendix C: Legislation referred to in this Code

Business Protection from Misleading Marketing Regulations 2008

Consumer Protection from Unfair Trading Regulations 2008

Consumer Rights Act 2015

Deregulation Act 2015

Gas Safety (Installation and Use) Regulations 1998

Health and Safety at Work etc. Act 1974

Housing Act 1988

Housing Act 2004

Immigration Act 2014

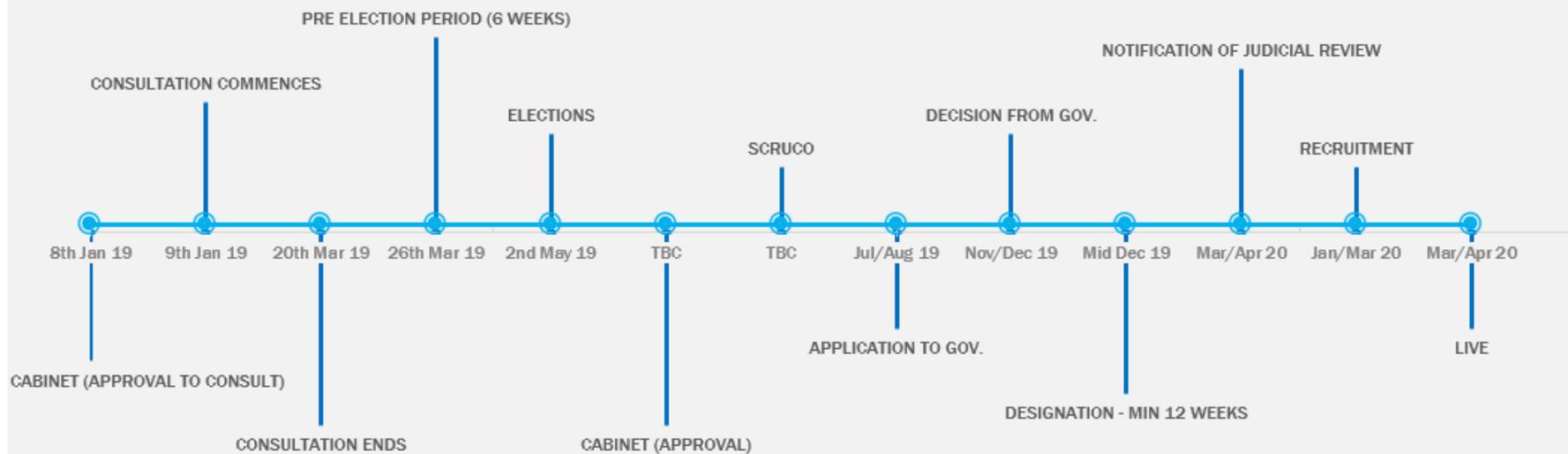
Supply of Goods and Services Act 1982

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 (subject to Parliamentary approval)

Unfair Contract Terms Act 1977

Appendix 5 – Timeline for Selective Licensing

Selective Licensing Scheme



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Appendix 6 – Selective Licensing Fees and Charges

Budget Year		<u>Jan 20/Mar 20</u>	<u>Apr 20/Mar 21</u>	<u>Apr 21/Mar 22</u>	<u>Apr 22/Mar 23</u>	<u>Apr 23/Jan 25</u>	<u>total</u>
New Applications							
Five Year Licence		500	2500	2000	0	0	5000
Annual Licence		100	750	500	350	200	1900
Unlicensed Annual		25	200	150	100	100	575
Total Licensed		625	3450	2650	450	300	7475
Total PRS							8752
% Licensed							85.4%
Renewals							
1 year		0	125	1075	1725	2175	5100
Total renewals		0	125	1075	1725	2175	5100
Income - New Applications	Fee						
New Applications							
Annual	£540.00	£ 54,000.00	£ 405,000.00	£ 270,000.00	£ 189,000.00	£ 108,000.00	£ 1,026,000.00
Annual unlicensed	£740.00	£ 18,500.00	£ 148,000.00	£ 111,000.00	£ 74,000.00	£ 74,000.00	£ 425,500.00
Five year	£380.00	£ 190,000.00	£ 950,000.00	£ 760,000.00	£ -	£ -	£ 1,900,000.00
Total		262,500.00	1,503,000.00	1,141,000.00	263,000.00	182,000.00	3,351,500.00
Income - Renewals							
Annual	£415.00	0.00	51,875.00	446,125.00	715,875.00	902,625.00	2,116,500.00
Total		0.00	51,875.00	446,125.00	715,875.00	902,625.00	2,116,500.00
Overall income		262,500.00	1,554,875.00	1,587,125.00	978,875.00	1,084,625.00	5,468,000.00

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**Coventry City Council
Equality and Consultation Analysis (ECA) Form**

In line with the principles of decision making outlined in the City Council Constitution, the Council will ensure that its decision making is open and transparent, and that due regard is given to the Council's obligations and desire to promote equality of opportunity and equal treatment.

Form 1

This part must be completed and before formal consultation is undertaken and must be available during the consultation stage.

Author of this document: Faye Cockayne

Name of ECA and Service: Selective Licensing

Head of Service: Andrew Walster

Date of completion: December 2018

Background to the planned changes

1. What is the background to the planned changes? Why is this change being considered?

The Housing Act 2004 gave Local Housing Authorities the power to introduce Selective Licensing within part or all of their area.

The Council has produced a Housing Strategy which recognises that, amongst other things, there is limited social affordable housing available in the city, and that therefore the Private Rented Sector (PRS) will need to play a greater role in meeting housing needs in the city. We know that often, people from protected characteristic groups live in the PRS and therefore are affected by the issues related to this.

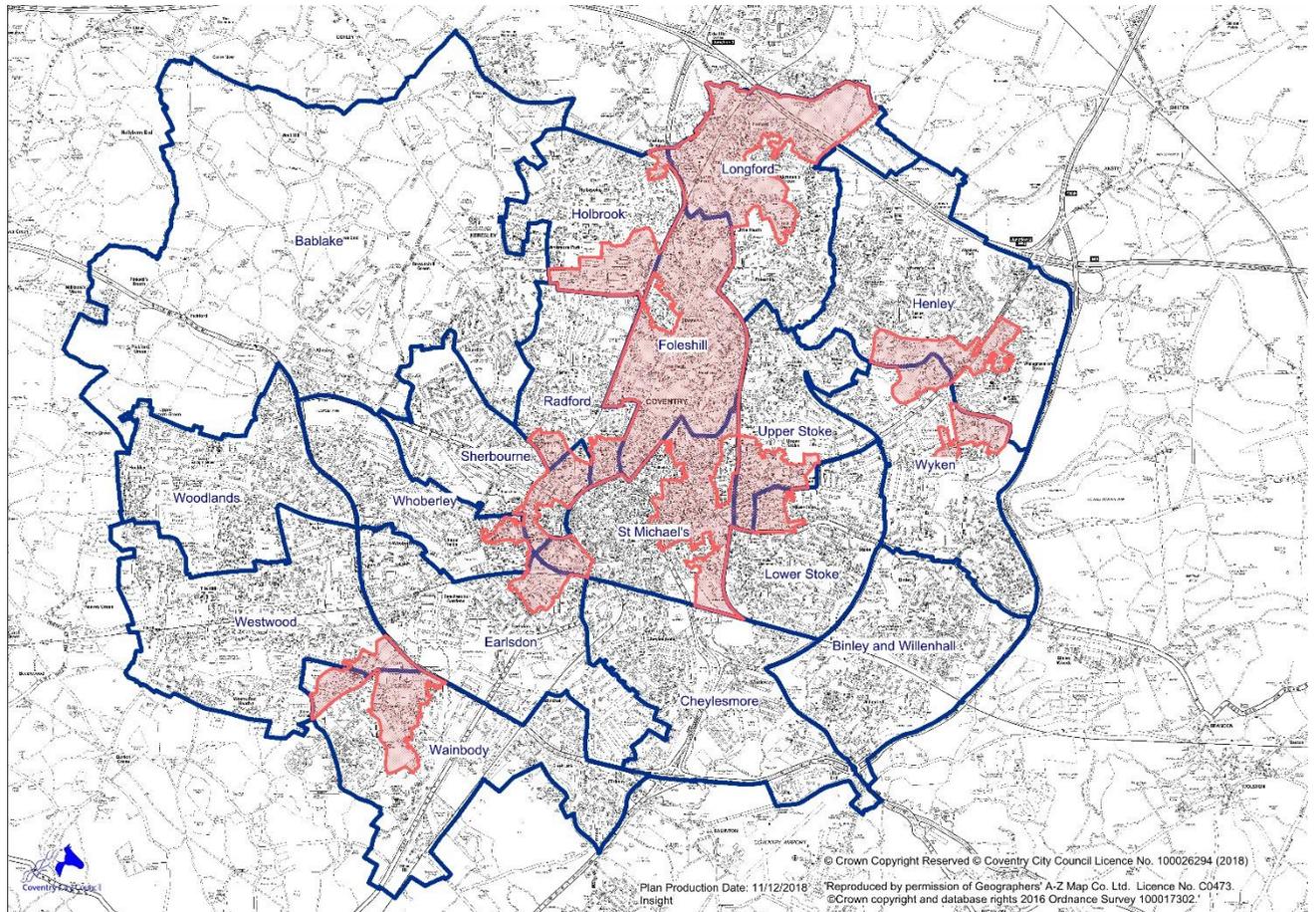
In areas where Selective licensing applies, landlords must apply for a licence if they want to rent out a property. This means the council can check whether they are a "fit or proper person" to be a landlord, as well as making other stipulations concerning management of the property and appropriate safety measures.

The Council acknowledges that many landlords provide decent, well-managed and well maintained accommodation, which does not cause any problems for the local community. There are, however, also properties that are poorly managed, suffer from overcrowding, or provide unsafe accommodation. These properties have a negative effect on the local area.

Coventry City Council is proposing to designate the areas identified in pink shown in Figure 1 (over), subject to Selective Licensing.

Coventry City Council Equality and Consultation Analysis (ECA) Form

Figure 1



2. Who do you need to consider as part of this ECA?

- Accredited landlords/letting agents
- Cabinet Member
- CABs
- Community Safety
- Council for the disabled/access groups
- Disability Forums
- Existing tenants
- Landlords
- Lead Party Members
- Local media
- Local people
- Members of Parliament
- National and Regional landlord agencies, Eg. National Landlord Association, Guild of Residential Landlords, Association of Residential Rights, Residential Landlord Association
- Opposition Members
- Public Health

Coventry City Council Equality and Consultation Analysis (ECA) Form

- Registered Social Landlords
- Resident Associations
- Specialist press
- Statutory stakeholders
- Students
- Universities
- Voluntary Action Coventry
- Voluntary/community organisations
- West Midlands Combined Authority
- West Midlands Fire Service
- West Midlands Police

Pre-Consultation Engagement

This section refers to any activities that took place (such as briefings, meetings, workshops, scoping exercises etc) with stakeholders before the formal consultation period.

3. What engagement activities took place prior to formal consultation and what feedback (if any) was received in relation to equality issues?

None yet. A formal stakeholder and public consultation will take place between 9 January 2019 and 20 March 2019.

A wide range of data has been analysed to provide an objective geographical appraisal of the city and those areas which may benefit from the implementation of a Selective Licensing scheme using the criteria set out in the guidance provided by Government for designating selective licensing areas. The detailed analysis was based on the following themes set around the criteria set by Government.

Low Housing Demand

Lack of Mixed Communities – Proportion of tenure mix
Average House Sale Price
Count of Empty Properties
Count of Total Crimes
Count of Criminal Damage
Count of Burglary
Count of Robbery
Count of Theft
Count of Vehicle Crime
Proportion of families on Low Income.

ASB

Count of Total ASB
Count of Nuisance ASB
Count of Personal ASB
Count of Environmental ASB

Coventry City Council
Equality and Consultation Analysis (ECA) Form

Count of Flytipping
Count of Rubbish Accumulations
Count of Graffiti cleared

Property Conditions

Proportion of Private Rented Sector Stock with a Category 1 hazard
Proportion of Private Rented Sector Stock with a Category 2 hazard
Count of Housing Complaints

Migration

Count of Population change between 2011 to 2013
Count of New build Completions

Deprivation – 2015 Indices of Multiple Deprivation

Lack of Mixed Communities – Proportion of tenure mix
Overall Deprivation score
Employment Deprivation score
Income Deprivation score
Health Deprivation score
Access to Education, Training and Other Services score
Indoors Sub Domain score
Living Environment score
Levels of Crime score

Crime

Lack of Mixed Communities – Proportion of tenure mix
Count of Total crime
Count of Criminal Damage
Count of Burglary
Count of Robbery
Count of Theft
Count of Vehicle Crime
Rate of Crime per 1000 population
% Comparison to National Average

Analysis of Impact

- 4. Outline below how this proposal/review could impact on protected groups positively or negatively, and what steps/mitigations (if any) could be taken to reduce any negative impact that has been identified.**

The positive and negative impacts in respect of protected characteristic groups are shown below. The proposals recognise that one of the City's strengths is its diversity and to ensure that there is equality and fairness for all. In this regard, we will adopt an inclusive and principally locality driven approach to the implementation of the licensing as well as focusing on the issues faced by protected characteristic groups.

Coventry City Council Equality and Consultation Analysis (ECA) Form

As part of the license application process, landlords will need to show that when carrying out their business they have not (amongst other things) practised unlawful discrimination and must meet license conditions on how they manage their properties. The licensing scheme should have a positive effect on anti-social behaviour and this may have a positive impact for protected characteristic groups.

Coventry is the second largest city in the region by population, with a population estimated to be in excess of 350,000. The city is also the 9th largest in England, and its population places it as the 12th largest in the UK.¹

Between 2012 and 2013, the city's population increased by over 2%. A significant number of migrants have contributed to the city's population, which is expected to continue into the future as Coventry will see steady population increases.

Census 2011 data suggests that Coventry's population has a much younger age profile than England in general; it is the younger population that is on the increase with a decline in the over 75's.

Age – The English Housing Survey 2016/17 (EHS) reported, that the PRS has now grown to 20%, up from 19% in 2013-14 and 11% in 2003 and that a larger proportion of 25- to 34-year-olds now rent their home.

Selective Licencing will have a positive effect on young people as rising house prices have seen many young people priced out of buying a home which is apparent from the results of the EHS which acknowledges that *“While the under 35s have always been overrepresented in the private rented sector, over the last decade or so the increase in the proportion of such households in the private rented sector has been particularly pronounced. In 2006-07, 27% of those aged 25-34 lived in the private rented sector. By 2016-17 this had increased to 46%. Over the same period, the proportion of 25-34 year olds in owner occupation decreased from 57% to 37%. In other words, households aged 25-34 are more likely to be renting privately than buying their own home, a continuation of a trend first identified in 2012-13. As with those aged 35-44, the proportion of 25-34 year olds in the social rented sector did not change”*.

The average age of Coventry's residents is 33 years, notably lower than the England average of 40 years, and is falling. In 2007 when the Coventry population started to grow the average age was 36 years. The young average age is partly because the City is home to two large universities - Coventry is one of the top 20 towns and cities in the UK in terms of the proportion of the population who are students (source: Census 2011).

Disability – Selective Licencing will have a positive effect on disabled people as tenants with disabilities often face particular problems when renting properties. They may particularly have problems with security of tenure. Landlords are reluctant to facilitate property adaptations. Tenants with health issues are also much more likely to be affected by problems with damp and housing disrepair issues and may face

¹ <https://www.ukpopulation.org/coventry-population/>

Coventry City Council Equality and Consultation Analysis (ECA) Form

problems with getting repairs done more quickly. Disabled tenants are much more impacted by the cold and issues such as no heating or hot water affect them more. Disabled tenants who have assistance dogs also have more problems renting properties as these are seen as pets. Selective licencing will help to overcome these issues.

Gender reassignment - Although the proposals are not believed to have adverse impacts on this group, we do know that this is a group that experiences discrimination and this may impact on their ability to rent property

Marriage/Civil Partnership – There is not believed any impact on this group

Pregnancy/Maternity – Although it is not believed there is any significant impact on this group, people with children can find renting a property an issue.

Race – Property investment by the Asian community is widespread and often a means to support their families both within the UK and in Pakistan and India. There may be a negative impact on this group of Landlords as the cost of the scheme may affect their property portfolios.

However, Selective Licencing will have a positive effect on race as rented accommodation will be improved in the areas of selective licencing. This is significant as the Office for National Statistics (ONS) reported in 2014 that overall for the UK as a whole, the proportion of the population born outside of the UK was 13% (8.3 million of 63.7 million). In Coventry the figures for 2014/15 were reported to be 24% non UK born, almost twice the national average.

According to the 2011 Census, Coventry as a local authority has experienced the greatest migration since 2001 - second only to London.

The 2011 Census tells us that 1 in every 5 people living in Coventry (21%) were born outside the UK. People move in and out of the city every year, including students studying at the city's two universities from both the UK (37,580) as well as an estimated 19,160 overseas students (2016-2017 figures)². 14,035 students enrolled from Non-EU countries and 5,125 from EU countries. Therefore Selective Licencing will have a positive effect on those living in Coventry who were born outside the UK from different ethnic minorities and will add to measures that address migrant health issues that is a clear priority for the City's Marmot role.

Religion/belief –Some religions are unable to receive interest from investments and this proposal may impact on members of those religions.

² <https://www.hesa.ac.uk/news/11-01-2018/sfr247-higher-education-student-statistics/location>

Coventry City Council
Equality and Consultation Analysis (ECA) Form

Sex – There are not believed to be any specific impacts on this group. However, if landlords increase rents to cover the cost of the license, this will impact all renters.

Sexual orientation - Although the proposals are not believed to have adverse impacts on this group, we do know that this is a group that experiences discrimination and this may impact on their ability to rent property.

5. Are there any other vulnerable groups that could be affected?

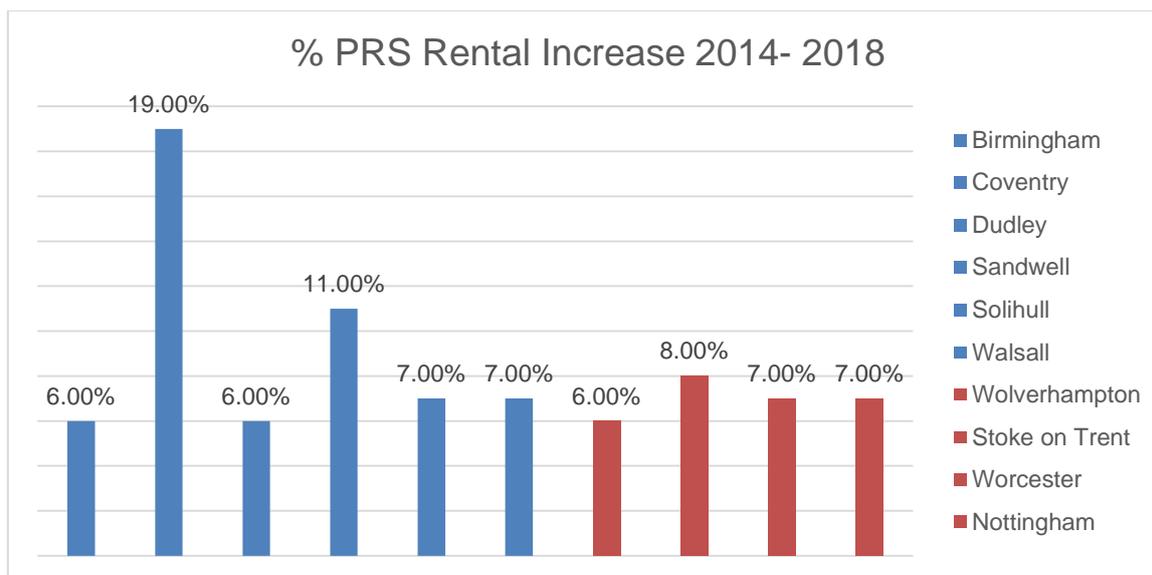
Socio-economic - Selective Licencing will have a positive effect on people in lower socio-economic groups, those in routine/semi routine jobs and those who are long term unemployed or have never worked are often those most impacted by poor quality accommodation. They are also more likely to live in private rented accommodation.

However, this group could be negatively affected if landlords increase rent to cover the cost of the license or improvements required to comply. the Council has conducted some research into this area of increased rents and has made a comparison of rents from 2014- 2018 between areas in England that had discretionary licensing schemes and those that did not, in order to establish if there was any evidence to show that discretionary licensing increases rent.

As can be seen from Figure 2 below rental values increased in Coventry, on average by 19% between 2015 and 2018 compared to 11% in the West Midlands and 8% England over the same period. The increases in rent occurred in Coventry without the existence of a licensing scheme whilst lesser increases occurred across areas of the West Midlands where licensing is in operation – those shown in red (Wolverhampton 6%, Stoke 8%, Worcester 7% & Nottingham 7%). The evidence therefore suggests that despite the perception that licensing increase rents it is not the main contributing factor.

Figure 2 - Comparison of Rents in Areas with and without Licensing

Coventry City Council Equality and Consultation Analysis (ECA) Form



Health – Selective Licencing will have a positive effect on health. It is well reported that poor housing conditions, including overcrowding and homelessness, are associated with an increased health risk, specifically of cardiovascular diseases, respiratory conditions and mental health problems. In Coventry, as of the 2011 census, 61% of homes were owner occupied (69% in 2001) and 17% were rented from the Housing Association or a Social Landlord (18% in 2001). In addition, 9.5% of housing was deemed overcrowded.

6. What are the gaps in evidence? Can this be addressed during the consultation stage?

There is limited data on inequalities in the private rented sector related to marriage/civil partnership issues. It is unlikely that additional data will be gathered on this during the consultation stage, this will be considered as part of future information gathering exercises.

7. What are the likely impacts of this project/review on staff from protected groups? None

Coventry City Council
Equality and Consultation Analysis (ECA) Form

Form 2

This section should be completed AFTER any consultation has been concluded.

Author of this document:

Date of completion:

Potential Impacts – further information

- 8. Referring to the information detailed in question 4 of ECA Form 1, state if the potential impacts have been confirmed. Also detail below any additional information about potential impacts that has been highlighted during any consultation.**

Coventry City Council
Equality and Consultation Analysis (ECA) Form

Outcome of equality impact

9. Indicate which of the following best describes the equality impact of this project/review:

There will be **no** equality impact if the proposed option is implemented

There will be **positive** equality impact if the proposed option is implemented

There will be **negative** equality impact if the proposed option is implemented but this can be objectively justified

There will be both **positive and negative** impacts if the proposed option is implemented

Summary of ECA

Write a paragraph below which summarises the key aspects of this ECA.

This paragraph should be included in the Equalities/EIA section of any Cabinet/Cabinet Member Report.

**Coventry City Council
Equality and Consultation Analysis (ECA) Form**

Approvals from Director and Cabinet Member

Name of ECA Author

Date

Director:

Cabinet Member:

Please detail below any committees, boards or panels that have considered this analysis.

Name

Date

Chair

Decision taken

Next steps

Please send this completed ECA to the Insight Team as follows:

Wendy Ohandjanian (wendy.ohandjanian@coventry.gov.uk tel. 7683 2939)

Jaspal Mann (jaspal.mann@coventry.gov.uk tel. 7683 3112)

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Cabinet

8th January 2019

Name of Cabinet Member:

Cabinet Member for Housing and Communities – Councillor E Ruane
Cabinet Member for Policing and Equalities – Councillor A Khan

Director Approving Submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

All

Title: Additional Licensing in Coventry

Is this a key decision?

No – although this matter affects all wards, as the proposal is to go out to consultation, this would not cause a significant impact and consequently is not deemed to be a key decision.

Executive Summary:

The provision of good quality housing for Coventry residents is a key priority for the City Council. Privately rented property is a key part of this provision although Houses in Multiple Occupation (HMOs) can be a major concern in Coventry. With around 6,800 HMOs or 26% of the total Private Rented Sector (PRS) stock. Coventry is one of the top ten of authorities in England and Wales.

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

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

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

HMOs with 3 or 4 occupants from 2 or more households form an unusually high percentage of houses in the City (approx. 63%) and provide 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.

Due to the timescale for this matter, in accordance with Paragraph 19 of the City Council's Constitution, Councillor T Khan, the Chair of the Scrutiny Co-ordination Committee, has been invited to attend the meeting for the consideration of this matter to agree the need for urgency such that call-in arrangements will not apply. The reason for the urgency is that due to the breadth of the consultation required, there is a need for it to commence at the earliest opportunity so as not to delay the proposed timetable for implementation.

Recommendations:

Cabinet is recommended to:

1. Consider the Additional Licensing Feasibility Report 2018 and resolve there is a need for a Citywide Additional Licensing scheme.
2. Authorise a Citywide statutory 10 week consultation beginning on the 9th January 2019 and ending on the 20th March 2019.
3. Request a future report to Cabinet following the conclusion of the consultation for a decision to be made regarding the structure of the Additional Licensing scheme and designate the scheme under the General Consent Order.

List of Appendices included:

Appendix 1 – Additional Licensing Feasibility Report 2018
Appendix 2 – HMO Licensing Policy 2018
Appendix 3 – RICS Private Rented Sector Code of Practice
Appendix 4 – Timeline for Additional Licensing
Appendix 5 – HMO Licence Fees and Charges
Appendix 6 – Equalities Impact Assessment

Background papers:

Private Rented Stock Condition Survey 2013

Other useful documents:

Cabinet Member for Business, Enterprise and Employment Meeting Minutes 29th March 2016
Housing and Homelessness Strategy 2019-2024
Housing Act 2004.
Additional and Selective Licensing in the Private Rented Sector - A Guide for Local English Housing Survey Private Rented Sector Report 2014-15
Authorities, published by the MHCLG in March 2015.
General Approval April 2015

Has it been or will it be considered by Scrutiny?

The Chair of Scrutiny has been invited to attend the Cabinet meeting.

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

None.

Will this report go to Council?

No.

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Report title: Additional Licensing in Coventry

1. Context (or background)

- 1.1. During the Municipal year 2013/14, Scrutiny Co-ordination Committee established a Task and Finish Group to look at the issue of Houses in Multiple Occupation (HMOs). One of the outcomes of this review was that licensing for private rented sector housing should also be looked at in more detail.
- 1.2. HMOs are properties that are occupied by a least 3 different tenants, forming more than 1 household whereby the tenants share facilities such as cooking or sanitary facilities. The definition of a HMO includes bedsits, shared houses, flats, lettings with their own facilities but which are not self- contained, and some types of poorly converted self-contained flats.
- 1.3. Through the review into HMO's, it was recognised that there were issues with the private rented sector generally in the City, not just those in multiple occupation. Concern has been raised from residents as to the quality of some of the housing provided by the sector and residents in some areas of the City have also experienced anti-social behaviour, fly-tipping and noise nuisance in areas where there are large numbers of rented property.
- 1.4. Members therefore instructed officers to conduct further research into the potential for Selective Licensing in targeted areas of the City. This resulted in consultation on a scheme in the St Michaels ward (excluding the City centre). The consultation responses raised a number of queries mainly around fee structure and fairness of a scheme that proposed to treat all landlords the same whether compliant or non-compliant. Following the consultation Members requested further work to be carried out to not only look at the fee structure but also to look at the evidence base for considering not only a wider area for a Selective Licensing scheme but also other licensing options that could, together with Selective Licensing, address the issues with the private rented sector.
- 1.5. In considering the evidence for a wider Selective Licensing scheme it became clear that there was the potential to also consider Additional Licensing. As such a feasibility report into the potential for Additional Licensing has now been completed and is provided at Appendix 1.
- 1.6. The Housing Act 2004 provides the power to the Council to introduce an Additional Licensing Scheme in its area. The power was intended to address the impact of poor quality HMOs that fall outside of the mandatory licensing HMO definition and address management issues and poor property conditions.
- 1.7. A designation may apply to certain descriptions of HMOs or to all HMOs (other than those subject to mandatory licensing) in the designated area.
- 1.8. Following the issue of a General Consent in April 2015 by the Secretary of State, Local Authorities in England do not have to seek approval for the introduction of an Additional Licensing scheme provided all necessary conditions are complied with.

- 1.9. The Council has taken this into account when considering HMOs against the criteria and has used a variety of data sources to support the proposals to designate the whole of the City subject to Additional Licensing.
- 1.10. The 2004 Act also requires authorities considering designating an area as subject to Additional Licensing to:
 - A) take reasonable steps to consult persons who are likely to be affected by the designation; and
 - B) consider any representations made in accordance with the consultation.

2. Options considered and recommended proposal

- 2.1. The feasibility report recommends the Council proceeds with Additional Licensing across the whole of the City.
- 2.2. The Scheme will require all owners of HMOs that are occupied by three or four tenants and all converted self-contained flats that are wholly tenanted to apply to the Council for a HMO licence which the Council will determine using the criteria laid down in the HMO Licensing Policy 2018 attached at Appendix 2. This will include (amongst other things) an assessment of the landlord and manager's ability to comply with the licensing requirements and management practices. Licences will be issued for a period of 1, 2 or 5 years based upon the eligibility of the landlord.
- 2.3. The Council has taken into account the learning outcomes from other Local Authorities that have introduced similar schemes and has structured the scheme in such a way that benefits those landlords and agents that are compliant and provides incentives to improve compliance, whilst managing the opportunities for the non-compliant landlords through higher fees and shorter licences. This is reflected in the fees and charges structure and the eligibility for licences.
- 2.4. Accreditation will be given to those landlords and agents who are experienced, knowledgeable in their profession and are committed to following the good practice principles set out in the Royal Institution of Chartered Surveyors (RICS) Private Rented Sector Code of Practice, which was endorsed by the Minister of State for Housing and Planning in July 2015 and is attached as Appendix 3.
- 2.5. Reactive and proactive services will be carried out to address complaints about property conditions, poor management practices and identifying unlicensed properties.
- 2.6. Any differentiation applied to landlords and agents based on the eligibility criteria, including the length of licence for which they may be considered, is justified in furtherance of the overriding public interest of improving the standard of HMOs and their management.
- 2.7. The proposed fees and charges, discussed further in Section 5 have been developed in order to reach an appropriate fee to consult on the proposed structure of the scheme. In arriving at the proposed fees the Council has

attempted to provide incentives for compliant landlords whilst providing sufficient resources to ensure that the scheme can be effectively delivered and every property can be inspected before a licence is issued.

- 2.8. In cases of a registered `not for profit` charity i.e. Cyrenians or an individual housing provider, such as a private landlord or organisation who is assisting the Council by offering permanent accommodation to meet our homelessness duties applications will be accepted, for the particular property being provided without a fee being payable. An assessment of the organisation will then be carried out and if appropriate the Council will determine the application and issue a licence without requiring any fee. Each case will be considered on its merits based on the type of individual or organisation submitting the application and the removal of the fee requirement will only be applied to the licence for the house being provided for homelessness purposes.
- 2.9. This is to reflect that many registered charities provide a valuable service to people who are homeless, or are living in insecure accommodation, and that charities should be supported in those aims it is proposed that registered charities contributing to the Council's housing priorities (as identified in the housing and Homelessness draft Strategy) be exempt from Additional Licensing fees.
- 2.10. Licences will 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.

3. Consultation

- 3.1. There is a statutory requirement to consult for a minimum period of 10 weeks on any proposals to designate an area subject to Additional Licensing. This report sets out recommendations to conduct a consultation and for the results of the consultation to be considered as part of the development of the proposed structure of the Additional Licensing scheme.
- 3.2. The consultation will demonstrate that it has satisfied the legal requirement to take reasonable steps to consult with those people who may be affected by the designations. This includes neighbouring areas outside of the City boundary.
- 3.3. A consultation plan has been produced setting out how the Council will meet these requirements, in summary this will include the following.
 - Online questionnaire tailored to gauge cross section of views on the proposals;
 - Focus groups with key stakeholder groups i.e. Landlords, Agents, Tenants, Residents and other key organisations such as the Police;
 - Drop in sessions in various parts of the City;
 - E-communications through social media and the Council's website; and
 - Workshops with Landlords and Agents to present the proposals.

3.4. Upon the completion of the consultation a report detailing the consultation results will be referred back to Cabinet for consideration at a future meeting.

4. Timetable for implementing this decision

4.1. The proposed timetable for implementing the recommendations of this report is set out at Appendix 4. The key dates for this process include the approval of this report to Cabinet with the proceeding consultation commencing on the 9th January 2019 for a period of ten weeks and ending on the 20th March 2019. The Council is then required to designate the area under the General Consent Order. Once the designation has been made it will come into force three months after the date of confirmation. This is a statutory time period of 12 weeks to allow for any application for Judicial Review. A period of time has been allocated to recruit and to develop the systems required to meet the significant undertaking to licence all HMOs in the area hence the commencement date of early/mid 2020. Once a designation comes into force it will last a maximum of five years.

5. Comments from Director of Finance and Corporate Services

5.1. Financial implications

Section 63 of the Housing Act 2004 permits the Council to require any application for a licence under Part 2 to be accompanied by a licence fee and that this fee may properly cover all costs incurred by the Council in carrying out its functions.

When setting the fees and charges structure for the licensing scheme to go out for consultation the Council has taken into account the staff costs, training, administration and publicity and that it is not allowed to use licensing fees to raise revenue for other projects or areas of work.

The proposed fees and charges structure set out in Appendix 5 is cost neutral and will have to be consulted on and ratified prior to the introduction of the scheme. The financial implications are based on the fees being set for the consultation.

The financial modelling of the scheme estimates income and expenditure cash flows as below. This shows that the scheme is modelled to break even over its 5 year life.

	Year 1	Year 2	Year 3	Year 4	Year 5	Total
	£ million	£ million	£ million	£ million	£ million	£ million
Expenditure	1.2	1.2	1.2	1.3	1.3	6.2
Income	(0.4)	(1.3)	(1.4)	(1.5)	(1.5)	(6.2)
Net Total	0.7	(0.1)	(0.2)	(0.2)	(0.2)	0

The modelled activity suggests that an additional 24 full time equivalent staff would be required to administer the scheme. There is therefore a financial risk that the number and type of licences issued in real life differ from the model and the amount of income received does not cover the costs of operating the scheme. In order to mitigate this risk:

- The financial position of the scheme will have to be carefully monitored and action taken to control costs if necessary.
- The fees and charges structure will be reviewed on an annual basis and if there is a need to increase fees to cover any potential shortfall then this will be recommended and reported through the budget setting process.

There could also be a financial risk to be managed at the end of the 5 year scheme as if the scheme is not continued or the size of the scheme reduces, there will be costs associated with scaling down the team. Again this will have to be closely monitored throughout the initial 5 years.

Implications of Hemming v Westminster Case

The European Union Services Directive 2006 changed the basis upon which fees for certain licences and permissions could be charged by the issuing authorities. In particular licensing authorities may not set fees that are dissuasive, and any fees must be reasonable and proportionate to the cost of the licensing process and the issuing of the licence. These provisions have been taken into account in the proposed fees for consultation.

In addition a recent judgement, in the Supreme Court (Hemming v Westminster case UKSC 2013/0146), has provided further clarification of the type of costs which may be taken into account when setting fees, and when fees may be payable. The Council will follow this decision and therefore the proposal is that fees will be payable in two parts to meet with the European Directive requirements.

5.2. Legal implications

In April 2015 the Secretary of State for Communities and Local Government gave Local Authorities general approval regarding the approval steps for additional and selective licensing designations in England. When considering the introduction of an Additional Licensing scheme the Council must proceed through the statutory process as laid out in Section 56 and 57 and the guidance issued under the Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015.

Section 56 of the Act places requirements upon the Council when considering a designation for additional licensing of HMOs, in that the Council must:

- Consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public;
- Take reasonable steps to consult with persons who are likely to be affected and consider any representations made in accordance with the consultation and not withdrawn; and

- Have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMOs in the area (these codes relate to University managed accommodation).

Section 57 provides further considerations for the Local Authority in that they should ensure that:

- Exercising the designation is consistent with the authority's overall housing strategy;
- Seek to adopt a coordinated approach in connection with dealing with homelessness, empty properties and anti-social behavior affecting the private rented sector as regards combining licensing with other action taken by them or others;
- Consider whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question; and
- That making the designation will significantly assist them to deal with the problem or problems (whether or not they take any other course of action as well).

The General Approval provides the condition that any consultation period for the proposed designation should not be less than 10 weeks.

The guidance for the general approval also provides examples of properties being managed "*sufficiently ineffectively*" including:

- Those whose external condition and curtilage (including yards and gardens) adversely impact upon the general character and amenity of the area in which they are located;
- Those whose internal condition, such as poor amenities, overcrowding etc. adversely impact upon the health, safety and welfare of the occupiers and the landlords of these properties are failing to take appropriate steps to address the issues;
- Those where there is a significant and persistent problem of anti-social behavior affecting other residents and/or the local community and the landlords of the HMOs are not taking reasonable and lawful steps to eliminate or reduce the problems; and
- Those where the lack of management or poor management skills or practices are otherwise adversely impacting upon the welfare, health and safety of residents and/or impacting upon the wider community.

Part 2 of the Housing Act 2004 sets out the scheme for licensing HMOs in a local housing authority area. Under section 56(1) of the Act a local housing authority

can designate the whole or any part or parts of its area subject to additional licensing. Where an additional licensing designation is made it applies to all HMOs specified in the designation.

6. Other implications

6.1. How will this contribute to achievement of the Council's Plan?

The Council Plan takes forward the main themes agreed by the Council in recent years. It reaffirms the Council's ambition – developed with the Strategic Partnership and partners to make Coventry: A Top Ten City.

This ambition is driven through three corporate priorities which directly address the needs of the city and include, in particular;

- Promoting the growth of a sustainable Coventry economy by;
 - Increasing the supply, choice and quality of housing.
- Improving the quality of life for Coventry people by;
 - Improving the health and wellbeing of local residents
 - Protecting our most vulnerable people
 - Reducing health inequalities

The Health and Wellbeing Strategy 2016-19 recognises that creating health, wealth and happiness requires more than simply managing people's health problems.

The health and wealth being of people can be improved if people have jobs, good housing, and are connected to families and communities.

The Council's Housing Strategy 2013-2018 affirms the Council's view that housing plays a crucial role in the economic growth of the City. The ambition for Coventry is "*to ensure decent homes, housing choice and support for Coventry citizens*" through various themes including:

- Increase the supply, choice and quality of new housing;
- Prevent and tackle homelessness;
- Strive for a healthier and more sustainable City by improving the quality and use of stock; and
- Encourage balanced, stable and sustainable communities.

The Housing Strategy 2013-18 has now been combined with the Homelessness strategy into one document known as the Housing and Homeless Strategy 2019-24, which, at the time of preparing this report is subject to public consultation and not approved. The new strategy does however set out four themes which are relevant to this proposal and the objectives of the scheme, namely;

- Preventing Homelessness
- New Housing Development
- Improving the use of Existing Homes

- Support for People and Communities.

The Housing Strategy links into the Council Plan and the Health and Wellbeing Strategy by contributing to the delivery of the key corporate priorities but also in supporting the local economy through ensuring communities have stable and safe places to live.

Globally connected - Promoting the growth of a sustainable Coventry City Council economy

The proposals set out in this report will also contribute toward the increase the supply, choice & quality of housing within the designated area and reduce the impact of poverty through supporting residents experiencing fuel poverty.

It will help tackle environmental and anti-social behaviour crime supporting a vibrant business environment and will help raise the profile of Coventry by the improvement of the environment and housing within the area, thereby making it attractive to retaining skilled graduates in the area.

Locally committed - improving the quality of life for Coventry people

Additional Licensing will, together with other agencies, make communities safer and reduce crime and anti-social behaviour.

It will improve health and wellbeing by providing safer and healthier rented accommodation that is well managed with reduced overcrowding and will reduce health inequalities and protect the most vulnerable by improving the standard of poorly managed homes without the need to report problems. It will help prevent homelessness due to poorly managed or rogue landlord actions.

6.2 How is risk being managed?

The statutory process required to designate an Additional Licensing scheme is being followed to ensure full compliance and a minimum 10 week consultation will be undertaken.

The consultation will be designed to ensure our compliance with legislation and statutory guidance, minimising the risk of legal challenge.

6.3 What is the impact on the organisation?

The approval of the recommendations to conduct a consultation should have limited impact on the organisation. There is no human resource, financial or ICT implications as the consultation exercise will be carried out using current resources.

The implementation and delivery of the scheme will require additional resources which have been accounted for within the fees and charges for licences. Delivery of this scheme will require approximately 24 staff. A recruitment process will need to be carried out to secure the necessary resources and this is programmed in to take place before the Scheme comes into effect thereby limiting the risk and impact on the organisation.

6.4 Equalities / EIA

The report makes links to the Council's Equality and Diversity Policies and a specific Equalities Assessment has been completed for this report and is attached at Appendix 6.

6.5 Implications for (or impact on) the environment?

The option of "do nothing" considered in the feasibility report is likely to result in significant impacts particularly when the Council will otherwise have very limited ability to maintain and improve HMO conditions, for example: energy efficiency and thermal performance, waste management and household waste recycling.

6.6 Implications for partner organisations?

The proposals to consult on an Additional Licensing scheme contributes towards the work of the Community Safety Partnership.

The effective operation of the consultation will enable the Council to make clear and informed decisions about the structure of the Additional Licensing scheme in the City which will directly impact on the quality and management of HMOs in the PRS and on the co-existence of HMOs with local residents and communities.

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Names of approvers for submission: (officers and members)				
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Martin Yardley	Deputy Chief Executive	Place	14/12/18	14/12/18
Councillor A Khan	Cabinet Member for Policing and Equalities		11/12/18	11/12/18
Councillor E Ruane	Cabinet Member for Housing and Communities		11/12/18	11/12/18

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Additional Licensing in Coventry

FEASIBILITY REPORT
CHOWNS, ADRIAN



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1. EXECUTIVE SUMMARY

Coventry is well known nationally and internationally as the city of peace of reconciliation. It has also recently been awarded the City of Culture for 2021. However there have long been serious problems, especially around housing. For thousands of people coming to study the condition of accommodation for rent can be very poor. In addition, due to the problems associated with a lack of housing supply many people are forced to rent privately. This is particularly relevant for young professionals and migrant workers. The large numbers of people looking to rent, and the lack of affordable housing available to buy have conspired to present failures in the operation of the housing market.

For many years the City Council has been looking for effective means of assisting and encouraging improvements in the quality of houses in multiple occupation (HMOs) let out in Coventry. The HMO sector is a substantial element of the private rental market.

These informal approaches met with a degree of success but the scope of such intervention is very limited and many wards across the City still present significant problems with HMOs. The other tools available remain an option but prosecution for breaches of Regulations is a cumbersome procedure and one that is essentially negative – albeit appropriate in the right circumstances.

The mandatory licensing of HMOs has been effective in regulating and improving the standard of accommodation offered to let in Coventry. Licensing encourages a positive interaction with landlords and allows for the problems presented by each house to be managed on an individual basis through a bespoke set of licence conditions.

Additional licensing spread over the whole of the City will allow for those positive effects to be extended and for the benefits to be available to everybody. The Council believes that licensing all HMOs is essential for bringing about improvements in Coventry's rental stock. There is a very strong commitment from the Council for this development and the licensing of all HMOs is an indispensable element in that work.

HMOs make a considerable contribution to the vibrancy of the City's economy and the Council appreciates the work good landlords do in providing decent living accommodation. It is imperative that all landlords in the City are encouraged to operate minimum standards that anyone should be able to expect when renting such accommodation.

The significance of HMOs in Coventry is only likely to increase. The pressures on the City's housing market are such that house prices are likely to continue to rise restricting further those households who cannot access the property ladder. In turn, this will mean that for a greater number of people who live in the PRS, the only chance of a decent home is in a properly managed and well regulated, licensed house in multiple occupation.

2. Introduction

Coventry is one of the fastest growing cities outside of London with an estimated population of approximately 360,000. Census 2011 data suggests that Coventry's population has a much younger age profile than England in general; it is the younger population that is on the increase with a decline in the over 75's. The average age of Coventry's residents is 33 years, notably lower than the England average of 40 years, and is falling. The student population means there is continually a large population aged 18-24, this age group makes up 14.7% of the population compared to the England average of 8.7%.



The growth and increase in the size of the Private Rented Sector (PRS) has been a significant change in the housing market in Coventry. In 2001 there were approximately 15,000 households living in the PRS which according to Census information rose to 26,503 in 2011. The Office of National Statistics (ONS) reported in 2015 that there were estimated to be 34,326 households in the PRS in Coventry.

HMOs are a major concern for the Council with the Census 2011 suggesting that HMOs currently make up a quarter of the PRS. The trend over many years has been for the HMO stock to grow steadily within the City.

The Council has produced a Housing Strategy which recognises that, amongst other things, there is limited social affordable housing available in the City making it clear that the private rented sector will need to play a greater role in meeting housing needs in the City.

Landlord licensing is part of a wider set of measures to enable landlords to provide good quality housing within their communities and Additional Licensing of HMOs will help alleviate the housing

situation in HMOs by setting and maintaining minimum standards across the city in the most vulnerable sector of Coventry's private rental market.

Additional Licensing would require all private landlords with HMOs in designated areas of the city to apply for a licence for each property before they can be let to tenants. In order to become a licence holder a landlord would have to meet certain standards.

3. Additional Licensing of HMOs

The Housing Act 2004 has given Councils the power to introduce Additional Licensing of HMOs, those which fall outside of the mandatory HMO licensing definition to improve conditions for tenants and the local community in certain circumstances.

What is a HMO?

An HMO (House in Multiple Occupation) is defined in Sections 254 and 257 of the Housing Act 2004.

An HMO can be a building or part of a building if it is:

- Occupied by persons who form more than one household, and where those persons share (or lack) one or more basic amenities, such as a WC, personal washing and cooking facilities.
- A converted building containing one or more units of accommodation that do not consist entirely of self-contained flats. (There is no requirement that the occupiers share facilities)
- A converted building consisting entirely of self-contained flats, where the building work undertaken in connection with the conversion did not comply with the 1991 Building Regulations and more than one third of the flats are occupied under short tenancies.

The HMO must be occupied by more than one household:

- As their only or main residence;
- As a refuge by persons escaping domestic violence; or
- During term time by students.

In all cases:

- Occupation of the living accommodation must be the only use of that accommodation; and
- Rents are payable or other considerations are provided.

Under the Housing Act 2004, a **household** comprises:

- A single person;
- Co-habiting couples (whether or not of the opposite sex); or
- A family (including foster children and children being cared for) and current domestic employees.

Certain types of buildings will not be HMOs for the purpose of the Housing Act. They are:

- Buildings, or parts of buildings, occupied by no more than two households, each of which comprise a single person only (for example, two person house or flat shares);
- Buildings occupied by a resident landlord with up to two tenants;
- Buildings managed or owned by a public sector body, such as the police, local authority, registered social landlords, fire and rescue authority and the NHS;
- Buildings occupied by religious communities;

- Student halls of residence where the education establishment has signed up to an Approved Code of Practice; and
- Buildings occupied entirely by freeholders or long leaseholders.

Bed and breakfast and hostel accommodation occupied by individuals as their main and permanent address are also considered to be an HMO.

In April 2015 the Secretary of State for Communities and Local Government gave Local Authorities general approval regarding the approval steps for additional and selective licensing designations in England. When considering the introduction of an Additional Licensing Scheme the Council must proceed through the statutory process as laid out in Section 56 and 57 and the guidance issued under the Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015.

Section 56 of the Act places requirements upon the Council when considering a designation for additional licensing of HMOs, in that the Council must:

- Consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public;
- Take reasonable steps to consult with persons who are likely to be affected and consider any representations made in accordance with the consultation and not withdrawn; and
- Have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMOs in the area (these codes relate to University managed accommodation).

Section 57 provides further considerations for the Local Authority in that they should ensure that:

- Exercising the designation is consistent with the authority's overall housing strategy;
- Seek to adopt a coordinated approach in connection with dealing with homelessness, empty properties and anti-social behavior affecting the private rented sector as regards combining licensing with other action taken by them or others; and
- Consider whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question; and
- That making the designation will significantly assist them to deal with the problem or problems (whether or not they take any other course of action as well).

The General Approval provides the condition that any consultation period for the proposed designation should not be less than 10 weeks.

The guidance for the general approval also provides examples of properties being managed "*sufficiently ineffectively*" including:

- Those whose external condition and curtilage (including yards and gardens) adversely impact upon the general character and amenity of the area in which they are located;
- Those whose internal condition, such as poor amenities, overcrowding etc. adversely impact upon the health, safety and welfare of the occupiers and the landlords of these properties are failing to take appropriate steps to address the issues;

- Those where there is a significant and persistent problem of anti-social behavior affecting other residents and/or the local community and the landlords of the HMOs are not taking reasonable and lawful steps to eliminate or reduce the problems; and
- Those where the lack of management or poor management skills or practices are otherwise adversely impacting upon the welfare, health and safety of residents and/or impacting upon the wider community.

Under section 60(2) of the Act the time must be no later than five years after the date on which the designation comes into force.

4. Supporting Information

4.1 The National Picture

ONS projects that there will be a population increase in the UK by 11 million over the next two decades. People are growing older and living longer. It is estimated that over the next few years the over 65's will increase by 7 million.

2.9 million people aged 20-34 are currently living with parents and for many home ownership is no longer a tenure of choice or aspiration resulting in the PRS being the only viable housing option for most newly forming households.

The English Housing Survey 2016/17 (EHS) reported, that the PRS has now grown to 20%, up from 19% in 2013-14 and 11% in 2003 and that a larger proportion of 25- to 34-year-olds now rent their home.

Rising house prices have seen many young people priced out of buying a home which is apparent from the results of the EHS which also acknowledges that *“While the under 35s have always been overrepresented in the private rented sector, over the last decade or so the increase in the proportion of such households in the private rented sector has been particularly pronounced. In 2006-07, 27% of those aged 25-34 lived in the private rented sector. By 2016-17 this had increased to 46%. Over the same period, the proportion of 25-34 year olds in owner occupation decreased from 57% to 37%. In other words, households aged 25-34 are more likely to be renting privately than buying their own home, a continuation of a trend first identified in 2012-13. As with those aged 35-44, the proportion of 25-34 year olds in the social rented sector did not change”*.

In 2016-17, 5% of households in the PRS (231,000) were living in overcrowded accommodation.

The rental market has also changed considerably. After stalling in 2013, rents charged by private landlords increased by 8.2% in 2014 across England with the average weekly rent climbing from £163 to £176.40. Currently average rents average £675.¹

4.2 Local Context

1

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/714123/PRMS_Statistical_Release_180607.pdf

Coventry is the second largest City in the region by population and is also the 9th largest in England. Its population places it as the 10th largest City in the UK. Between 2012 and 2013, the city's population increased by over 2%. A significant number of migrants have contributed to the city's population, which is expected to continue into the future as Coventry will see steady population increases.

ONS published their updated mid-year population estimates on 22nd June 2017. These estimates suggest that Coventry has 352,900 people living in the city - 7,500 more people than in 2015 when the population was estimated to be 345,400.

This is an increase of 2.2%, compared to the England average of 0.9%. Between June 2015 and June 2016 Coventry's population was growing at the 10th fastest rate out of all council areas in the United Kingdom, the 4th fastest rate outside of London.

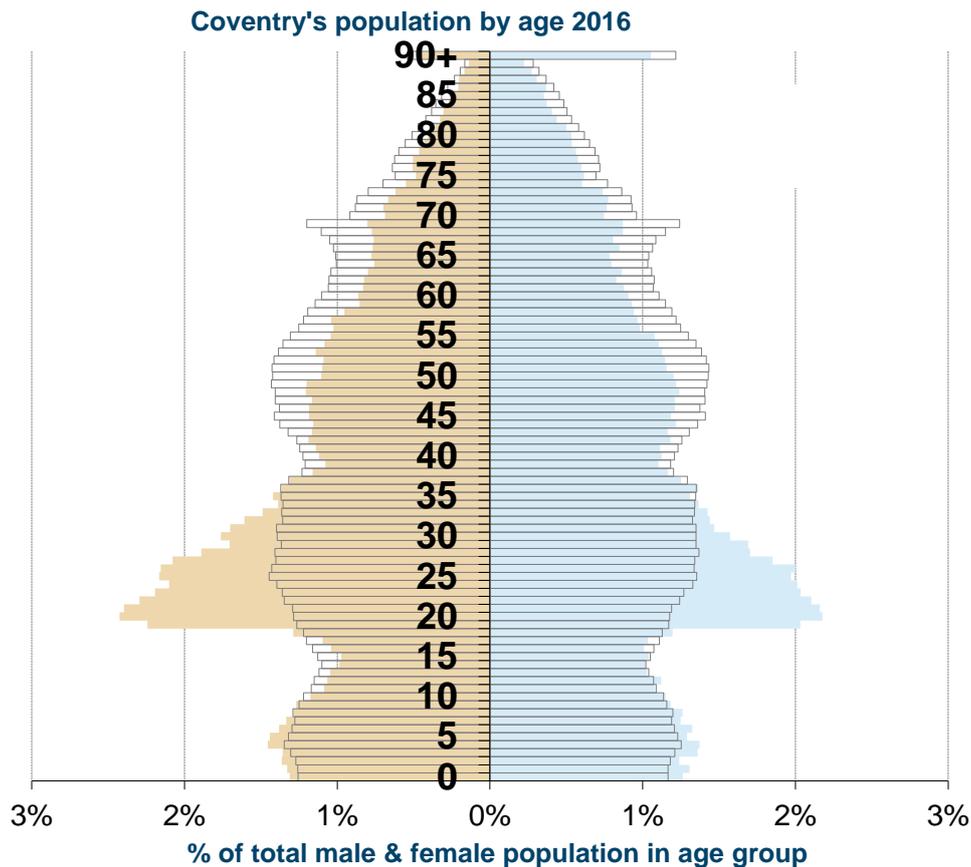
Table 1 below shows Coventry's medium term growth since 2000. After a period of population decline at the start of the century Coventry's recent growth has been faster than the national and regional averages.

Table 1- Population Growth in Coventry

Year	Coventry		England	West Midlands
	Mid-year population estimate	Population change index (2000 = 100, Cumulative % change since 2000)		
2000	303,100	100.0	100.0	100.0
2001	302,800	99.9	100.4	100.2
2002	301,300	99.4	100.9	100.6
2003	300,700	99.2	101.4	101.1
2004	298,200	98.4	102.0	101.5
2005	298,400	98.5	102.8	102.1
2006	300,100	99.0	103.5	102.8
2007	301,400	99.5	104.4	103.5
2008	305,200	100.7	105.2	104.3
2009	307,400	101.4	106.0	104.9
2010	311,700	102.8	106.9	105.6
2011	316,900	104.6	107.9	106.4
2012	323,100	106.6	108.7	107.1
2013	329,800	108.8	109.4	107.7
2014	337,400	111.3	110.3	108.4
2015	345,400	114.0	111.3	109.1
2016	352,900	116.4	112.3	110.1

In 2007 when the Coventry population started to grow notably the average age was 36 years. The young average age is partly because Coventry is home to two large universities – Coventry and Warwick University. The City is one of the top 20 towns and cities in the UK in terms of the proportion of the population who are students (source: Census 2011). Figure 2 below shows the age profile by population in Coventry.

Figure 1- Population by Age



The student population means there is continually a large population aged 18 – 24, this age group makes up 14.3% of the population compared to the England average of 8.8%.

There are other reasons why Coventry is a relatively young city;

- A number of European economic migrants, who are more likely to be younger, have moved and are moving to the city;
- In the 1970s and 1980s many young people left the city looking for work meaning that there are relatively fewer older people today than might be expected;
- Up until five years ago the annual number of births was increasing as a trend. The number of births has now stabilised and has fallen from a high of around 4,800 to around 4,600 and
- Some established middle aged residents move out of Coventry to more rural areas.

Continuing a recent trend, the average age of Coventry's residents reduced between mid-2015 and mid-2016. The population of 0-15 year olds increased by 1.9%, 16-64s increased by 2.6% and older people aged 65 and over by 0.6%. However, with life expectancy increasing the population of residents aged 65+ is likely to increase faster than younger age groups in the future. The working age population increased by the most, particularly due to growth amongst 18-24s and 25-34s; partly the result of the growing universities. Coventry University in particular has been growing and the number of full-time students enrolled there continued to increase between 2015 and 2016.

ONS reported in 2014 that overall for the UK as a whole, the proportion of the population born outside of the UK was 13% (8.3 million of 63.7 million). In Coventry the figures for 2014/15 were reported to be 24% non UK born, almost twice the national average.

According to the 2011 Census, Coventry as a local authority has experienced the greatest migration since 2001 - second only to London. The increasing diversity of populations in Coventry is creating new challenges for housing, health and social care systems, which need to adapt in order to remain responsive and ensure delivery of effective and culturally sensitive services while promoting equity, social cohesion and inclusiveness. To achieve the City's aim of reducing inequalities within the City, and in response to the City's Marmot role, addressing migrant health was a clear priority.

The 2011 Census tells us that 1 in every 5 people living in Coventry (21%) were born outside the UK. People move in and out of the city every year, including students studying at the city's two universities from both the UK (37,580) as well as an estimated 19,160 overseas students (2016-2017 figures)². 14,035 students enrolled from Non-EU countries and 5,125 from EU countries.

The 2011 also shows us that areas around the city centre and to the south east of the city were the most popular places for EU migrants to live, while the city centre and areas to the North East and South West are the most popular for non-EU migrants. Figures 2 and 3 provide the profile.

Figure 2- Non EU Migrants in Coventry

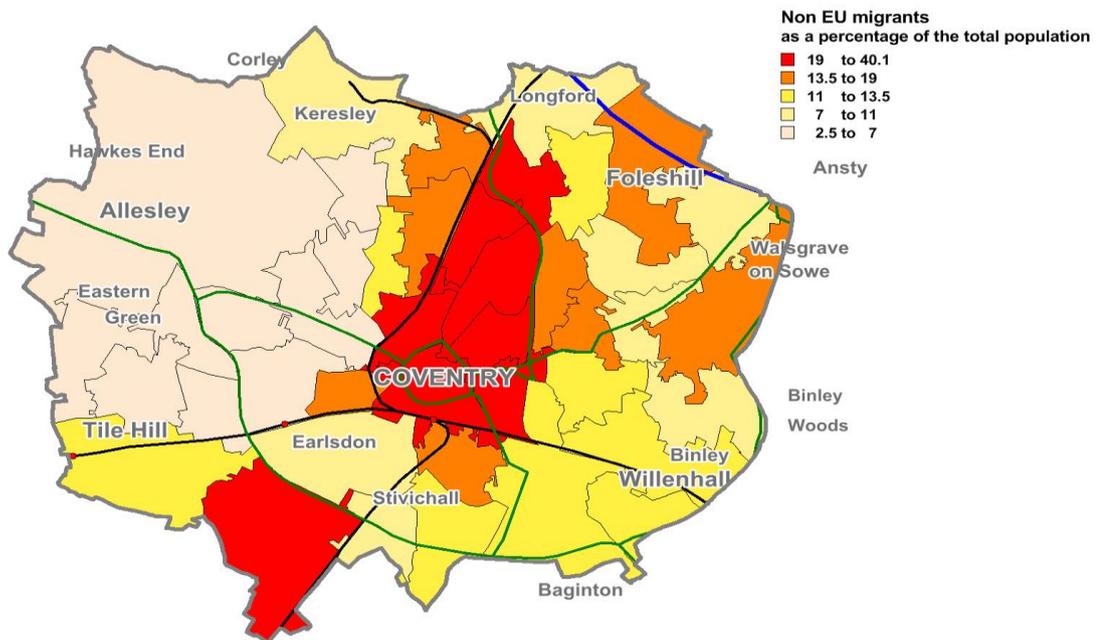
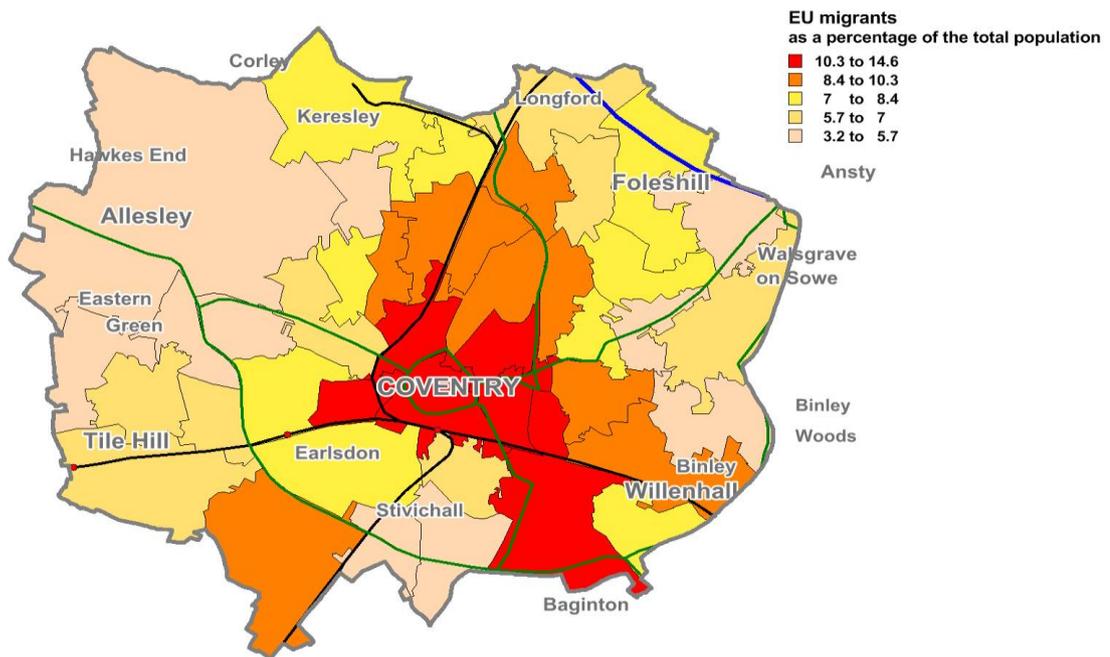


Figure 3- EU Migrants in Coventry

² <https://www.hesa.ac.uk/news/11-01-2018/sfr247-higher-education-student-statistics/location>



The City has experienced high levels of migration into certain wards and as a result, has seen further demand on already stretched public services. This, has in turn placed extra pressure on the housing sector and the likelihood is that a large number of migrants will seek affordable accommodation in HMOs across the city.

4.3 Strategic Context

Section 57 (2) of the Housing Act 2004 states that before making a designation the authority must ensure that any exercise of the power is consistent with the authority's overall housing strategy.

The Council Plan takes forward the main themes agreed by the Council in recent years. It reaffirms the Council's ambition – developed with the Strategic Partnership and partners to make Coventry: A Top Ten City.

This ambition is driven through three corporate priorities which directly address the needs of the city:

- 1) Promoting the growth of a sustainable Coventry economy by;
 - Supporting businesses to grow
 - Creating the infrastructure for the city to grow and thrive
 - Developing the city centre for the 21st century
 - Raising the profile of Coventry
 - Helping local people into jobs
 - Reducing the impact of poverty
 - Increasing the supply, choice and quality of housing.
 - Increasing access to arts, sports & cultural opportunities including leisure, music and events

- 2) Improving the quality of life for Coventry people by;
 - Creating an attractive, cleaner and greener city
 - Making communities safer together with the police, to reduce crime and anti-social behaviour
 - Improving educational outcomes by working with schools to continue to improve standards
 - Improving the health and wellbeing of local residents
 - Protecting our most vulnerable people
 - Reducing health inequalities
- 3) Delivering our priorities with fewer resources by:
 - Making savings so that we can support frontline services
 - Support the regeneration of Coventry's economy
 - Change how we work to become more flexible and adaptable
 - Empowering citizens and encouraging active communities
 - Working together with neighbours and partners across the voluntary, public and private sectors

The Health and Wellbeing Strategy 2016-19 recognises that creating health, wealth and happiness requires more than simply managing people's health problems. The health and wealth being of people can be improved if people have jobs, good housing, and are connected to families and communities. By working together to deliver three priority areas Coventry Health and Wellbeing will make the biggest difference to the lives of Coventry people.

The Council's Housing Strategy 2013-2018 affirms the Council's view that housing plays a crucial role in the economic growth of the City. The ambition for Coventry is *"to ensure decent homes, housing choice and support for Coventry citizens"* through various themes including:

- 1) Increase the supply, choice and quality of new housing
- 2) Prevent and tackle homelessness
- 3) Strive for a healthier and more sustainable City by improving the quality and use of stock; and
- 4) Encourage balanced, stable and sustainable communities.

Beneath these themes there are number of key priorities, most notable for this report being :Regenerate neighbourhoods where poor quality, low demand housing exists.

- Improve energy efficiency and affordable warmth across all tenures.
- Improve property condition and management standards in the private rented sector.
- Improve the quality of our neighbourhoods to support safe, inclusive and cohesive communities.

The Housing Strategy links into the Council Plan and the Health and Wellbeing Strategy by contributing to the delivery of the key corporate priorities but also in supporting the local economy through ensuring communities have stable and safe places to live.

Regulatory Services is responsible for regulating the housing sector and embraces a range of service areas used by people, businesses and organisations and through this work profile ***"seeks to ensure that the public, visitors, workers and residents of Coventry have a healthy and safe work and domestic environment."*** through education, persuasion and enforcement activities. The teams

within the service are responsible for ensuring properties and landlords in the Private Rented Sector meet minimum legal requirements.

The service has been working with landlords to improve conditions within the HMO stock of the city through the national mandatory HMO licensing scheme as well as statutory regulatory functions relating to maintaining minimum standards in properties in the rented sector.

A variety of interventions have been used in Coventry to tackle problems in the HMO stock in the city. These range from providing advice and support to landlords and tenants through to the use of legislative powers to raise standards within HMOs.

The primary driver for all of the work carried out by the team is the protection of the health, safety and welfare of residents living in HMO's whether it is acting in an advisory role or regulatory role through enforcement. Where serious breaches occur legal action has been taken which has led to convictions and formal action. The outcome of this work is a healthier and safer environment in which people live.

Operational partners include the various teams within Regulatory Service, Environmental Health, Housing Department and Planning Services.

The teams within these service areas all contribute to the Councils Corporate objectives and there are also strong links with external agencies including in particular West Midlands Police and West Midlands Fire and Rescue Service.

The Coventry Police and Crime Board brings together a range of agencies who work together to make Coventry a safer, more confident city. The Safety Partnerships was created in 1998 in response to a requirement within the Crime & Disorder Act. A number of agencies were given "Responsible Authority" status that places a statutory duty on them to work together and do all they reasonably can to prevent, detect and reduce crime and nuisance and prevent re-offending. These agencies must work with local businesses and communities to improve the safety of the communities they live and work in.

In essence, this requirement was to aid the coordination of multiple resources, tools, legal powers and services of local agencies, businesses and residents with the ultimate aim of making Cities safer.

The work of Community Safety Partnerships is guided by an annual strategic assessment of threat and risk, which provides evidence with which to determine local need and priorities for agencies to plan action to address those priorities.

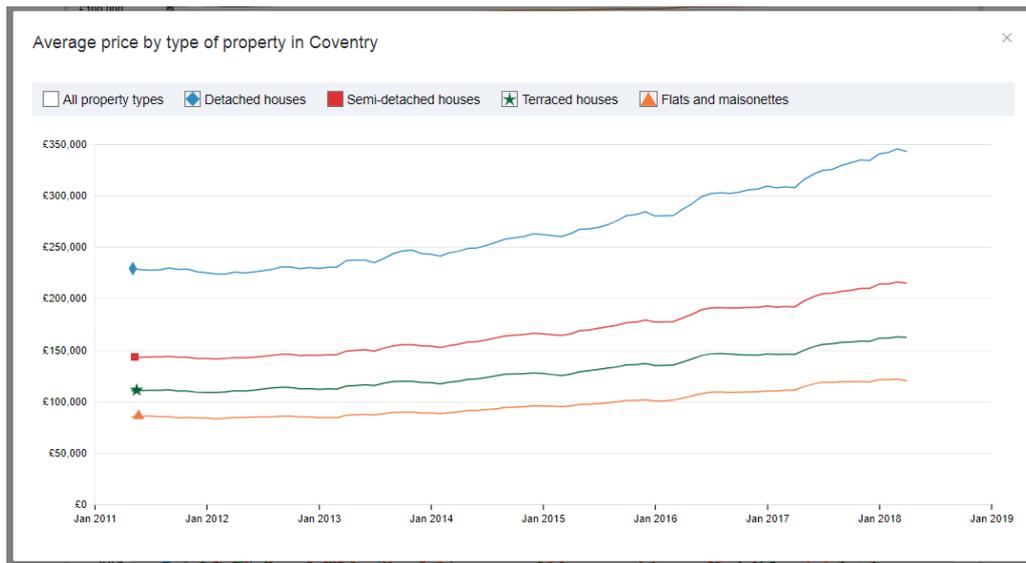
The relationship with private landlords and letting agents within the city and other stakeholders has developed over the years and events are held to inform landlords and agents of key issues that may affect them. The service also meets with letting agents, college domestic bursars and other strategic partners on a regular basis.

Despite the above many landlords remain disengaged until formal action is pursued by the Council.

4.4 Housing in Coventry

There is a housing shortage in Coventry with an estimated 14,000 households on the waiting list for housing there is a particular need for larger 3 and 4 bedroom properties. Affordability is also a major concern issue. As can be seen from Figure 4 the average house price for property has increased considerably over the past 10 years in all property types.

Figure 4- Average house price in Coventry



In 2011, the vast majority (82%) of the 133,185 homes in Coventry were in private ownership, while around one in five (18%) of homes were considered affordable housing and were mainly owned by registered providers.

An over-representation of terraced housing also exists within the City. The 2011 Census reported that 43% of housing in Coventry was terraced. In contrast, 10% of households in the City are detached and over a quarter (28%) are semi-detached.

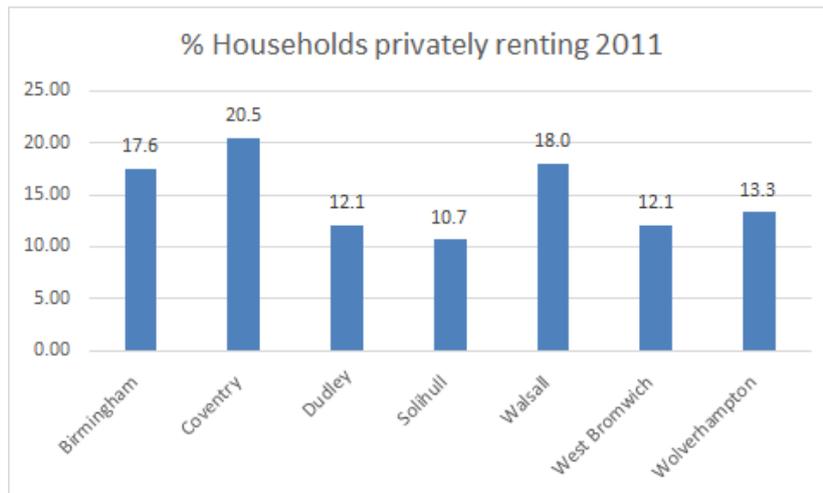
It is well reported that poor housing conditions, including overcrowding and homelessness, are associated with property age and the effect of such conditions have a direct impact on health including in particular, cardiovascular diseases, respiratory conditions and mental health problems.

4.5 The Private Rented Sector

The PRS in Coventry has seen considerable growth over the past 20 years or so. In 2001 the sector was reported to be around 13% - Census 2001 and had increased to around 20% by 2011, making Coventry the region in the West Midlands with the largest PRS.

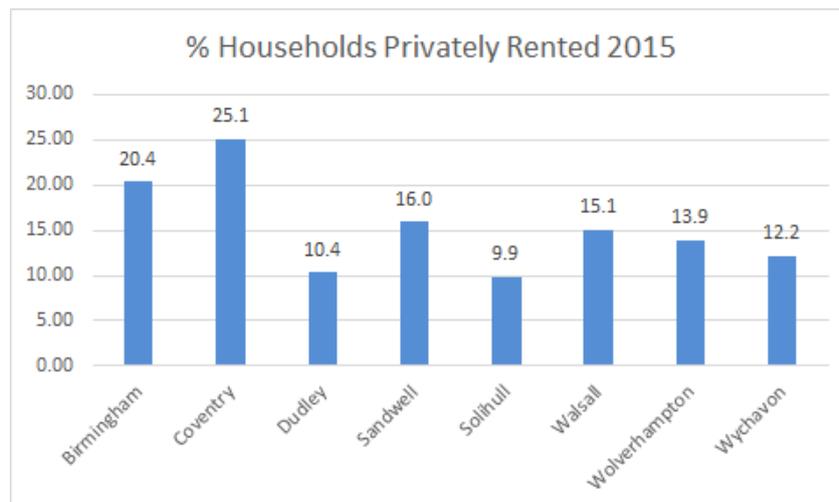
Figure 5 below provides the comparison of the percentage of PRS in the West Midlands and surrounding areas for 2011.

Figure 5- % households in PRS in West Midlands area 2011



In 2015, the Office for National Statistics released tenure estimates by Local Authority for owner occupied and private rented dwellings. These estimates indicated that the PRS had increased since the 2011 census to 34,326 (25.06%) and although these were estimates and not 'official' statistics' this provides a clear indication that the PRS in Coventry is expanding year on year. Figure 6 below provides the comparison for the local area.

Figure 6- % households in PRS in West Midlands region 2015



4.6 HMOs in Coventry

The council must consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.

HMOs are a major concern in Coventry. It is estimated that Coventry is one of the top ten authorities having the highest number of HMOs in England and Wales with around 6,800 HMOs or 26% of the total PRS stock.

They form an unusually high percentage of houses in the city and provide much needed accommodation for residents, particularly students who would typically live in this type of accommodation.

Planning policy has been developed by the Council to create and sustain as appropriate 'mixed and balanced communities', by encouraging the spread of sustainable and viable options for accommodation. Notwithstanding, the city does have large areas where HMOs within the PRS are substantial in number.



The Census 2011 provides data on the percentage of multi occupied (HMO) properties in the PRS, which is shown in Figures 7 and 8 below. The percentage is reported as a proportion of the total PRS stock and Figure 8, in particular clearly shows that there is a large concentration of HMOs in certain wards focussed within close proximity of the City centre and the two major university complexes.

An analysis of the Housing Strategy Statistical Appendix (HSSA) was carried out to determine how this compared to the rest of the UK.

The HSSA is a statistical return to support the development of annual Housing Strategy. It is mainly basic and policy orientated data on all tenures within each local authority's own geographical area and covers a wide range of information including, amongst other things, the total number of properties estimated in the PRS and the total number. With this information available the Council is able to compare the % of HMOs across the country.

Based on the HSSA returns there is an estimated 2,511,137 properties in the PRS, of which 426,834 are reported to be HMOs. This represents a 17% average across the 325 LA's that completed the HSSA return in 2011.

From the percentages shown in Figure 7 it is clear that despite there being a large concentration of HMOs in and around the City centre there are above average numbers across a large number of wards generally, with only 5 falling below the estimated national average of 17% (Bablake, Wyken, Henley, Holbrook and Longford).

Figure 7- Percentage of HMOs by ward

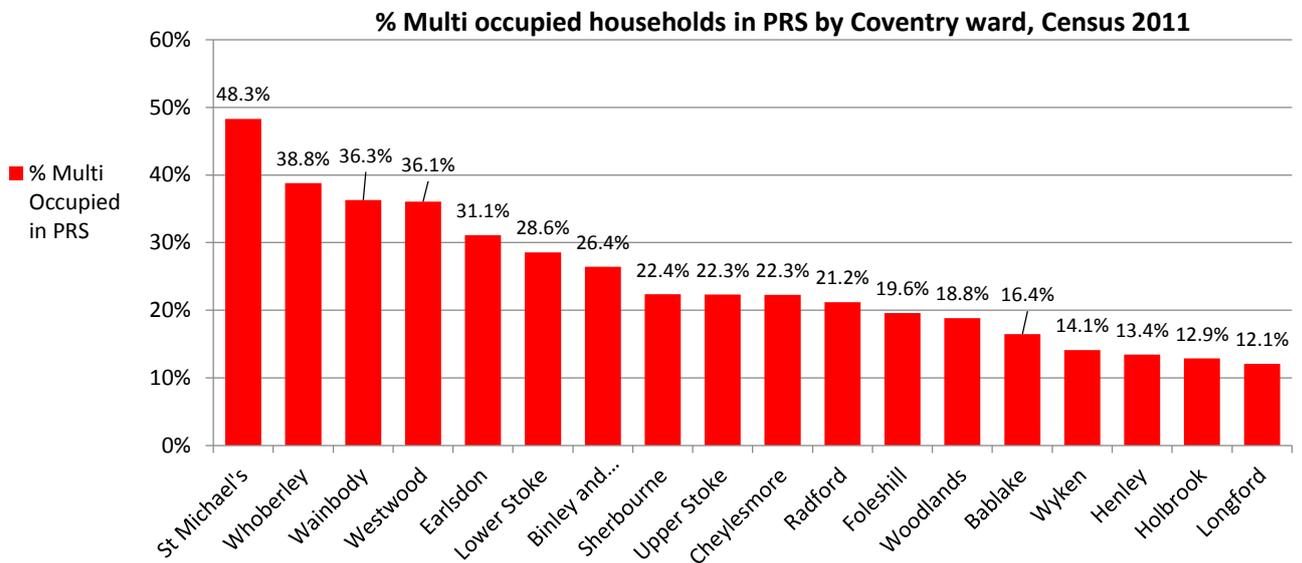
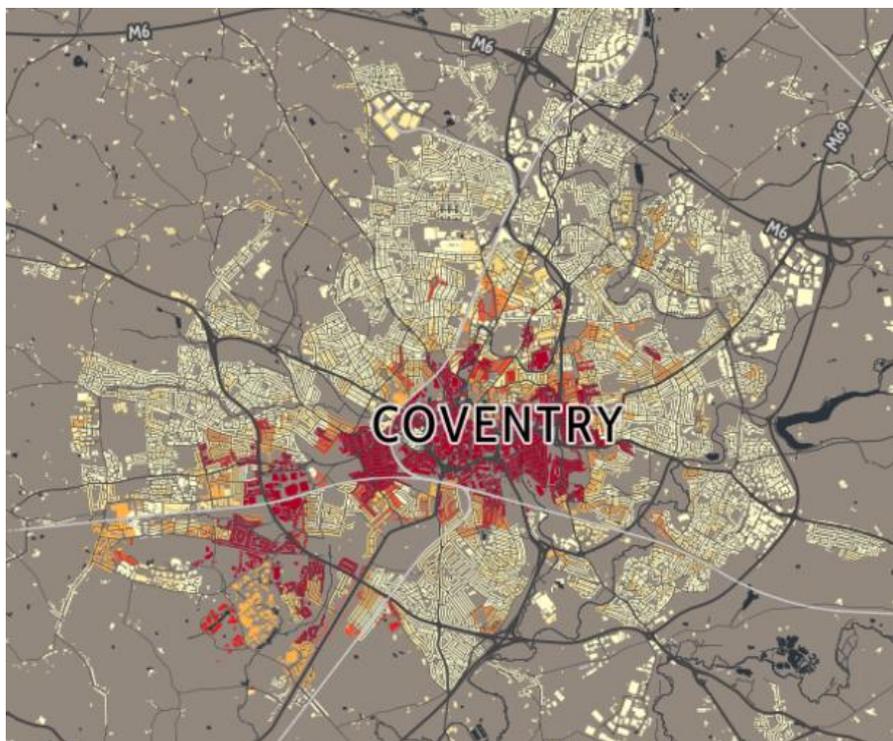


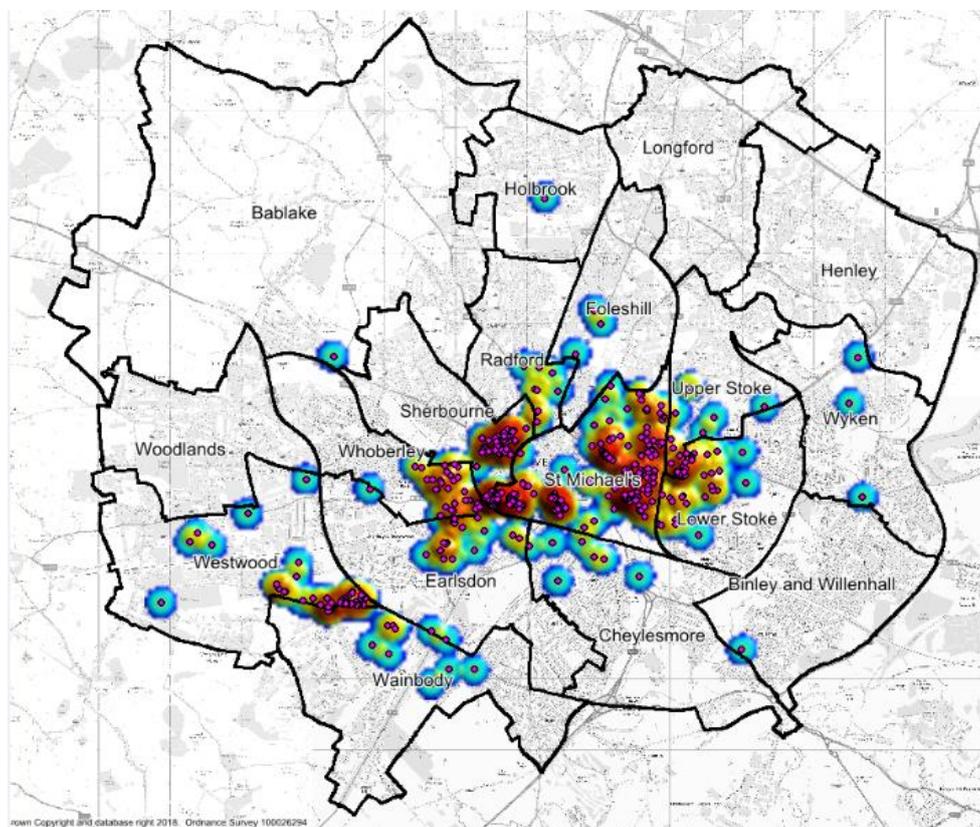
Figure 8- Census 2011 multi occupied properties



4.7 Mandatory Licensing of HMOs

Under the Housing Act 2004 certain types of HMO were defined as licensable. For these HMOs there is an obligation on the landlord to apply to the local authority, where the HMO is located, for a licence. Local authorities, therefore, must be in a position to manage the application for licences. At the time of writing this report licensable HMOs are those that are of three or more storeys with five or more residents living as two or more households that share some facilities. The total number of licensable HMOs of this nature in Coventry, using this definition is estimated to be 1,190. The Council has issued around 500 licenses for mandatory HMOs and 129 new applications waiting to be determined. Figure 9 below provides the profile of licensed HMOs across the City.

Figure 9- Licensed HMOs in Coventry 2018

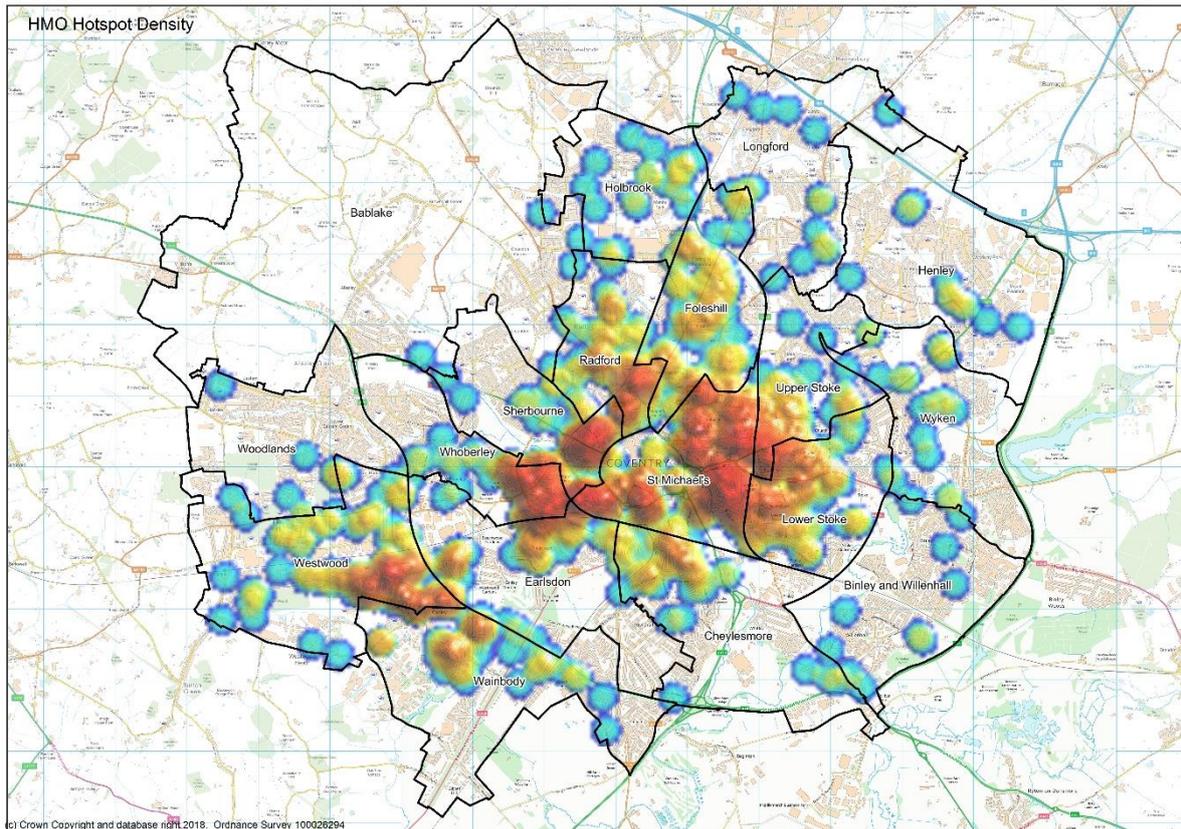


From 1st October 2018 the definition of a mandatory licensable HMO will change and the rule regarding 3 or more storeys will be removed. All properties that meet the following criteria will therefore require a mandatory HMO licence:

- It is occupied by five or more persons;
- Is occupied by persons living in two or more separate households; and meets—
- The standard test under section 254(2) of the Act;
- The self-contained flat test under section 254(3) of the Act but is not a purpose-built flat situated in a block comprising three or more self-contained flats; or
- The converted building test under section 254(4) of the Act.

The Council estimates that this change will bring an additional 1,200 HMOs into the mandatory licensing regime in October 2018 increasing the total estimated number of licensable HMOs in Coventry to approximately 2,400. Despite this intervention by the Government there will still be an estimated 4,400 HMOs in Coventry that will not be subject to licensing provisions. Figure 10 below provides the estimated hotspot density for HMOs by cross referencing the Local Land and Property Gazetteer (LLPG) street records for a combination of Council Tax data and licensed HMOs. As mentioned a large number of these suspected HMOs will fall outside of the mandatory scheme.

Figure 10- HMO Hotspot Density 2018



4.8 Property Conditions

Local authorities have an obligation under the Housing Act 2004 to keep housing conditions in their area under review. This includes all tenures of housing, not just stock that may be owned by the local authority.

Councils also have an obligation to enforce certain statutory minimum standards in housing and have powers that they can use to do this, while further non-mandatory powers are available to the Authority under the Housing Act 2004. To meet this obligation, Coventry City Council commissioned a survey on a random sample of housing within the city in 2012/13.

Information concerning the HMO stock in the city has historically been built up from operational records, however, landlords and agents are most reticent to provide the Council with data unless specifically required to do so. Additional Licensing will enable the collection of more detailed and accurate information about the HMO stock. This is one of the less apparent benefits of licensing.

The Council has developed a number of policies and strategies to further develop its overall approach to the housing stock and the Stock Condition Survey forms an important contribution to the full evidence base which underpins local policies and strategies towards improving housing standards.

The figures below provide relevant information regarding the stock and conditions in the Private Rented Sector and HMOs as reported in the stock condition survey.

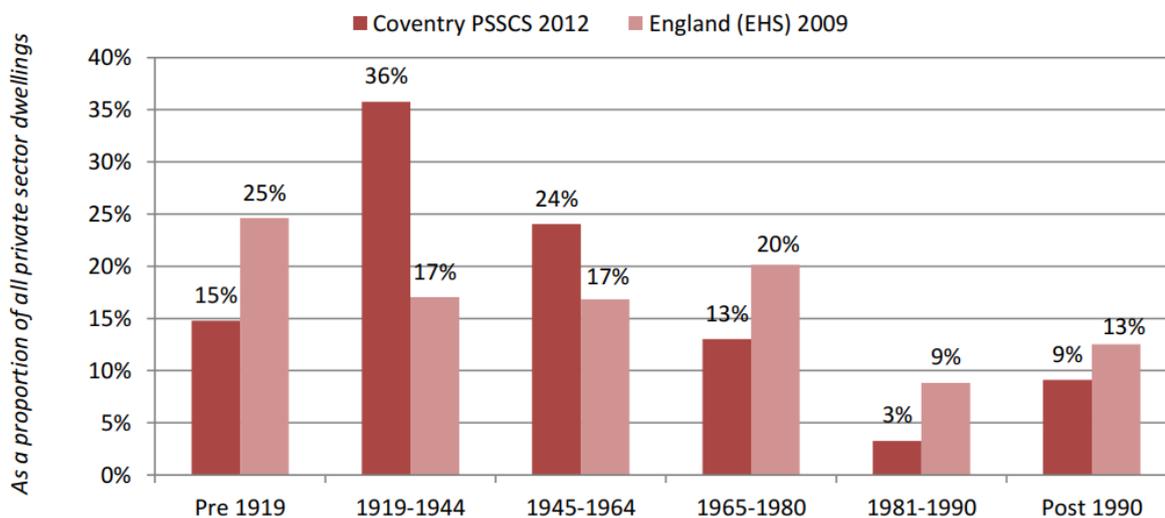
As previously described the DCLG guidance for the general approval provides examples of properties being managed “sufficiently ineffectively” and includes;

- 1) those where the external condition and curtilage (including yards and gardens) adversely impacts upon the general character and amenity of the area in which they are located; and
- 2) where the internal condition, such as poor amenities, overcrowding etc. adversely impact upon the health, safety and welfare of the occupiers; and
- 3) where the landlords of these properties are failing to take appropriate steps to address the issues.

The age of dwellings in the PRS is therefore an important consideration as there is a direct correlation between property age and conditions - the worse conditions are generally present in older stock types.

As can be seen from Figure 11 below the highest proportion of properties in the PRS are pre 1919 terraced type houses and inter war properties, which are present at over twice the national average.

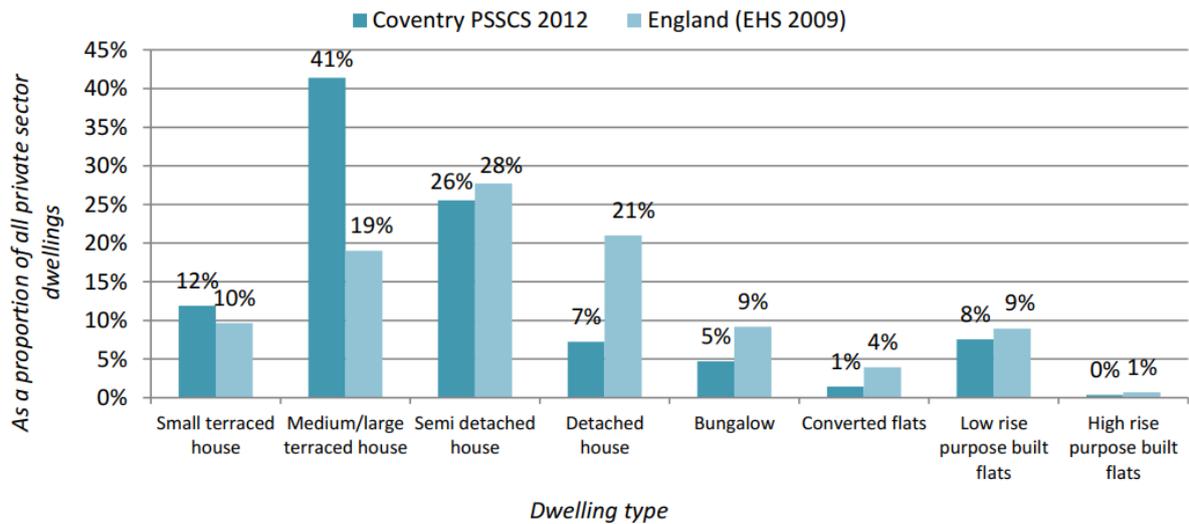
Figure 11- Dwelling Age in Coventry 2012/13



Dwelling type is also an important consideration and correlates with the issue of poor property conditions. In Coventry almost half of all the stock in the PRS is a medium or large type terraced house, which again is double to that found in England. This is particularly relevant in the case of HMOs as it is more likely that these larger type properties are in HMO use as a result of their size and internal configuration.

Figure 12 below provides the dwelling type profile across the whole of the PRS for different property types.

Figure 12- Dwelling type in Coventry 2012



4.9 HHSRS

The Housing Health and Safety Rating System (HHSRS) provides the minimum standard for housing, in that a property should be free from a category 1 hazard. There are 29 criteria for assessing hazards in a property and typically hazards arise from faults or deficiencies in the dwelling which could cause harm.

In short, a dwelling should be able to supply the basic needs for the everyday life of the range of households who could normally be expected to live in a dwelling of that size and type. The dwelling should not contain any deficiency that might give rise to a hazard which interferes with, or puts at risk, the health or safety, or even the lives, of the occupants.

The Council is under a duty to take action in the case of category 1 hazards and if necessary it may carry out any necessary remedial work and reclaim the costs. The Council has a power (discretion) to take action in the case of all category 2 hazards (i.e. those which carry lower risks).

As can be seen from Figure 13 below the stock condition survey reported that there were 17% of properties in the PRS that had a Category 1 hazards, slightly below the national average.

Figure 13- Cat 1 hazards in PRS Coventry

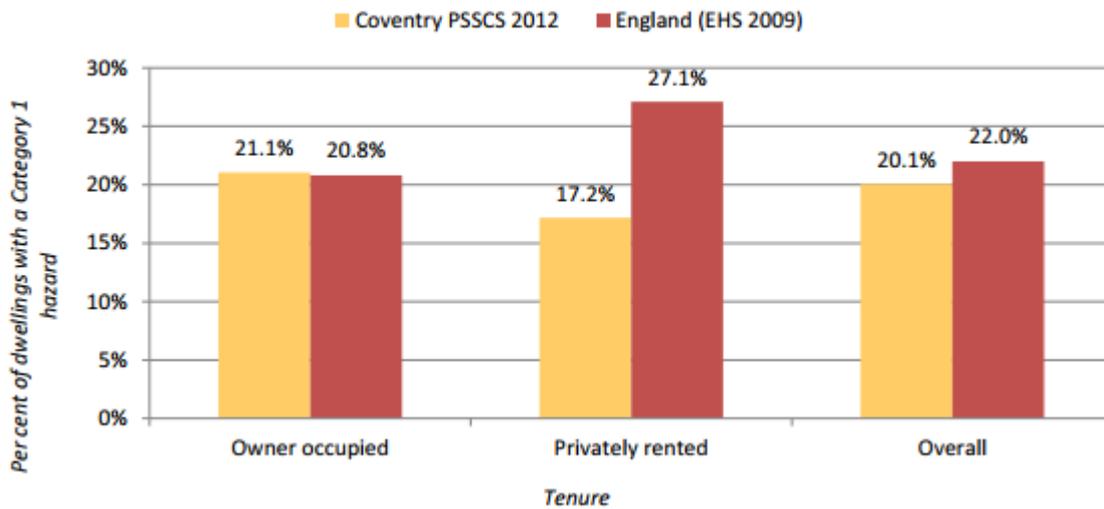
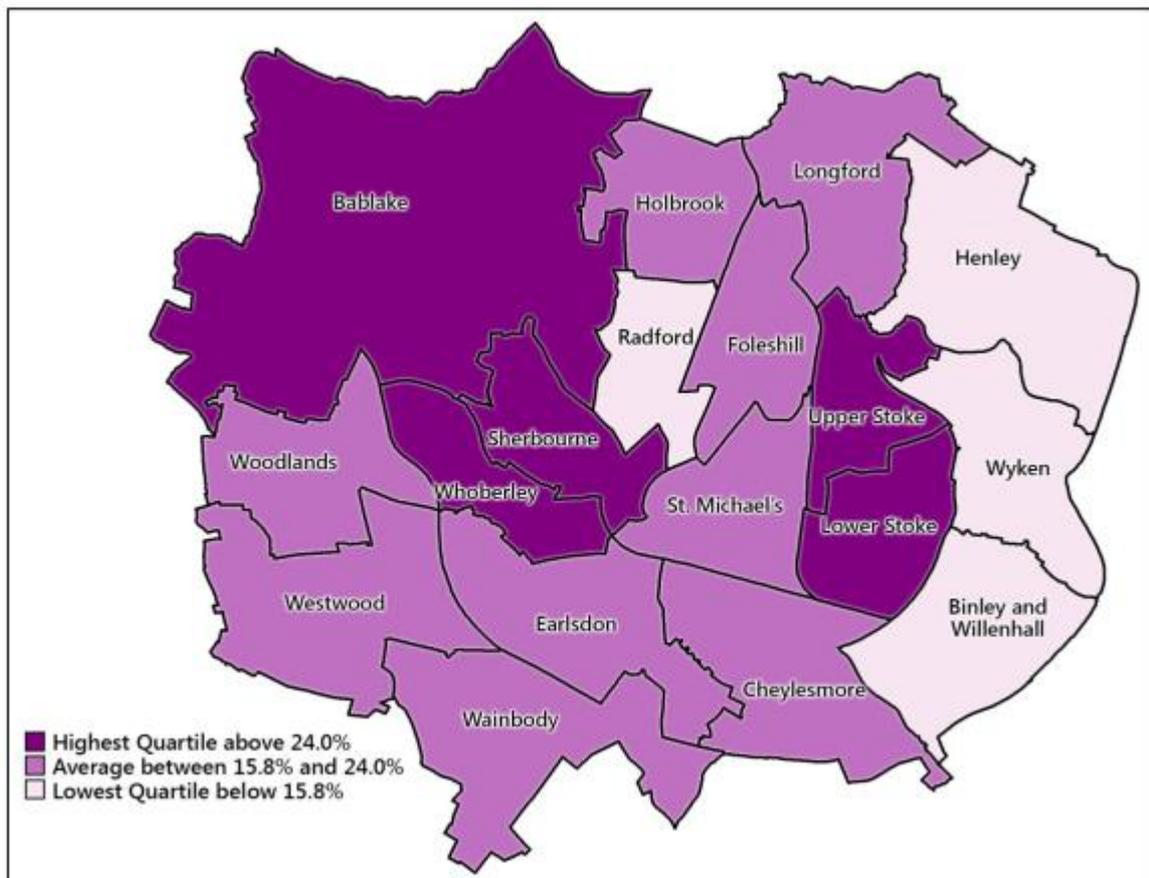


Figure 14 provides the concentration of Category 1 hazards by ward. It is apparent from this profile that over 77% of the wards in the city have above average levels of hazards.

Figure 14- Cat 1 hazards by ward



The stock condition survey also identified the hazard criteria which were most prevalent in HMOs and the private rented stock. As shown in Table 2 below the two main hazards in HMOs were excess cold and falls on stairs.

Table 2- Hazard profiles in HMOs and PRS

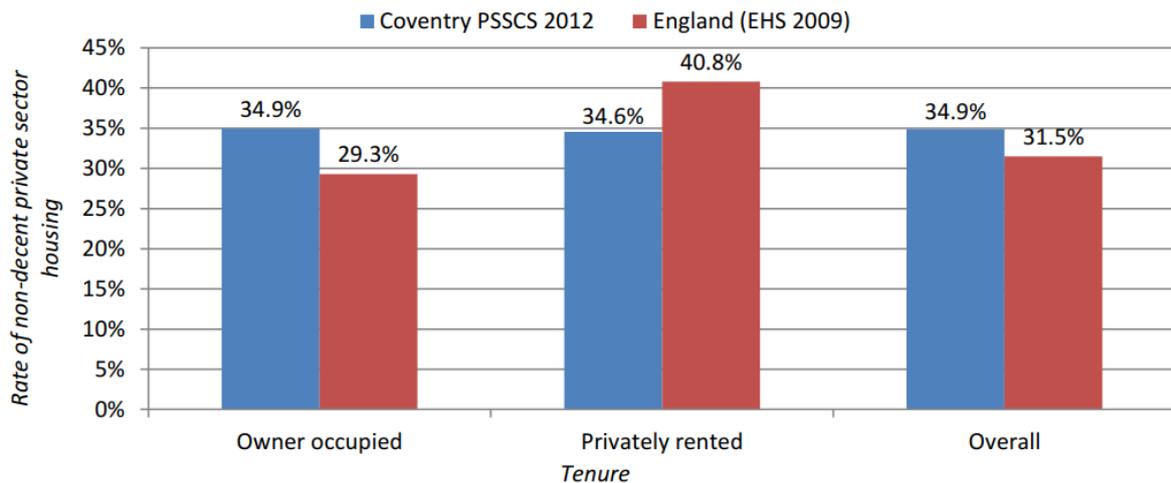
Category 1 hazard	HMOs		Private Sector	
Excess cold	550	9.9%	13,070	11.9%
Falls on stairs	520	9.3%	7,460	6.8%
Falls on the level	200	3.6%	2,410	2.2%
Falls between levels	90	1.6%	160	0.1%
Fire hazard	40	0.8%	70	0.1%
Flames & hot surfaces	0	0.0%	40	0.0%
Damp & mould	0	0.0%	100	0.1%
Overcrowding	0	0.0%	60	0.1%

4.10 Non Decent Homes

The Decent Homes Standard is a minimum standard under which all homes must: be free from any hazard that poses a serious threat to health or safety; be in a reasonable state of repair; have modern facilities and have adequate levels of thermal comfort.

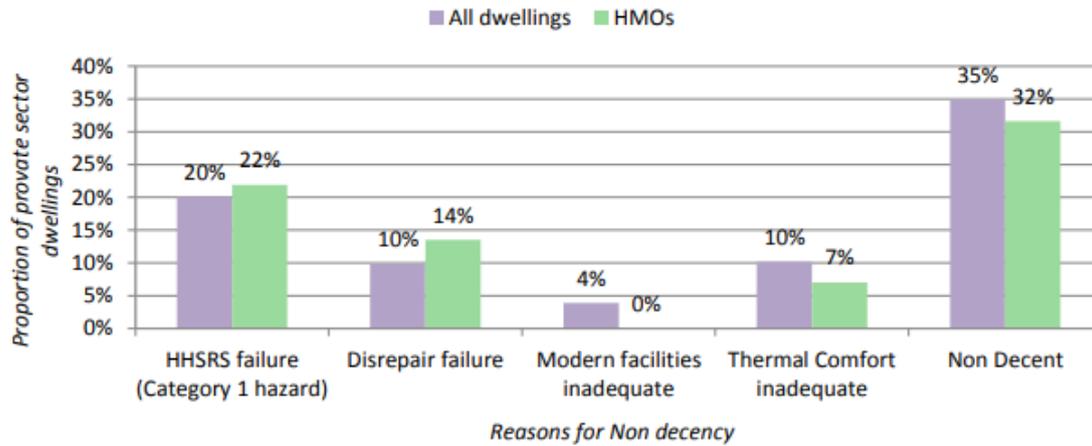
It is estimated that there are 38,400 private sector dwellings (34.9%) that are non-decent in Coventry. This compares to 31.5% of private sector stock (owner occupied and privately rented) for England as a whole.

Figure 15- Non decent homes in Coventry PRS



The reasons for non-decency were identified as part of the survey and showed that most prominent failure was due to HHSRS with 17% of properties in the PRS failing this element of the criteria. As can be seen from Figure 16 below non decent HMOs were slightly less prevalent in the HMO sector than in the housing stock as a whole but there were greater levels of Category 1 hazards and disrepair found in this type of accommodation.

Figure 16- Criteria for non decent homes in HMOs



In addition to HHSRS and the Decent Homes Standard, HMOs are also required to be “reasonably suitable for occupation”. HMO landlords should ensure that their properties that are in multiple occupation provide basic amenities, for example at least one bathroom (including a WC or with a separate WC) where there are up to four people sharing.

According to the stock condition survey most HMOs in Coventry have only one room set aside as a dedicated living room as more than this would reduce the rental potential on the dwelling. There are an estimated 170 HMOs with no dedicated living room.

HMOs surveyed were also found to have inadequate kitchen facilities, which represents an estimate of 140 across the city as a whole. There is no specific requirement for HMOs to have a separate room set aside as a living room, however, if no living room is present, individual bedrooms are required to be of a larger size. The Council has experienced a number of HMOs that have below minimum size bedrooms.

The Government has introduced a mandatory licence condition for minimum room sizes in HMOs which is enforced through the licensing provisions. Any HMO which does not require a licence would not be required to meet this condition and as such could house people in smaller undersized rooms.

In addition to basic facilities there is also a requirement to ensure that there are adequate fire precautions in all HMOs. In the case of licensable HMOs the landlord is required to ensure that there is a suitable and sufficient fire risk assessment, which would set out the general fire safety requirements within the HMO. In the case of HMOs which are not subject to licensing the Council has the power to apply management regulations and HHSRS. The latter would usually be on a reactive basis.

Table 3 provides the results of the stock condition survey and despite the substantial risk of not having smoke detection in a HMO, there are still 4% of 257 HMOs, 15% of licensable HMOs and 51% of other HMOs that had no smoke detector present. Approximately 94% of 257 HMOs, 35% of licensable HMOs and 29% of other HMOs have a mains wired smoke detector.

Table 3-- Fire safety measures in HMOs

Fire safety measure	Other HMOs		Licensable HMOs		S257 HMOs	
	HMOs	Per cent	HMOs	Per cent	HMOs	Per cent
Any smoke detector	1,590	49%	1,020	85%	1,120	96%
Mains wired smoke detectors	940	29%	410	35%	1,100	94%
Fire extinguisher	430	13%	370	31%	1,100	94%
Fire blanket	1,250	39%	640	53%	1,120	96%
Fire proof doors	2,200	69%	970	81%	1,120	96%
Protected escape route	430	13%	140	12%	1,100	94%
Fire safety notice	130	4%	270	22%	1,120	96%
Escape route free from obstructions	3,210	100%	1,190	100%	1,170	100%
Total number of HMOs	3,210	100%	1,190	100%	1,170	100%

4.11 Complaints about HMOs

The Council considered those areas where there is a significant and persistent problem of anti-social behavior affecting other residents and/or the local community and where landlords of HMOs are not taking reasonable and lawful steps to eliminate or reduce the problems.

When deciding whether areas are suffering from anti-social behaviour (ASB) which a landlord should address, regard was given as to whether the behaviour is being conducted within the curtilage of the rented property or in its immediate vicinity and include acts of: intimidation and harassment of tenants or neighbours; noise, rowdy and nuisance behaviour affecting persons living in or visiting the vicinity; animal related problems; vehicle related nuisance; illegal drug taking or dealing; graffiti and fly posting; litter and waste within the curtilage of the property.

This methodology was adopted to identify the relationship between complaints and HMOs and where the lack of management or poor management skills or practices were otherwise adversely impacting upon the welfare, health and safety of residents and/or the wider community.

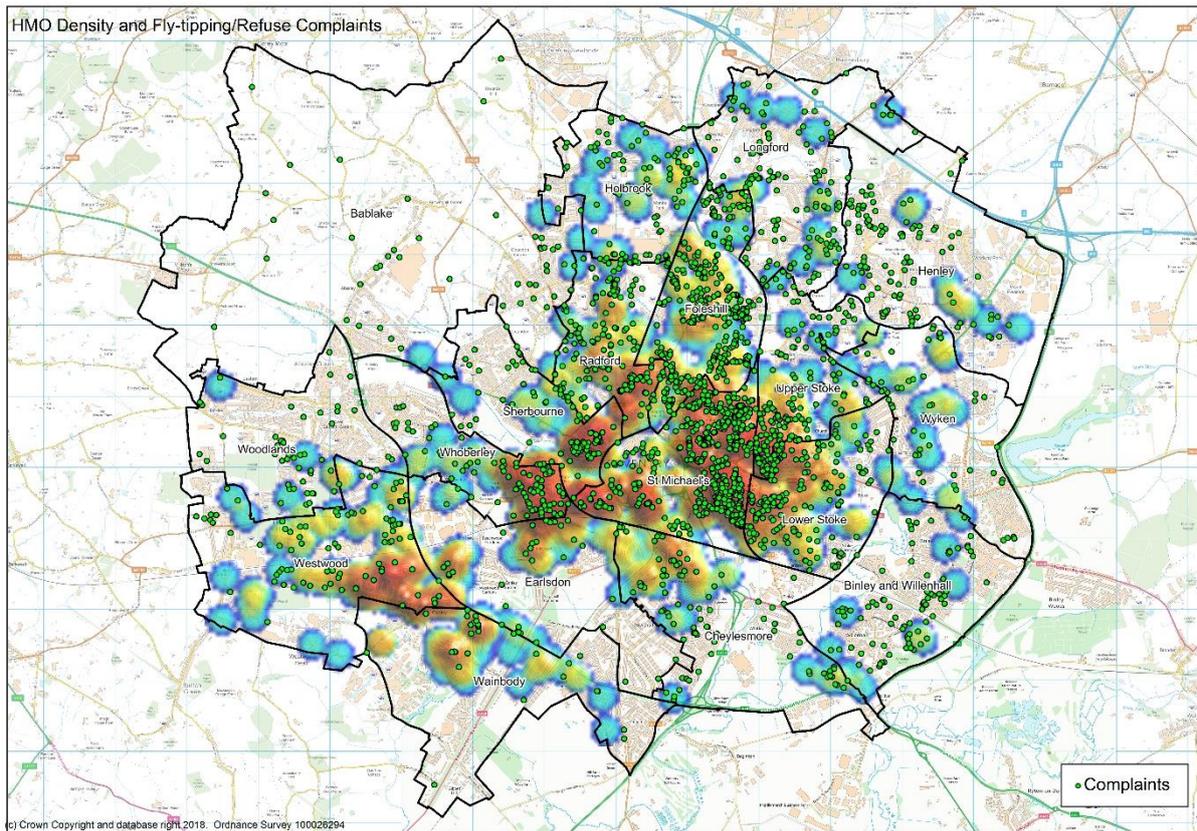
During 2016/18 the Council received a large number of complaints relating to the issues considered as shown in Table 4 below. What is also apparent is, that in the case of pests, fly tipping and noise these issues have increased from the previous year suggesting there is a growing problem. ASB issues, although significant are slightly lower than that of the previous year.

Table 4- Complaints in PRS

Complaint	2016/17	17/18	Difference
Pests	1502	2132	30% >
Fly Tipping/Refuse	3342	4704	29% >
Noise	3286	3523	6.7% >
ASB	18,197	17,977	1.2% <

The concentrations of these issues have been represented in Figures 17 & 18, which clearly show the “hotspots” for complaints and how these correspond with the location of suspected HMOs.

Figure 17- HMO density and fly tipping and refuse complaints



As can be seen from Figure 20 above there is a strong correlation between fly tipping and refuse complaints and HMOs.

During 2016 the Council received 2,440 complaints alone regarding rubbish. Of particular interest was those areas which showed an increase in these complaints. Table 5 below shows where the complaints were concentrated by LSOA.

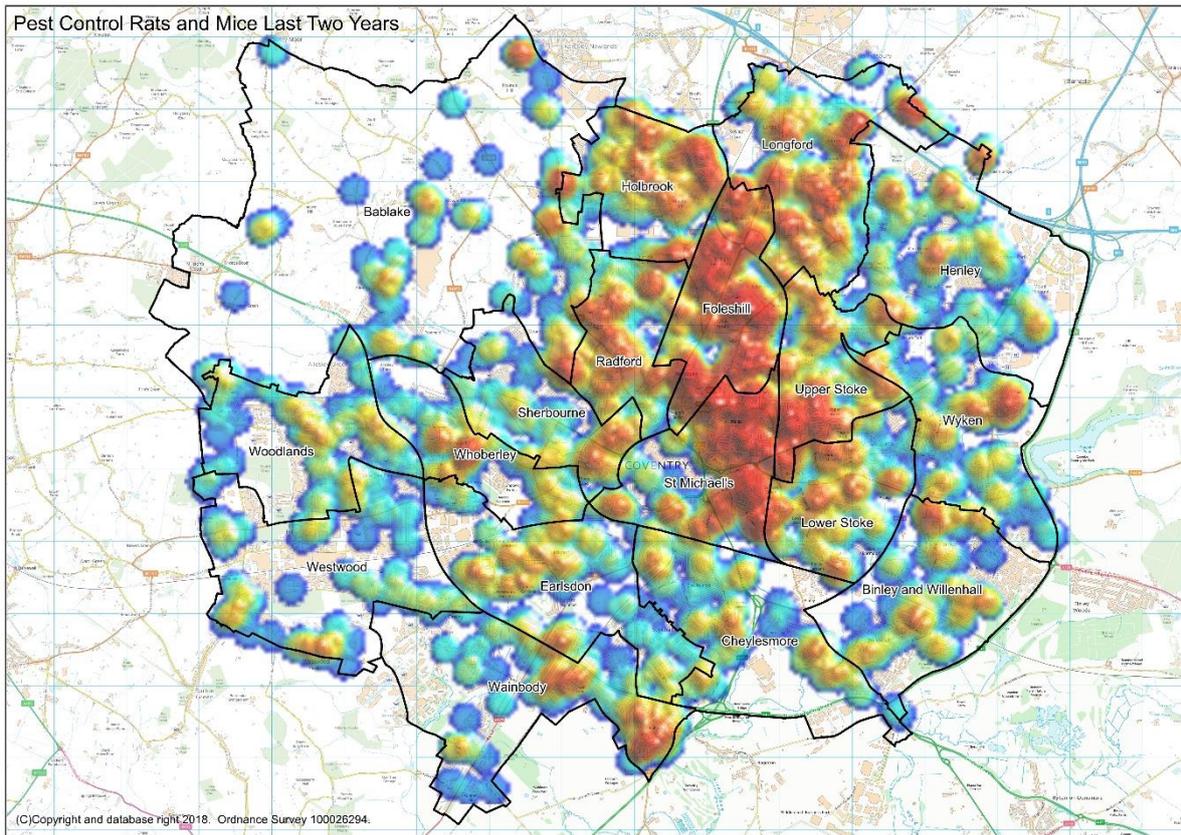
Table 5- Refuse complaint by LSOA

LSOA Code	LSOA Name	Mainly in Ward
E01009548	Friargate & Parkside –Technology, N. Cheylesmore	St Michael's
E01009553	Central Six Retail Park - Queens Road	St Michael's
E01009564	Little Heath – King Georges Avenue	Foleshill
E01009567	Edgwick - Canal Road	Foleshill
E01009568	Parting of the Heaths - Durbar Avenue	Foleshill
E01009569	Edgwick - Gallagher Retail Park Cross Road	Foleshill
E01009570	Foleshill - Broad Street	Foleshill
E01009571	Paradise - Awson Street	Foleshill
E01009572	Foleshill - Paragon Park Red Lane	Foleshill
E01009573	Bishopgate - George Elliot	Foleshill
E01009574	Swanswell - Leicester Causeway	Foleshill
E01009575	Arena Retail Park - Arbury	Foleshill
E01009577	Aldermans Green - Deedmore Road W	Henley
E01009607	Bell Green - Roseberry Ave	Longford
E01009615	Stoke Park	Lower Stoke

E01009619	Peugeot, Dominion Plaza & Humber Road North	Lower Stoke
E01009624	Jubilee Crescent	Radford
E01009626	Daimler Green - North Capmartin Road	Radford
E01009629	Daimler Green – Electric Wharf	Radford
E01009630	Radford - Lawrence Saunders Roads	Radford
E01009631	Barker Butts - Bablake School Thomson Avenue	Radford
E01009633	Charterhouse - St Georges Road	St Michael's
E01009634	London Road - Acacia Northfields Roads	St Michael's
E01009636	Hillfields - Swans Lane Thacknall Street	St Michael's
E01009637	Hillfields - Cambridge Street	St Michael's
E01009638	Hillfields Village & Motor Museum	St Michael's
E01009639	City Farm North	St Michael's
E01009640	Hillfields - Coronation Road Swanswell Basin	St Michael's
E01009641	Hillfields - Canterbury Raglan Streets	St Michael's
E01009650	Upper Holyhead Road – Minster Road	Sherbourne
E01009651	Lower Spon Street	Sherbourne
E01009658	Stoke Heath - Dane Road North Allotments	Upper Stoke
E01009660	Stoke Church End - Shakespeare Street	Upper Stoke
E01009661	Gosford Green - Kingsway	Upper Stoke
E01009663	Wyken Croft North	Upper Stoke
E01009665	Wainbody - Cannon & Cannon Park Roads	Wainbody
E01009683	Earlplace Business Park - Middlecotes	Westwood
E01009689	Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley
E01032538	Longford Village & Longford Park	Longford

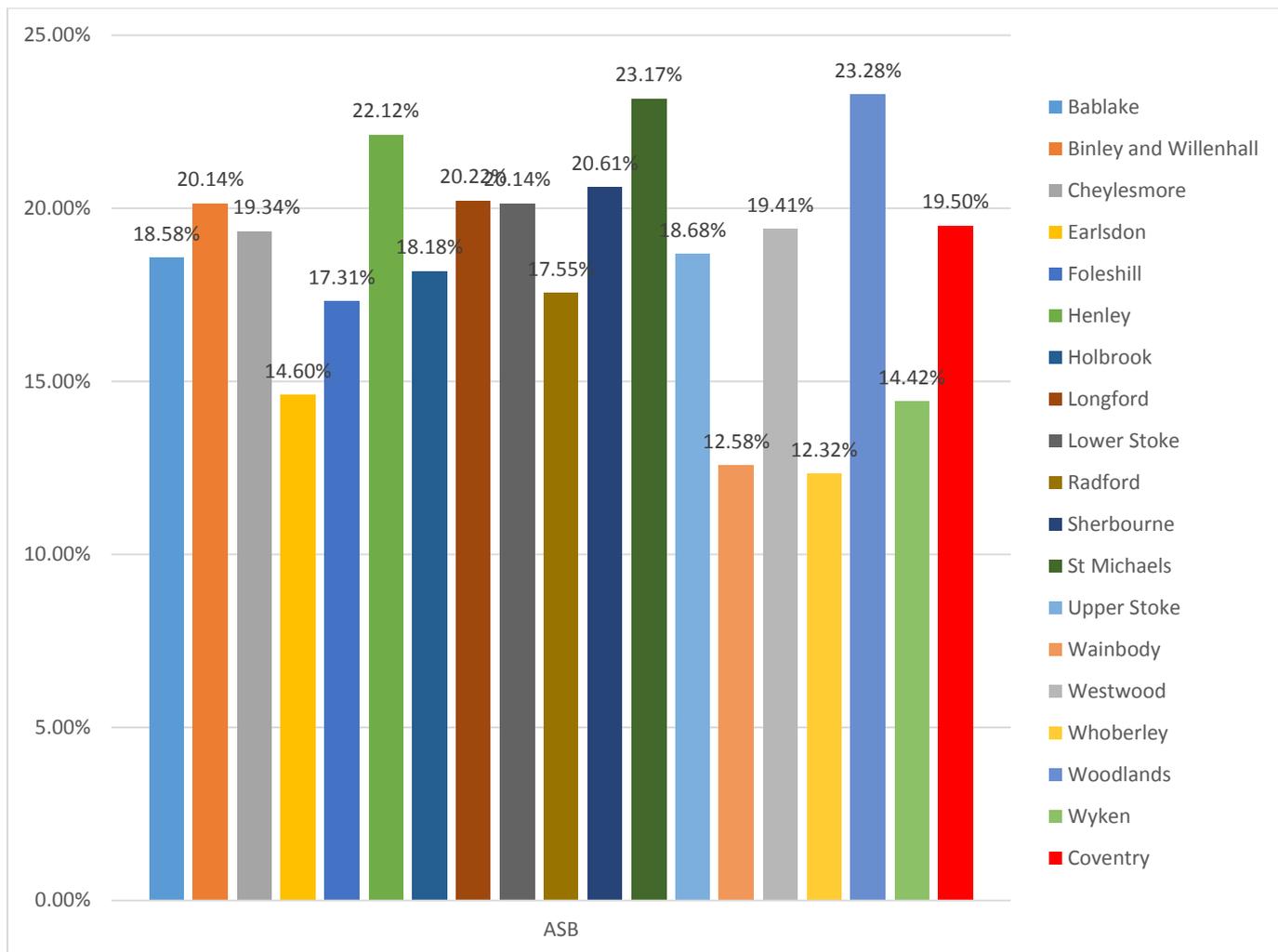
Further data was analysed in relation to the number of pest control visits made by the Council. Figure 18 below provides the profile for the past two years.

Figure 18- Pest control visits last two years



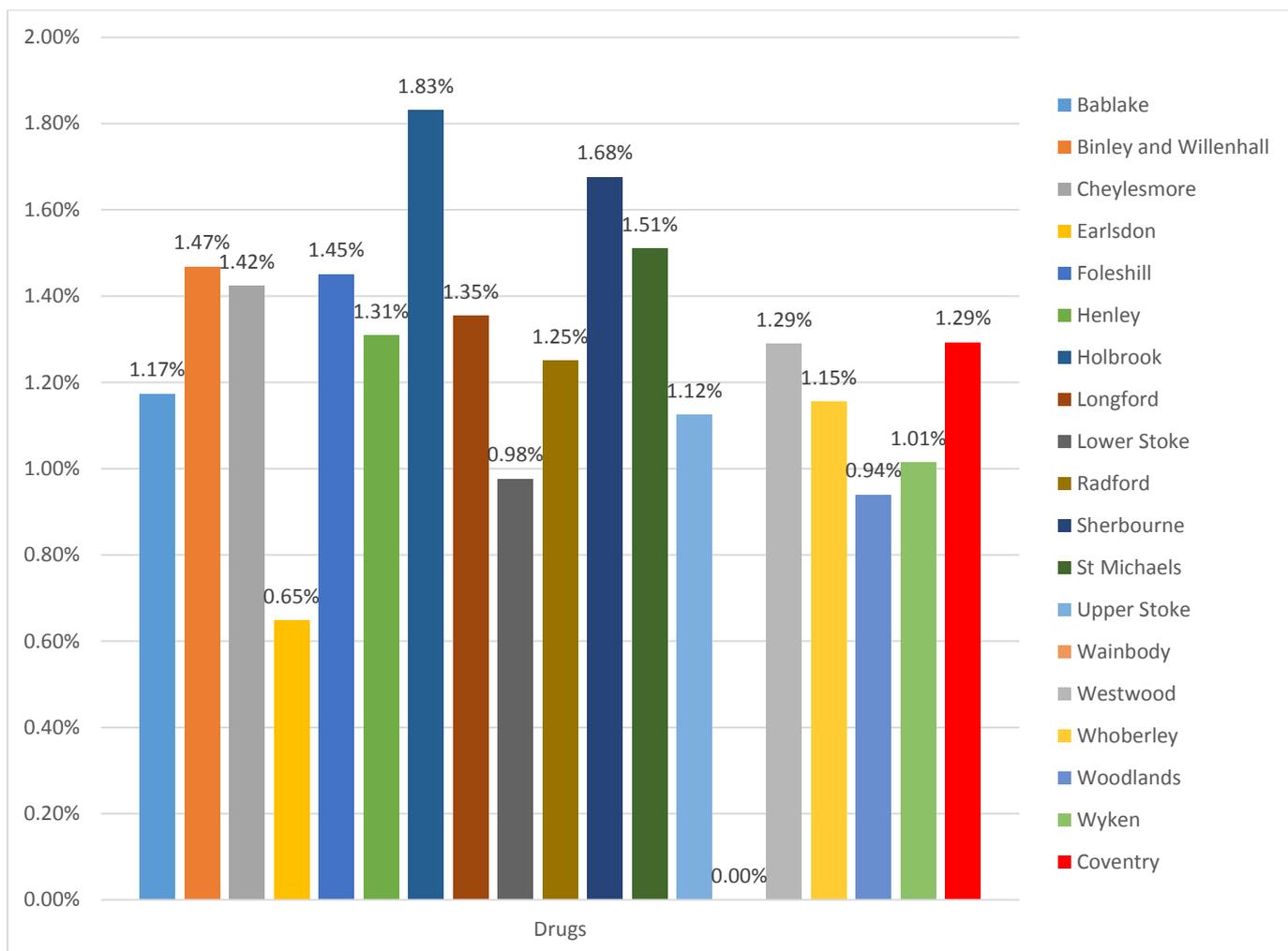
National ASB crime rates by ward are shown in Figure 19 below. Based on ASB crime rates reported during 2017 and 2018 the average for Coventry is 20% of all crime. Analysis of the ward figures identified significant concerns across all wards with 7 wards in particular (Binley and Willenhall, Henley, Longford, Lower Stoke, Sherbourne, St Michaels, and Woodlands) showing above average problems than those of Coventry as a whole. A further 5 wards (Bablake, Cheylesmore, Holbrook, Upper Stoke, and Westwood) were within 1% of the Coventry average for ASB crime related issues.

Figure 19- ASB crime rates by Ward



Drug related crime was also considered as part of the issues that relate to problems of ASB in areas. Figure 20 below provides the breakdown for each ward and Coventry.

Figure 20- Drug related crime by ward.

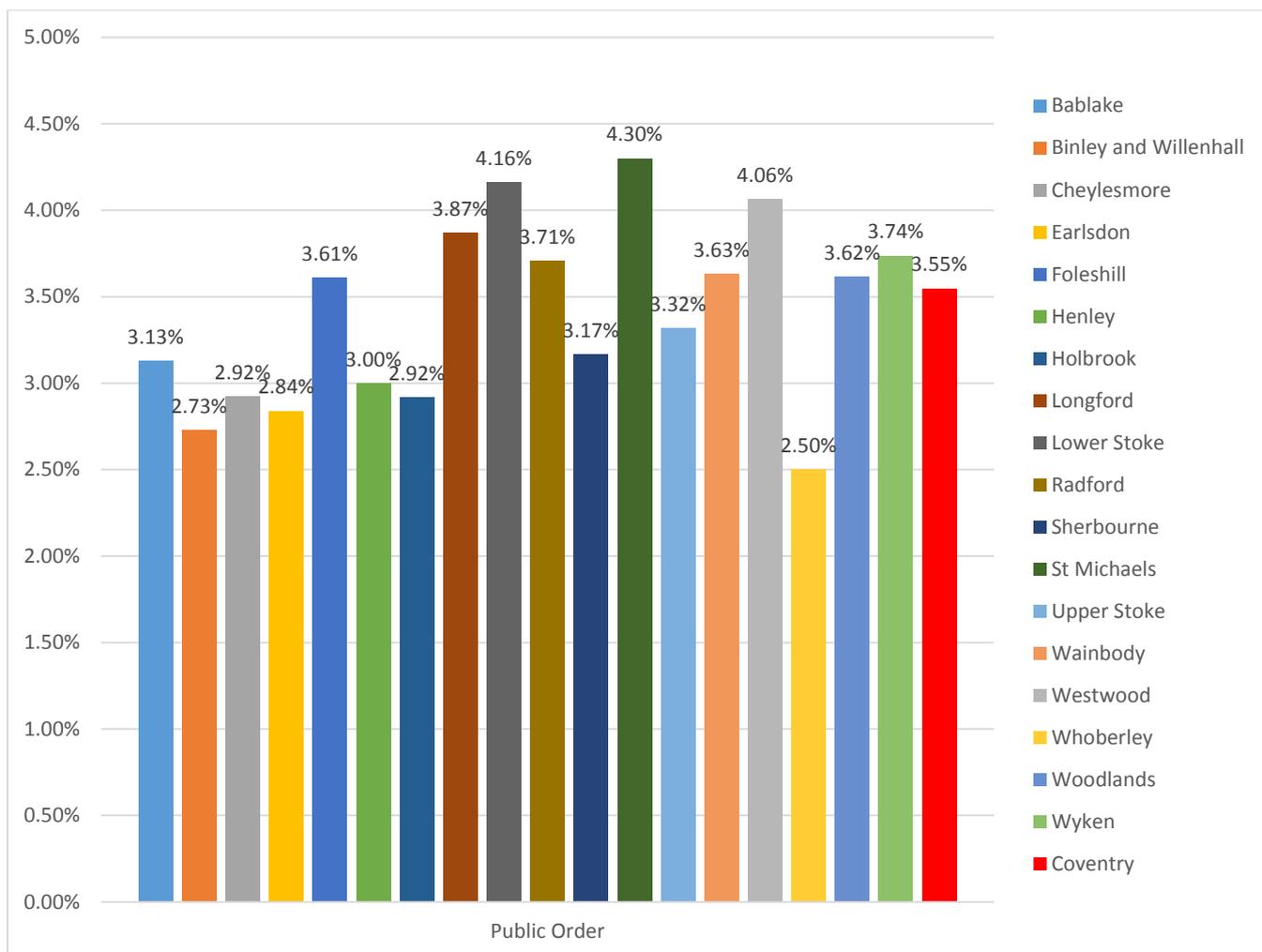


Drug related crime is running at an average for Coventry during 2017/18 of 1.3% of all crime. A number of wards were above the city average including, in order of highest, Holbrook (1.8%), Sherbourne (1.7%), Binley and Willenhall (1.5%), Foleshill (1.5%), St Michael`s (1.5%), Cheylesmore (1.4%), and Longford (1.4%). Henley and Westwood wards had similar averages for drug related crime to those of the City.

Public Order is defined as "crime which involves acts that interfere with the operations of society and the ability of people to function efficiently", i.e., it is behaviour that has been labelled criminal because it is contrary to shared norms, social values, and customs, in other words 'anti- social'.

Figure 21 below provides the public order crime rates average for Coventry during 2017/18 and as can be seen Foleshill, Longford, Lower Stoke, Radford, St Michael`s, Wainbody, Westwood, Woodlands and Wyken all have similar averages to those of the city at 4%. The worst area for public order crime is St Michaels ward at 4.3% closely followed by Lower Stoke at 4.2%.

Figure 21- Public Order crime rates by ward.



5. Conditions in HMOs

The problems associated with living in a HMO have been well documented over the years and are known to professionals working in the sector. In the 1980's the then Department for Environment (DOE) commissioned a survey of HMOs which noted that *"four fifths lacked satisfactory means of escape – and that – risk of death or injury from fire in a HMO is ten times that in other houses"*.

The English Housing Survey (EHS), which is an annual survey conducted to *"determine people's housing circumstances and the condition and energy efficiency of housing"* Department for Communities and Local Government (2014) *English Housing Survey – Headline report* DCLG February 2015, reported that HMOs are often old, solid wall properties with low levels of insulation and sometimes expensive electric heating systems and....*"Section 257 HMOs pose particular problems because they are by definition older, poorly converted properties"*.

The experience over the years, in Coventry, is that some of the worst conditions are present in HMOs.

5.1 Case Studies

As there are limited proactive visits to non-licensable HMOs, these houses have come under notice through a variety of sources. Some emerged as a by-product of desktop searches of Regulatory Service records cross-referenced to information obtained from Council Tax, the Electoral Register and HM Land Registry.

Others were based on information gathered over a number of years from tenants' service requests, from the former registration scheme, from other house condition surveys and from other services visiting areas where HMOs are prevalent. Although primarily aimed at houses subject to mandatory licensing these sources are also indicative of the number of other HMOs in Coventry.

Further research has been undertaken in partnership with Warwick University considering student accommodation and proactively visiting areas in and around halls of residence and the university where HMOs are likely to be concentrated. This has revealed, particularly with respect to properties on offer to students, that accommodation is being offered in two storey houses to 4 or less people where facilities and fire precautions do not meet current standards.

Case Study 1

Two three storey properties that have been converted into HMOs with commercial premises to the ground floor front half of each building. The occupancy had been reduced to four people in each to avoid mandatory licensing.



The property was the subject of numerous complaints since 2010. Numerous notices have been served but the poor management practices have continued. More recently a visit to the property revealed four tenants in occupation in this five bedroomed property. The fire protection is below the standard for a three storey HMO and there is a limited protected escape route through the building.

Several Category 1 and 2 hazards were identified and powers utilised requiring the owner to undertake certain works within a specified time period to reduce/remove the hazards.

The effect of Additional Licensing on this and similar properties will be to ensure that the sub-standard fire precautions and lack of management are improved to a minimum standard. The powers will also enable the Council to intervene with an Interim Management Order if the property is not successfully licensed.

Case Study 2

Similar to the above this is a three storey property where occupancy has been reduced to avoid mandatory licensing. The property has been on the Council's radar since 2008 and has been the subject of numerous interventions including a prosecution for failing to comply with the management regulations. Despite this the landlord has consistently ignored the issues present at the property and kept it on the border of minimum requirements.





During a recent visit one of the tenants advised that the landlord told them to keep the number of people in the building to 4. The numbers are such to avoid mandatory licensing.

It was noted that window frames are in poor repair, rubbish collecting in the means of escape and issues with the handrail were present.

Additional licensing would ensure that the internal structure including fire doors would be improved.

Two storey HMOs with four occupants

The following pics in this one are indicative of the smaller HMO's I am inspecting, I am encountering the same reoccurring issues namely:

- No notice displayed for tenants to contact in an emergency.
- Inadequate fire detection; in most cases the detection is unlinked or in some cases standard battery operated.
- Final exit doors and doors to lets require keys to unlock and egress.

Many landlords or agents are unaware that they are required to carry out an electrical installation condition report and as a result a lot of the reports obtained have been dated within seven days of the request, which is indicative of poor management and a disregard for these responsibilities. The photographs also show that these types of HMOs are also generally ill managed.



6. Enforcement of HMOs

The reason why landlords of HMOs have a tougher regime to deal with is because of all the problems that can arise in this type of accommodation. Although there are many well managed and trouble free HMOs, generally most are at the lower end of the scale. Tenants, especially those renting a room in a shared house, are often unable to afford anything more. Frequently they will be on housing benefit and because they are unrelated but living in close proximity, studies have shown that there are far more likely to be problems with HMOs.

The Council has always taken a positive approach in dealing with concerns about HMOs and concentrates on four main areas of enforcement:

- Unlicensed HMOs
- Non compliance of licence conditions
- Management
- Health and Safety

Under the Housing Act 2004 the Council is responsible for administering the mandatory licensing scheme described earlier in this report. Where the Council suspects there is an unlicensed HMO it has powers to inspect without providing any notice to the occupants or the owner. Once a property has been found to be operating without a licence the Council will instigate a formal investigation and decide, based on a range of risk factors, what course of action is appropriate.

In cases of poor management the Council has powers under the Management of Houses in Multiple Occupation (England) Regulations 2006. The general principle of the regulations is to protect the health, safety and welfare of occupants by requiring landlords and managers of HMOs to comply with certain duties.

Effective management procedures should take account of the characteristics of the residents, including age, vulnerability, disabilities or dependencies. It may be necessary to make special provision for individuals such as providing written information in large print or in another language.

Effective management also relies in part on residents being fully aware of their responsibilities. They should be made aware that they are either required by regulation or by the terms of the tenancy agreement not to act in a way that obstructs the manager, or causes nuisance or annoyance to neighbours, and also be made aware of the consequences if they do not comply with this.

HHSRS applies to HMOs as any other housing accommodation and the Council is required to keep property conditions 'under review'. The application of HHSRS in HMOs is a reactive approach as the Council relies upon residents and tenants to complain so that it is aware of issues.

In the case of licensed HMOs the Council is required to carry out a HHSRS inspection once every five years. This is very much reactive.

More recently with austerity resources have resulted in reactive services taking priority. Despite this the Council has carried out 912 proactive and reactive inspections to HMOs between July 2016 and July 2018.

During the same period the Council received some 1,229 (931 relating to disrepair and 298 Tenancy Relations). In response the Council issued some 65 notices excluding those requiring information to be provided and prosecuted 6 landlords for housing related offences.

The Council adopts a robust approach to taking enforcement and has a mechanism to resolve issues either through legal action, which may result in the landlord/licence holder or manager being prosecuted, or through further licensing controls such as revoking a licence and restricting their ability to run HMOs.

Where necessary and appropriate the Council will pursue formal action against landlords and agents.

These figures reflect the number of notices served as part of formal investigations into unlicensed and non-compliant HMOs and they do not include any notices served by the Council in relation or

other matter such as noise, ASB or waste issues. In the case of refuse the Council served 515 during 2016/17 and 432 notices during 2017/18.

The Council also adopts informal measures such as re-inspections, which carry a higher charge for licence renewals or require landlords to employ the services of a competent and professional agent. This is dependent upon a number of factors but in general terms consideration is given to the following:

- The gravity of the offence alleged;
- The complexity of what is in issue;
- The general record and approach of the person responsible;
- The severity of the consequences for the defendant and others affected; and
- Whether it is in the best interests of the public to deter others from similar failures.

In some cases the breaches found do not always warrant formal action so the Council will adopt an informal approach and provide the landlord with a warning or caution. If a landlord fails to heed these warnings about problems then the Council has applied enforcement and prosecuted where the problem is serious enough and it would be in the public interest to take such action.

7. Option Appraisal

As part of the Option Appraisal process the Council must consider;

- whether there are other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question;
- that making the designation will significantly assist them to achieve the objective; and
- that making the designation will significantly assist them to deal with the problem or problems.

Coventry City Council has for many years been committed to improving the standards and conditions of housing across all tenures. The Council has a strategic aim to improve housing for all and HMO types and dwelling/household characteristics of licensing assists in meeting this strategic aim.

This report provides an overview of the issues around HMO types and dwelling/household characteristics licensing and some of the areas of concern in relation to the conditions and management practices found all too often in the HMO stock in the city.

Alternative approaches to extending HMO licensing have been considered and are illustrated alongside the strengths of additional licensing in Table 2. Each is a valuable tool for dealing with the problems in the HMO stock. However in each case the weaknesses outweigh the strengths.

Table 3 outlines the risks involved with additional HMO licensing and the preventative measures, which could be used to alleviate those risks.

The options considered included eight possible interventions for tackling substandard and 'problematic' smaller HMOs in the City as set out below:

1. Do nothing

This option would involve the Council doing nothing to intervene in the small HMO sector this would leave the local housing market to be the driver for landlords carrying out improvements to their properties.

2. Do the minimum (reactive inspection programme only)

This option would mean that the Council intervention in the small HMO sector being limited to a basic complaint response service with action by other departments and agencies on a largely ad hoc basis. The option is reactive and relies on the housing market as a driver for landlord-initiated housing improvement across the board. All council services would continue to use their existing enforcement powers.

3. Informal area action (Proactive inspection programme) this would be delivered through non-statutory Action Area, considering parts of the city where there were concentration of poorly managed or maintained properties. The driver for the housing improvement would come from a combination of council activity from different services focussing work in the area and landlord activity (including peer pressure)

4. Voluntary Accreditation. Accreditation schemes have a set of standards (or code) relating to the management or physical condition of different HMOs and recognise properties/landlords who achieve/exceed the requirements. Southampton currently has an accreditation scheme for student housing (SASSH) operated by the universities. Any new scheme for other HMOs would run alongside.

5. Targeted use of Interim Management Orders (IMOs) and Final Management Orders (FMOs). The Housing Act 2004 gives local authorities powers to use Management Orders for talking comprehensive and serious management failures.

6. Article 4 Direction only. This option would rely on the use of this power to control the numbers of new HMOs and the market to drive property improvements.

7. City Wide Additional Licensing scheme. Licensing would be extended to all HMOs in the city (in all 18 wards) and would include all smaller multiply occupied properties not currently subjected to Mandatory HMO Licensing.

8. Area-based Additional licensing scheme. Licensing would be introduced in selected wards in the city where there is the highest concentration of HMOs and the evidence demonstrates that there is the greatest need.

In general the limitations to the alternatives to introducing additional licensing include:

- Most other schemes are expensive and would require funds being taken from the Council Tax. This seems unfair when many of the problems are due to poor management practices by landlords or agents operating in a buoyant market place. Additional licensing will be self-financing with the fee covering the cost of licensing; the fee will be paid by the applicants and not by the wider community.
- The use of IMOs on individual properties does not appear to give value for money, as the amount of resources being put into one property will mean that other properties cannot be tackled. It is clear from our experience that if this were to be the only sanction available then operating more than a few IMOs at a time would not be feasible given the lack of funding. This approach can also be seen to be heavy handed and can cause problems for the Council when attempting to work with and engage with landlords.
- None of the proposals give a long-term solution to the problems within the HMO sector, however the Council is looking at introducing a voluntary landlords accreditation scheme alongside licensing – this would help with landlord training and improving property management. In the event that the majority of the HMO stock is managed by letting agents this will only effect a small improvement.

- Other schemes will not give the Council detailed and accurate information concerning the HMO stock. This is essential in order to undertake meaningful prioritisation and work planning. Such information is not only used in the area of Regulatory Services but is also used and required by colleagues in other services.

8. Benefits of Additional Licensing

We know from experience that there will be a small, and probably vocal, minority of landlords who will never see the overall value of Additional Licensing of HMOs. They take an essentially narrow, self-interested view. Their interest is focused on financial returns; their criticism of any form of licensing is couched in terms of 'unnecessary financial burden' and 'pointless bureaucratic interference'.

On the other hand, the majority point-of-view takes a wider perspective on the provision of stock for the housing rental market. This group includes, most landlords and agents.

While the general public may not be directly involved in paying or receiving rent, they also experience the impact that HMOs have on the social and political economy of Coventry. The view that HMO Licensing is instrumental in the improvement of facilities, management and safety in the housing rental market is echoed by a broad cross-section of the city. Licensing is seen as one strand in preventing the long-term decline in the amenity of the urban environment.

They recognise that wider licensing removes the inequalities caused by partial regulation and spreads costs and obligations in a fairer way. They recognise that it creates a common footing and can help agents. Provided that it is properly run, they see it as helping the market function effectively.

8.1 Benefit: Consistent Approach to all Coventry HMOs

Additional Licensing will extend and continue the process of upgrading of HMO rental stock already begun by the Mandatory scheme. Additional Licensing will add a significant portion of the Coventry HMO market to the list of those houses where the Council currently is involved with licensing.

This will mean that such houses will be subject to the same evaluation and improvement regime as the larger houses already covered by the national scheme. Coventry has in the order of 4,400 HMOs occupied by five or less occupants. They deserve to be afforded the same protection as people in licensed HMOs. Without Additional Licensing there is significant and growing disparity in Coventry's HMO market.

The inclusion of all multi occupied houses as licensable HMOs will enable Coventry to develop a consistent approach to the whole of the HMO rental market. When there is a critical mass of houses subject to the same requirements other houses (whether licensable or not) will be obliged to comply with that standard by market pressures. A house presented for rent without offering those facilities is unlikely to attract desirable tenants.

8.2 Benefit: Appreciation of Property Values

Coventry has a buoyant housing market and this being the case it means that there will be a financial benefit to individual landlords in the longer term as accommodation standards are raised across the HMO sector. The benefit will be apparent in the capital appreciation of the property value. The heavy usage that multiple households inflict on the fabric of a building usually causes a far more rapid decline than does that of a single family. Where there are heavy concentrations of HMOs, as is the case in Coventry, it can lead to a general reduction in the amenity of whole suburbs and the relative loss of value of specific properties. A bespoke agreement between landlord and local

housing authority as a result of licensing ensures that standards are maintained and improvements encouraged. In turn, this means that neighbourhoods will not deteriorate and thus property values are enhanced.

8.3 Benefit: Links with Landlords

The formation of a formal but direct and individual link with the Council, which the Licence Conditions affords, also allows for a beneficial flow of information between the authority and landlords. The owners of houses can receive news and ideas relevant to the development of the market sector. They can also provide accurate data on which Council can make informed decisions on issues which impact on both landlords and tenants.

The creation of a dynamic partnership between the landlord and council is an under-rated benefit of Licensing. There are other, ancillary benefits for landlords through Additional Licensing.

8.4 Benefit: A Recognised Group of Landlords

Landlords, once subject to licensing, become part of a specific group recognised in law and by government policy. This has implications for their ability to organise themselves to influence HMO related decisions. Recognition as a licensed landlord will have several flow-on benefits.

It may have the benefit of providing for simpler justification to lending institutions when it comes to securing finance if the local housing authority requires specific work to be done.

Agents and letting organisations such as student housing departments are more likely to accept landlords if their *bona fides* is supported by being licensed. Licensing brings its own degree of reliability and assurance to the relationship between landlord and agent.

That benefit is reinforced by the fact that licensing requires landlords to keep their letting arrangements (either privately or through an Agent) on a more business-like footing. A licensed landlord is obliged to do things formally, like provide written terms of occupancy rather than *ad hoc* verbal arrangements that too often result in disputed interpretations of the agreement.

8.5 Benefit: Pro-active involvement eliminates reactive work

Licensing also provides a consequential benefit in that it eliminates or mitigates many of the issues that generate tensions between landlords and tenants. Licensing is a means of pre-empting problems (for example, damp or ventilation issues leading to poor living conditions) before they become matters of contention and stress that the landlord would otherwise have to manage. Licensing will go a long way to ensure there are fewer hassles for a landlord from, for example, anxious parents of students who rent a house. It will at least, provide a recognised mechanism for resolving any disputes without the cumbersome mechanisms of prosecution.

The Council already deals with much of this work but in different capacities. The work is normally in response to a service request. Reacting to something after damage has been done is usually a negative and inefficient way of resolving an issue. Additional licensing will allow for positive, pro-active and efficient involvement, and should eliminate many problems before they occur.

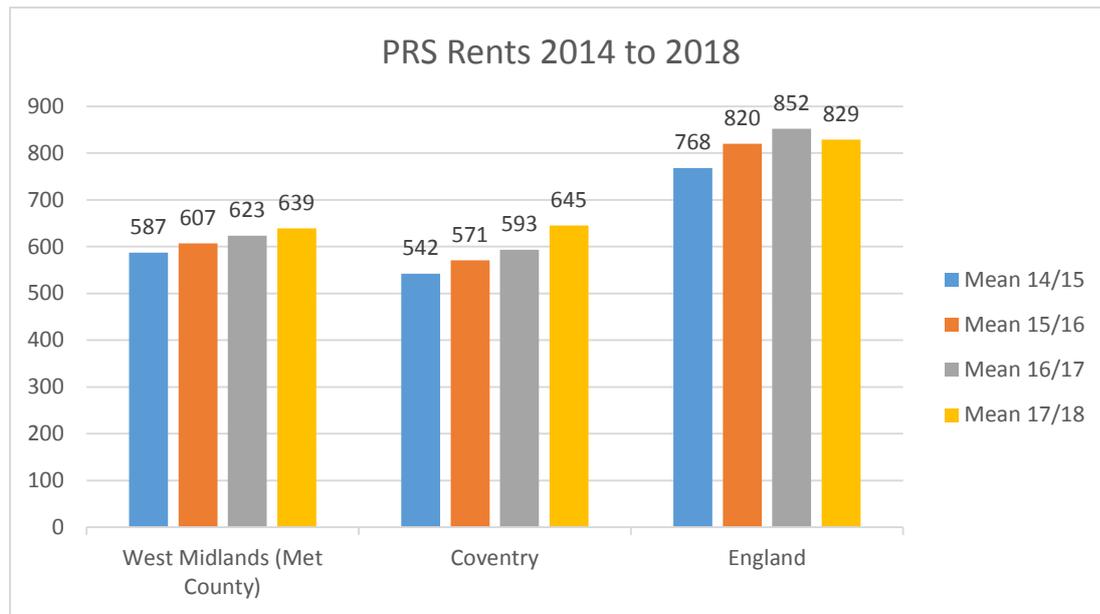
9. Impact of Licensing

One of the biggest criticisms of licensing schemes is that the cost associated with the licensing fee will be passed onto tenants by an increase in rent. The Council has conducted some research into this area and made a comparison of rents from 2014- 2018 between areas in England that had

discretionary licensing schemes and those that did not, in order to establish if there was any evidence to show that discretionary licensing increases rent.

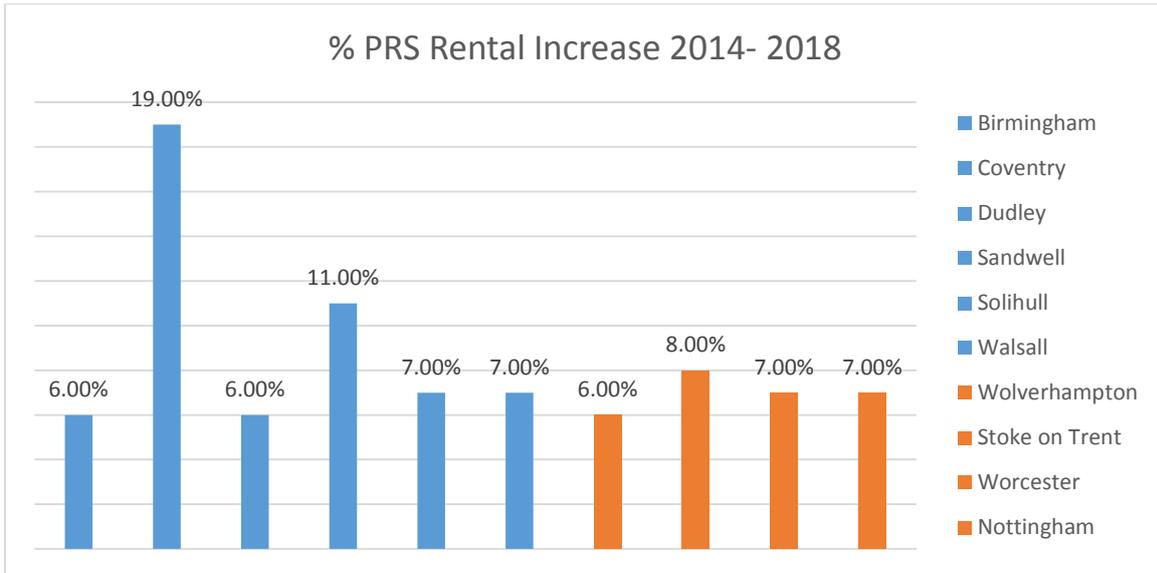
The research showed that rental values had increased in Coventry, on average by 19% between 2015 and 2018 compared to 11% in the West Midlands and 8% England over the same period¹. (See Figure 22 below).

Figure 22- PRS rents between 2014 and 2018



The summary of overall rents was used to conduct the comparison of rents in areas with and without discretionary licensing schemes in other areas across the West Midlands region and England. The comparison can be seen in Figure 23 below.

Figure 23- Comparison of rents in areas with and without licensing



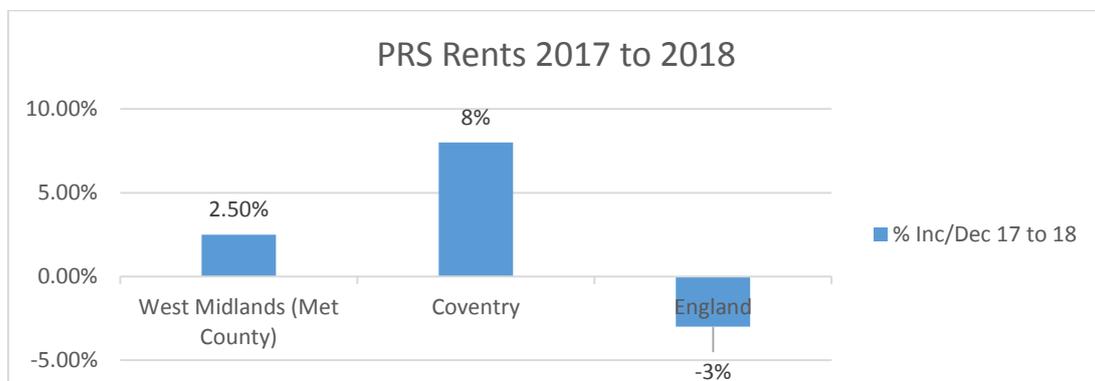
As can be seen from Figure 23 above rental increases have occurred across all authority areas, with the most significant in Coventry (19%) and Sandwell (11%). Both of these areas do not currently operate discretionary licensing schemes.

It is also notable that those areas with discretionary licensing schemes (Wolverhampton, Stoke on Trent, Worcester and Nottingham) experienced rent increases below the average levels in the West Midlands and, in a few instances (Wolverhampton, Worcester and Nottingham) below those reported across England during the same period.

The Office for National Statistics (ONS) recently reported that private rental prices paid by tenants in Great Britain rose by 0.9% in the 12 months to July 2018, down from 1.0% in the 12 months to June 2018.

Data available for the period from 1st April 2017 to 31st March 2018 shows that there has been an 8% increase in average rents in Coventry compared to 2.5% in the West Midlands and a 3% decrease across England. Figure 24 provides the breakdown for each category reported.

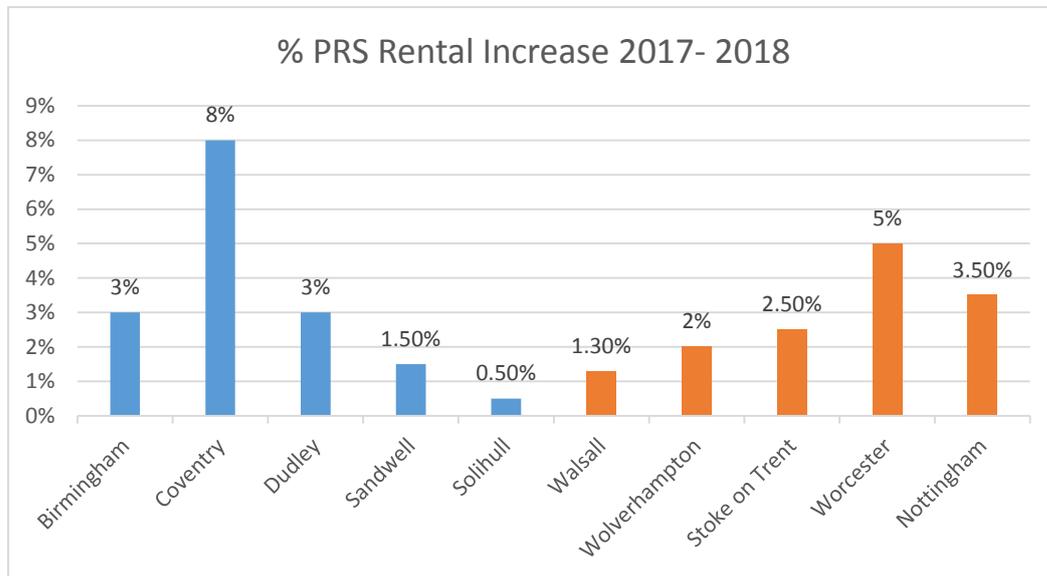
Figure 24- PRS rents during 2017 to 2018



Further analysis of data for this period shows that the average rent increases across the West Midlands were relatively consistent and well above the average for England. Coventry and Worcester experienced the highest increases with 8% and 5% respectively. Overall the greatest

increases occurred in areas which do not have discretionary licensing schemes in operation. Figure 25 provides the breakdown for each area.

Figure 25- % PRS rental increase during 2017-18



Despite the perception that licensing increase rents it is apparent that there is very little evidence to suggest that discretionary licensing schemes are directly responsible for rental increases. Where there has been an increase in rent it is more likely associated with supply and demand and not as a direct result of the introduction of discretionary licensing schemes. England has seen a fall in rental values over the past 12 month period, which is probably due to oversupply and low demand in areas where landlords have had to lower their rents to attract tenants.

This situation is likely to get worse as a result of other pressures, for example the Council of Mortgage Lenders (CML) reported that the plans introduced by the Government to remove the higher rate of tax relief on buy to let mortgage interest rate payments will force landlords to *'lift rents higher'* and pass the cost of the Government's actions onto tenants.

The CML also recently reported that activity in the buy-to-let market is set to drop further in the coming three years as a result of the recent tax crackdowns on buy-to-let regulations and these are expected to lead to a further 'professionalisation' in the sector, while some amateur landlords could see their properties become loss-making once the gradual withdrawal of mortgage tax relief is completed in 2020.

It is likely that rents in Coventry will continue to rise as a direct result of these market pressures and by a lack of housing supply generated by fewer buy-to-let properties but not as a direct result of the introduction of discretionary licensing schemes.

10. Conclusions

Additional Licensing is a viable solution for Coventry. This report states the reasoning and evidence collated by Coventry City Council required to proceed with a formal consultation on the proposal to declare Coventry as an area for additional licensing. The scheme will cover all HMOs, irrespective of the number of stories that are occupied by less than five unrelated persons and all s.257 HMOs (buildings converted into self-contained flats) where the building is wholly occupied by tenants.

The buoyant housing market in Coventry continues to do well with the numbers of HMOs rising year upon year. Landlords who have chosen to evade controls have operated without regulation for many years, which has resulted in HMOs often being let out in an unsafe manner.

The mixture of property types in the private rented sector in Coventry coupled with the dominant student market means that a high number of HMOs fall outside mandatory licensing. Such properties are next door to, across the street or around the corner from those that are licensable. Their occupants benefit from the controls on the quality and management of licensed properties. The others may come to notice from service requests (from tenants or, more often, from worried parents) but many unsatisfactory houses are never reported so standards are not enforced and the quality of the rental stock does not improve.

Coventry City Council has embraced mandatory HMO licensing which has proved to be a valuable tool in improving poor conditions and management practices in HMOs across the city. The extension of the mandatory scheme to cover more HMOs can only add to this improvement and this is the first step in ensuring that all HMOs will require a licence.

The preferred stance of the Council is that licensing should apply to *all* HMOs in the same way, for example that licensing applies to *all* taxis. The new powers therefore gave the Council the opportunity to make this a reality.

With the introduction of additional licensing controls applied to the whole of the HMO sector the Council will be able to take a reactive and proactive approach to dealing with the sector.

We want to continue to develop our links and working relationship with landlords and agents in the city, which have been greatly enhanced by mandatory licensing and we will continue to investigate other interventions, which could complement additional licensing.

Additional licensing is a long-term strategy and is one element of the toolkit in improving the HMO stock within the city.

ⁱ <https://www.gov.uk/government/collections/private-rental-market-statistics> - Valuation Office Private Rental Market Statistics 2014 to 2018

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Houses in Multiple Occupation Licensing Policy

VERSION 1 – DECEMBER 2018

COVENTRY CITY COUNCIL – PLANNING AND REGULATORY SERVICES

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Coventry HMO Licensing Policy and Procedures

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Introduction

Under Part 2 of the Housing Act 2004 there are two types of licensing schemes that relate to Houses in Multiple Occupation (HMOs), the national Mandatory HMO Licensing scheme and Additional Licensing of HMOs.

Under the national Mandatory HMO Licensing scheme all properties that meet the following criteria will require a mandatory HMO licence:

- Is occupied by five or more persons;
- Is occupied by persons living in two or more separate households; and meets—
- The standard test under section 254(2) of the Act;
- The self-contained flat test under section 254(3) of the Act but is not a purpose-built flat situated in a block comprising three or more self-contained flats; or
- The converted building test under section 254(4) of the Act.

Additional Licensing of HMOs covers those HMOs that are not licensed under the Mandatory Scheme but where the Council has used its power to designate areas of the City subject to Additional Licensing of HMOs.

This document sets out the structure of the scheme and the fees and charges and criteria Coventry City Council will apply to all licences in relation to the Mandatory and Additional HMO Licensing schemes.

HMO Licensing in Coventry

Coventry City Council has a responsibility under Section 55 of the Housing Act 2004 to secure the licensing of all Mandatory HMOs and has been implementing its scheme in response to this duty since 2006.

On the **?? (DATE)** Coventry City Council also designated the whole of its area subject to Additional Licensing in respect of the following types of HMOs:

- HMOs of any size of building that are occupied by three or four persons; and
- S.257 HMOs where all of the self-contained flats are let and occupied by tenants.

The HMO Licensing schemes in operation in Coventry therefore cover all HMOs and all licence applications are to be accompanied with a fee determined by the Council. Once a licence is issued it is not transferable.

The Council has exercised its powers to charge under Section 63(3) and (7) of the Housing Act 2004 and does so taking into account the Provision of Services Regulations 2009, which themselves implement the EU Services Directive.

Under Part 2 of the Housing Act 2004, a HMO is required to be licensed unless:

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- a temporary exemption notice is in force in relation to it under section 62, or
- an interim or final management order is in force in relation to it under Chapter 1 of Part 4.

The Council must take all reasonable steps to secure that applications for licences are made to them in respect of HMOs in their area which are required to be licensed under this Part but are not.

In the event that a building has multiple units of accommodation i.e. in the case of student 'cluster' flats, contained within it the Council will require a separate application and fee for each of the units within the building that constitute an HMO. The Council will consider each application on its own merits and will take the following factors into account before deciding to issue an HMO licence or not;

- The level of occupancy and the ratio of sharing one or more basic amenity i.e. a kitchen, toilet or bathroom;
- Whether each of the HMOs within the same building are within common ownership and management control.

Where it is identified that each "cluster" is an HMO within a building with other similar units of accommodation then the Council may decide that individual HMO licences should be granted for all of them. It will give notice of this to the applicant and every relevant person and there is a right to appeal this decision, notwithstanding the grant of these licences.

In cases of a registered 'not for profit' charity i.e. Cyrenians or an individual housing provider, such as a private landlord or organisation who is assisting the Council by offering permanent accommodation to meet our homelessness duties applications will be accepted, for the particular property being provided without a fee being payable. An assessment of the organisation will then be carried out and if appropriate the Council will determine the application and issue a licence without requiring any fee. Each case will be considered on its merits based on the type of individual or organisation submitting the application and the removal of the fee requirement will only be applied to the licence for the house being provided for homelessness purposes.

Licence Fees

Section 63 of the Housing Act 2004 permits the Council to require any application for a licence under Part 2 is accompanied by a licence fee and that this fee may properly cover all costs incurred by the Council in carrying out its functions.

In developing its fee structure the Council has had regard to the European Court of Justice ruling in *R (Hemming) V Westminster City Council* (Case C-316/15) and the High Court decision in *R (Gaskin) v LB Richmond Upon Thames* (2018) EWHC 1996 (Admin) which held that the EU's Provision of Services Directive, which is enshrined in UK law as the Provision of Services Regulations 2009 should apply to property

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licensing fees and the processes involved in implementing and delivering such schemes.

The Services Directive, in particular should be interpreted as precluding charging in advance for costs other than those directly related to the authorisation process of the scheme. In other words, the Council is not permitted to demand fees in advance for anything other than the costs of administering the application for a licence even if it makes it clear that unsuccessful applicants are provided with a refund of the remaining part of the fee. The Council may legitimately recover its wider costs, over and above those relating to the administration of applications, but this should be at the point at which the Council has determined that a licence is to be granted.

The judgements in *Hemming* and *Gaskin*, which require the overall licence fee to be paid in two stages, has therefore had the effect the fee for a Selective Licence under Part 3 of the 2004 Act must be levied in two separate parts.

The Council is not allowed to demand fees in the Stage 1 process for anything other than the costs of administering and processing the application for a licence. Furthermore this element of the fee is non-refundable should the application be unsuccessful.

In the case of Stage 2 payments these can only be requested if the initial application is successful and will be charged to cover the costs of running and enforcing the scheme.

As such the Council, when setting its fees, has adopted the two stage approach. All fees and charges will be reviewed on an annual basis and the following tables set out those fees for the period **(DATE TBC)**.

Table 1- Fees and Charges

Stage	Type of Licence	Fee
Stage 1 Fee – Payable at the time of making the application	1 year licence (Category A)	£ 599.00
Stage 2 Fee – Payable once the Council has determined to Grant a Licence.	1 year licence – where landlord has been found to be operating an unlicensed HMO.	£ 649.00
Total Fee		£ 1,250
Stage	Type of Licence	Fee

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Stage 1 Fee – Payable at the time of making the application	1 year licence (Category B)	£ 599.00
Stage 2 Fee – Payable once the Council has determined to Grant a Licence.	1 year licence – where the landlord is licensing a new HMO without being identified as part of the Council proactive enforcement regime.	£ 453.00
Total Fee		£ 1,055.00
Stage	Type of Licence	Fee
Stage 1 – Payable at the time of making the application	2 year licence – subject to criteria (Category C)	£ 413.00
Stage 2 – Payable once the Council has determined to Grant a Licence.	2 year licence.	£ 290.00
Total Fee		£ 705.00
Stage	Type of Licence	Fee
Stage 1 – Payable at the time of making the application	5 year licence – subject to criteria (Category D)	£ 444.00
Stage 2 – Payable once the Council has determined to Grant a Licence	5 year licence.	£ 193.00
Total Fee		£ 640.00
Stage	Type of Licence	Fee

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Stage 1 – Payable at the time of making a Renewal Application.	Renewal of licence – subject to criteria for 2 and 5 year licences (Category E).	£ 254.00
Stage 2 – Payable once the Council has determined to Grant a Renewal of a Licence	Renewal of licence.	£ 290.00
Total Fee		£ 545.00

Under Section 67 (5) of the Housing Act 2004 the Council has the power to impose a restriction/ obligation on a particular person (with their consent). In accordance with this power the Council will require the licence holders consent to pay the Stage 2 fee in advance of the licence being issued, this will required as part of the application process.

In addition the Council will attach a condition to all HMO licences requiring this obligation to be met i.e. to pay the Stage 2 fee. This approach is consistent with that set out in the *Hemming* case.

Failure to make the Stage 2 payment will result in the Council taking action through, either the revocation or refusal of the licence or by enforcing the non-compliance of the licence condition associated with the making of the Stage 2 payment.

Processing the application

Under the Housing Act 2004 the Council can either grant or refuse a licence. In determining whether to grant or refuse a licence the Council must satisfy itself of the following:

- That the proposed licence and manager of the HMO is a fit and proper person and the most appropriate person to hold the licence; and
- That there are satisfactory management arrangements in place or that such arrangements can be put in place by the imposition of conditions in the licence.

Tests for fitness etc. and satisfactory management arrangements.

Coventry City Council must be satisfied that “the proposed management arrangements are satisfactory” before granting a HMO licence. Those arrangements include (but are not limited to) consideration of whether:

- the persons proposed to be involved in the management of the premises has a sufficient level of competence to be involved;

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- the persons proposed to be involved with the management of the premises are actually involved in the management
- those persons are 'fit and proper' (which is discussed above) and
- the proposed management structures and funding arrangements are suitable.

If there are concerns about the competencies and structures in place to manage the HMO then conditions can be imposed on the licence to ensure that the necessary arrangements are in place. However, if such conditions will still not be possible or practical to impose then it may be necessary to refuse to grant a licence.

It is for a Council to determine whether a person has sufficient competence to be involved in the management of HMOs and, of course, the level of competence required will in some measure be determined by the complexity of the management challenges posed. The Council will, therefore, be looking at the applicant's experience and track record of managing HMOs and, in particular where he/she is the existing manager, the premises to which the application relates. In most cases landlords who belong to a recognised trade association or are members of an accreditation scheme will be regarded as having the necessary competence to be involved in the management of the premises because, at least such organisations can be called upon for advice and assistance where necessary.

The management structures must be such that the manager is able to comply with any licence conditions and deal with the day to day operation management issues that arise as well as being able to deal with longer term management issues. In considering whether the structures are appropriate the Council may take account of the following:

- evidence as to whether the systems in place are sufficient to enable the manager to comply with any condition of a licence or if such systems can be put in place through a condition of a licence to ensure compliance;
- evidence of the systems for dealing with:
 - i) emergency repairs and other issues
 - ii) routine repairs and maintenance to the premises and its curtilage
 - iii) cyclical maintenance
 - iv) management and the provision of services (if any) to the building and its curtilage
 - v) management of tenancies or occupants
 - vi) management of the behaviour of tenants, occupants and their visitors to the premises
 - vii) neighbourhood issues (including disputes)
- evidence of structures for engagement with the local authority, police and other agencies, where appropriate

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In order to be able to demonstrate much of the above evidence it is likely that the manager will need to operate within a reasonable proximity to the HMO, so that he/ she can attend to matters promptly and retain an overview on the condition of the premises and the management of the tenancies.

The Council must also be satisfied that the financial arrangements relating to the HMO are suitable. In that regard the manager must be sufficiently funded or have access to funding to carry out his obligations under the licence and his/her general management functions.

Coventry City Council can vary or revoke a licence at any time during the licence period if there is sufficient evidence to support these decisions. Unannounced visits of licensed properties will therefore be undertaken during the licence period to check for compliance with the licensing and management regimes which apply. This is consistent with the powers provided under Section 239 of the Housing Act 2004.

Breach of any such legislation is a strict offence for which further action will be taken. The Housing, Health and Safety Rating System (HHSRS) also applies to rented properties and (if appropriate) remedial works can be enforced via this legal mechanism separately to the powers provided under the licensing scheme.

The fit and proper test

In deciding to grant a licence Coventry City Council must be satisfied that the proposed licence holder “is a fit and proper person to be the licence holder ...” and that “the proposed manager of the house is a fit and proper person to be the manager of the house ...”

This requirement is to ensure that those responsible for operating the licence and managing the HMO are of sufficient integrity and good character to be involved in the management of the particular residential premises to which the application relates and as such they do not pose a risk to the health, safety or welfare of persons occupying and visiting the HMO.

When considering whether a person is ‘fit and proper’ Coventry City Council will have regard to any misdemeanours (wrong doings) of the relevant person concerned. This is evidence that the person has:

- committed any offence involving fraud or other dishonesty, violence or drugs and certain types of sexual offences;
- practised unlawful discrimination on the grounds of sex, colour, race, ethnic or national origins or disability, in connection with the carrying out of business;
- contravened any provision of housing or landlord and tenant law; or
- acted otherwise than in accordance with an approved code of practice.

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The above list is not exhaustive and Coventry City Council can and will consider whether a relevant person has committed other relevant misdemeanours, for example, discrimination under Regulation 5 of the Equality Act (Sexual Orientation) Regulations 2007. A relevant person will not be deemed unfit, simply because of poor management, although this is highly relevant to determining any question of suitability or competence.

Coventry City Council do not adopt a blanket policy with its consideration of factors under a fit and proper person test. Each case will be considered on its own merits and regard will be had to information provided / omitted from an application form; historical information already held by Coventry City Council relating to the premises and / or any relevant person connected with the licence application.

In an application for a licence the applicant must provide details of the following in relation to him/herself and the proposed manager (if the applicant is not to be the licence holder)

- unspent convictions;
- any findings of a court/tribunal that the person has practised unlawful discrimination;
- any judgement entered against that person in relation to a contravention of housing or landlord and tenant law (and, in so far it relates to the housing or landlord and tenant law, any contravention of any enactment relating to public or environmental health);
- any control order made in respect of any HMO under his/her management or ownership (and also in respect of any former HMO he/she owned or managed);
- any enforcement action in respect of any house or HMO under his/her management or ownership (and also any former HMO or house he/she owned or managed) under the housing health and safety rating system in Part 1 of the Housing Act 2004 so far as that enforcement action related to a category one hazard;
- details of any refusal to grant a licence, or details of the revocation of a licence granted for non-compliance of a condition or conditions in respect of any house or HMO under his/her management or ownership (and also in relation to any former HMO or house he owned or managed);
- details of any interim or final management orders made by an LHA in respect of any house or HMO under his management (and also in respect of any former HMO or house he owned or managed).

An applicant for a licence must disclose any misdemeanours which relate to themselves, the proposed manager and any other relevant person, if any. Coventry City Council should therefore have sufficient information to decide a person's fitness based on the application.

If Coventry City Council are not satisfied that it has sufficient information (being that supplied in connection with the application) to make a determination, it may require the applicant to provide further details and / or undertake their own further enquiries with other relevant Council departments and external bodies as it deems necessary, including for example Disclosure & Barring Service checks (DBS).

The completion and signing of the Licence application form will be taken as an agreement to any such action and the sharing of information between other Local Authorities for all relevant persons associated with the property and application.

Checks will also be made internally with other Council departments such as Licensing, Trading Standards, Planning, Building Control, Council Tax and Housing Benefit.

Coventry City Council are also able to request information on criminal convictions, and although this is not undertaken as a matter of routine a Police National Computer (PNC) check will be requested where there is sufficient evidence that this is necessary. A PNC check may also be requested for the purposes of officer safety during the course of the licensing application should this also be considered necessary.

Such reasons for a PNC check may include that:

- Coventry City Council have evidence of a history of complaints or problems with the landlord (which in themselves might not amount to 'evidence' of unfitness to meet the test), but further investigation may be required;
- the applicant has been evasive or untruthful in their application for a licence;
- the applicant, or proposed manager, is unknown to Coventry City Council and has not demonstrated any history or competence of managing HMOs or other private rented properties;
- Coventry City Council has reasonable grounds to suspect that the applicant, or the proposed manager, has committed an offence which is relevant to the determination of any question of his/her fitness or
- The premises provide accommodation mainly to vulnerable persons. In deciding whether a misdemeanour (including a criminal offence) is relevant to the determination of a person's fitness a Council may wish to consider the following factors:
 - i) the relevance of the misdemeanour(s) in relation to the person's character and integrity to manage residential premises and in particular the type of premises to which the licence relates;

- ii) the seriousness of the misdemeanour(s) in terms of impact, or potential impact, upon the residents and the wider community, including if more than misdemeanour has been carried out the cumulative impact;
- iii) the length of time since any misdemeanour; and
- iv) any mitigating circumstances.

Consideration of 'persons associated or formerly associated' with the proposed licence holder or manager.

If there is evidence that a person associated, or formally associated, with the person proposed to be the licence holder or manager of the HMO, has committed any misdemeanours, that evidence may be taken into account in determining the proposed licence holder's or manager's fitness (even if that person has himself or herself an unblemished record).

The purpose of this requirement is to ensure that only fit and proper persons hold licences or are in any way involved in the management of licensed HMOs. It would not be appropriate for a licence to be granted to someone, or for someone to be the manager of a property, if that person was merely acting as a 'front' for someone else who, if he or she were not unfit, would be entitled to be the manager or licence holder.

An example might be that of a husband and wife, where the husband is the landlord (or indeed both he and his partner are joint landlords), but only the wife has applied for the licence. If there is evidence that the husband has committed misdemeanours and those misdemeanours are relevant to the wife's management of the property or licence then the Council may refuse to grant her a licence.

Likewise if a landlord with an unsatisfactory record nominated a "manager" who had a clean record, but had acted for him whilst the misdemeanours were committed, Coventry City Council may consider the managing agent by association to be unfit too.

Issuing a Licence

All HMOs subject to licensing will be inspected prior to the issuing of a draft licence to ensure that the HMO is reasonably suitable for occupation by the number of people being requested on the licence application and to ensure that there are satisfactory management arrangements are in place.

All HMOs will also remain subject to further inspections during the lifetime of the licence to check compliance with licence conditions, management responsibilities and minimum standards. In certain cases the Council may decide to carry out such inspections without prior notice being given to the owner, licence holder and /or manager. This is consistent with the powers set out in Section 239 of the Housing Act 2004.

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Failing to comply with any conditions on a licence is an offence under Section 72(3) of the Housing Act 2004 and, if found guilty the licence holder could face a prosecution or issued with a Civil Penalty of up to £30,000.

In cases where the licence is being issued to or on behalf of a new landlord who has never licensed a HMO before the first licence will run for one (1) year, and the licence must be renewed before it expires. After the first year, the opportunity will be provided to apply for a longer licence, provided all the relevant criteria is met.

The Council considers this approach is justified in furtherance of the overriding public interest of improving the standard of rented properties and their management.

Where the inspection has been pre-arranged then all applicants will be required to provide access to all rooms in the HMO at a suitably arranged appointment.

All contact with the licence holder and relevant person(s) will be made using the contact information provided by the applicant on the original application. Accordingly, it is the licence holder's responsibility to ensure that all contact details are up to date and you must notify the Property Licensing Team of any change in details. The Property Licensing Team will not be held responsible for any delay in communication if it is as a result of any contact information changing.

A draft licence with conditions will be issued based on the findings from this inspection. The draft licence (known as an Intention Notice) will be emailed to all relevant persons and other interested parties for consultation.

The relevant persons will have an opportunity to make any representations, which will be considered by a Senior Officer.

When this process is complete a full licence with the conditions (known as the Decision Notice) will be issued. Again, copies will be sent to all interested parties.

If the licence holder is still dissatisfied with the conditions of the licence, they will have an opportunity to appeal to the First-tier Property Tribunal. The details of how this appeal can be made will be provided with the Licence.

Renewal Applications

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (Amendment) (England) Regulations 2012 set out amendments to "renewal applications", which reduces the burden on landlords applying for the renewal of a licence.

In the case of renewal applications and applicant must provide a complete application form and sign the declarations provided.

It is important to note that the regulations define a "renewal application" as "*an application for a licence under section 87 of the Act where, at the time the application is made a licence of the kind applied for is already held by the applicant and has effect in respect of the HMO or house*".

The effect of this part of the Regulations is that order for the Council to treat any application as a “renewal” the application must be made during the active period of the current licence. If a renewal application is received on or after expiry of the current licence then the application will be treated as a new application and the appropriate fees above will apply.

Application for a revocation or variation of a licence.

If circumstances regarding the HMO change during the licence period, for example a change in the number of letting units, the licence holder must notify the Property Licensing Team directly so the licence can be re-assessed and varied if the HMO is considered suitable to accommodate the variation request.

Similarly, if the HMO is no longer going to be occupied as a HMO or the licence holder changes, then the licence holder must make an application for the licence to be revoked. Any remaining period of the licence will be forfeited and there will be no right to refund of the original payment.

Licence Criteria

One year licence application criteria

Annual licences are normally issued to new landlords where they have recently acquired or converted their property into a licensable HMO. This licence will be issued for a probationary period of 12 months and will be subject to the inspections process described earlier.

Upon renewal the landlord/licence holder will be able to apply for a longer licence and, subject to meeting the relevant criteria, may be issued with a 2 year or a 5 year licence. In cases where the HMO is a Mandatory HMO the licence will run for a period of five years but if the landlord/licence holder is not able to meet the qualifying criteria an annual or 2 year licence will be issued as a renewal.

It is important that a renewal application is submitted before expiry of the current licence otherwise it may be determined that this is a new application and additional information will be required. A different fee may also apply to reflect the increased time involved in processing the application.

Annual licences will automatically be issued to those landlords who are found to be operating an unlicensed HMO through proactive visits carried out by the Council. In cases such as these it is likely that the landlord may also be subject to a formal investigation by the Council – given that they have been found to be operating an unlicensed property. This may affect their eligibility as licence holder or manager so they will be required to nominate an alternative competent person to be licence holder/manager.

Upon renewal the landlord/licence holder will be able to apply for a longer licence and, subject to meeting the relevant criteria, may be issued with a 2 year or a 5 year licence. In cases where the HMO is a Mandatory HMO the licence will run for a period of five

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years but if the landlord/licence holder is not able to meet the qualifying criteria an annual licence or 2 year licence will be issued as a renewal.

Where a licence has previously been issued for 5 years under the mandatory scheme the renewal will normally be for a 5 year licence, unless the Council has reason to reduce the term.

In all cases the applicant must:

Complete a valid application within 12 weeks of the property being licensable; and

Comply with all licence conditions before the licence is due for renewal.

Two year licence application criteria

In order to qualify for a two-year licence the landlord must not be a new HMO landlord or found to be operating an unlicensed HMO. Two year licences are intended for those landlords who have some experience of managing HMOs and where they are make the best efforts to be compliant.

As with all licences a two year licence will be subject to certain checks, in the first instance the Council must have a valid application – in cases of a renewal the application must completed before the existing licence expires;

As part of the application process the applicant will need to provide a signed two-year licence self-certification form confirming a suitable and sufficient fire risk assessment for the licensed HMO is in place. If necessary the Council may request a copy of this assessment.

It is the responsibility of the applicant, landlord and manager to meet all of the eligibility criteria for the licence and provide all necessary evidence when requested. If all the requested documentation is not provided before the expiry of the current licence, the application will be assessed based on the evidence held and a licence issued accordingly.

Five year / End of Scheme licence application criteria

All applicants that meet the criteria set out below will be eligible for a *'five-year'* licence (granted for 5 calendar years for Mandatory HMOs or up to the expiry date of the operating scheme for HMOs licensed under Additional Licensing).

The criteria for such a licence is as follows.

- Valid renewal application completed promptly before or within 2 weeks of being sent the first renewal reminder;
- Application form complete;
- Fee paid;
- Declaration signed; and
- Five-year licence self-certification forms signed by the licence holder and (if applicable) managing agent

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All parties actively involved in managing the HMO (i.e. joint or sole management responsibility) must be accredited with Coventry City Council's Landlord Accreditation Scheme (CLAS). See *Additional Notes* below for details.

All parties involved in the licensing and management of the property must also have a good history with the Council. When determining the compliance with this element of the criteria the Council will take the following into account:

- All licence applications made on time;
- No outstanding licence conditions;
- No recent complaints about the property we have taken action to resolve;
- All certificates provided up to date and satisfactory;
- No issues with other departments within the council i.e. planning/highways;
- Have a suitable and sufficient Fire Risk Assessment;
- Have suitable maintenance arrangements in place with suitably qualified and competent tradespeople for the upkeep of the property;
- Adhere to the principles set out in the **Private Rented Sector Code of Practice**;

Managing Agents (with sole or joint management responsibility) must meet the following additional criteria:

- 50% or more of the company's employees are suitably qualified in residential property management;
- All employees carry out regular continued professional development (CPD);
- The company is registered with a recognised professional association.

Should any issues arise or new information be discovered after the licence is issued, Coventry City Council reserves the right to revoke the licence. If any relevant person is found to have provided false or misleading information or made a false declaration, we may take enforcement action against them separately.

It is the responsibility of the proposed licence holder and manager(s) to meet all of the eligibility criteria for the licence and provide all necessary evidence when requested. If all requested documentation is not provided in time, the Council will automatically assess the application based on the evidence we hold and issue a licence accordingly, which will generally be an annual licence.

Table 2 provides a summary of the key requirements.

Table 2- HMO Licence Criteria

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Factor	1 year If one criteria applies then will get 1 year licence	2 year Must meet all criteria to obtain 2 year licence	5 year Must meet all criteria to obtain 5 year licence
Experience	<ul style="list-style-type: none"> • Entry level for new landlord - no previous history to allow judgement on management practice. • Poor management – see below 	<ul style="list-style-type: none"> • The agent must have full management control to be the licence holder • Where the landlord wishes to be the licence holder and has an agent, the agent must have full management control to take advantage of the two year licence • Good management – see below • Introduce pathway to accreditation – attend one day training 	<ul style="list-style-type: none"> • Accredited Landlord or Agent • Sign up and adhere to the Private Rented Sector Code of Practice • Arrangements in place for regular maintenance / repairs i.e British Gas Homecare or similar • Cleaning contracts • Cyclical maintenance programme i.e similar to requirements of decent homes standard • 50% of agents employees have approved qualifications • Evidence of CPD for employees • Membership of other professional association – RICS, ARLA

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<p>Application history</p>	<ul style="list-style-type: none"> • Application history is poor – application, fee, documents not submitted on time. • 1 or more reminder needed after initial reminded to renew • Referral to enforcement to obtain certificates • Referral to enforcement to chase application 	<ul style="list-style-type: none"> • Good application history • All documents submitted on time • No subsequent reminders needed after initial reminder • Clean 'Bill of Health' from other internal and external depts... planning, Building Control, Police, HMRC, Immigration (BA) 	<ul style="list-style-type: none"> • No reminders needed - Agent or Landlord takes full responsibility for ensuring certs are uploaded/ provided on an annual basis i.e gas. Part of 'dip' check • Provide copy of management arrangement and terms of business • Provide DBS check if landlord to be licence holder and agent only management responsibility
<p>Certificates required during licence</p>	<ul style="list-style-type: none"> • Certificates not submitted on time • Referral to enforcement to obtain certificates 	<ul style="list-style-type: none"> • Certificates submitted as per licence conditions 	<ul style="list-style-type: none"> • Agreed audit approach • As above in application re: submitting certs without reminders and sign to accept that 'dip' check can be carried out on cases without notice.
<p>Licence conditions</p>	<ul style="list-style-type: none"> • Conditions not completed on time (either at revisit but before new 	<ul style="list-style-type: none"> • Conditions completed on revisit 	<ul style="list-style-type: none"> • No additional conditions / no need to revisit.

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	<ul style="list-style-type: none"> licence or conditions carried over) 		<ul style="list-style-type: none"> No properties with EPC F or below
	<ul style="list-style-type: none"> Fire Safety conditions on licence 	<ul style="list-style-type: none"> No fire safety conditions 	
	<ul style="list-style-type: none"> Amenity conditions on licence (bathroom or kitchen works) 	<ul style="list-style-type: none"> No amenity conditions 	
	<ul style="list-style-type: none"> Serious health and safety / disrepair conditions e.g. trip / fall hazards; heating requirements; windows need replacing 	<ul style="list-style-type: none"> No additional conditions minor issues e.g. decorations, damp due to tenant lifestyle may be accepted if being addressed 	
	<ul style="list-style-type: none"> Repeated requests to extend time to complete work 		
Service requests	<ul style="list-style-type: none"> 3 or more justified service requests 	<ul style="list-style-type: none"> 1 or 2 justified service request 	<ul style="list-style-type: none"> No justifiable service requests
Inspections	<ul style="list-style-type: none"> Missed appointments or over 10 mins late Difficult to arrange inspections – keep changing date / time Access prevented to some rooms – need to go back 	<ul style="list-style-type: none"> No missed appointments Where running late, Council is informed No difficulty arranging appointments All rooms available to inspect 	<ul style="list-style-type: none"> Carry out themselves every 6 months and at beginning and end of tenancy. Council required to inspect through audit process 'Dip' check to look at Fire Log book

Fire Risk Assessment completed	• No	• Yes	• Yes
Benefits to landlords	<ul style="list-style-type: none"> Yearly inspections from Council to ensure property is maintained (increased inspection fee) 	<ul style="list-style-type: none"> Reduced fee Reduced inspection regime 	<ul style="list-style-type: none"> Reduced fee Reduced inspection regime Audit / spot check scheme to check compliance – reduced workload Self regulation monitored by LA Included on Council approved agent list?

Fire risk assessments for licensed HMOs

Having a fire risk assessment for a licensed HMO is a legal requirement under the Regulatory Reform (Fire Safety) Order 2005, which is enforced by West Midlands Fire and Rescue Authority.

The duty is placed on the ‘responsible person’ who could be the landlord/licence holder or an agent with full management control. The assessment must be ‘suitable and sufficient’, and assistance from an appropriately competent person should be sought as necessary to achieve this.

The Council will accept a signed self-certification forms declaring that a suitable and sufficient fire risk assessment is in place for the HMO, however the Council may request and audit the fire risk assessment and other records at any time during the lifetime of the licence. If any documents requested cannot be provided within 7 days of the request, the Council may revoke the licence.

The acceptance of a fire risk assessment/self-declaration does not protect the responsible person from any action required by West Midlands Fire and Rescue Authority.

Further information and guidance on completing a fire risk assessment is available from the [Chief Fire Officers Association](#) and the [Gov.uk website](#).

Coventry Landlord Accreditation Scheme (CLAS)

All parties actively involved in managing the HMO must be accredited with Coventry City Council Landlord Accreditation Scheme (CLAS) to be eligible for five-year licences. Read the (WEB PAGE LINK TBC) or contact (EMAIL TBC) for further information on becoming accredited.

The licence holder **does not** need to be CLAS accredited if the managing agent has CLAS accreditation and full management responsibility.

The landlord **does not** need to be CLAS accredited if the managing agent is the licence holder, has CLAS accreditation, and full management responsibility.

The licence holder and managing agent **both** need to be CLAS accredited if they have joint management responsibility.

The licence holder **only** needs to be accredited if they have full management control and their agent has **no** property management responsibility (i.e. agent is used only for finding tenants and/or rent collection.)

The licence holder must complete a self-certification form in all cases, even when full management control has been given to a managing agent (who in that case must also complete the form).

'Suitable maintenance arrangements' means having arrangements in place with suitably qualified and competent tradespeople to carry out maintenance and emergency repairs. For example having ready details of a Gas Safe Registered plumber, a NICEIC registered electrician and reputable builder/handyman; or having a comprehensive emergency cover plan for your properties.

'Recognised professional associations' for agents include: ARLA, ARMA, IRPM, NAEA, and RICS.

A Disclosure and Barring Service (DBS) check may be requested from the landlord in cases where the agent has full management control (irrespective of whom the licence holder is).

Will tacit consent apply?

In deciding whether tacit consent applies the Council has taken into consideration the recent High Court decision in the case of *R(Gaskin) v Richmond LBC* [2018] EWHC 1996 (Admin).

The *Gaskin* case says that the Provision of Services Directive applies to licensing schemes in full and that regulators should set out how long it will take to carry out a licensing approval process and if they do not meet that timeline then approval (tacit consent) should happen automatically.

Upon receiving a valid application the Council will aim to provide a decision as soon as is reasonably practicable, however each case will require different processes to be

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completed, for example if an inspection of the HMO is necessary then the Council will be required to complete this before issuing you with a decision. This could therefore extend the time it takes to process your application.

It is therefore the Council's aim to process all valid applications and provide the relevant persons with a decision within 12 weeks of receipt. This will require the full co-operation of the applicant with the Council's requirements for determining a licence application.

If a decision about a licence application has not been received after this period then tacit approval may apply but the proposed licence holder should not assume they will automatically have been granted a licence.

As mentioned the target completion period for issuing a decision and a licence is subject to many factors and as such applicants should check with the Council on the status of their application.

By the Council setting out and displaying publicly their licensing processing time, the Council considers this will instil confidence in local landlords and help to keep them informed about the process.

Public registers

A register of HMO Licences is available online and details of this can be obtained by sending a formal, written request to the Property Licensing team.

Appeals

If an application for a HMO Licence is refused, there is a right to appeal this decision within 28 days to the First-tier Tribunal (Property Chamber - Residential Property). The details of this will be provided with the Decision Notice.

PRIVATE RENTED SECTOR CODE OF PRACTICE

Updated July 2015



Private rented sector code of practice

Updated July 2015

This code of practice, originally published in September 2014, has been revised to reflect more recent changes in legislation.

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Ombudsman Services: Property

Property Redress Scheme

The Property Ombudsman

Deposit Protection Service

My Deposits

Tenancy Deposit Scheme

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Foreword

We are committed to building a bigger and better private rented sector. The private rented sector provides valuable flexibility within the housing market, with increasing numbers of tenants choosing to rent as a matter of choice. We want to support it and see it grow.

A key part of this is our commitment to minimising excessive regulation of the sector, which would force up rents and reduce choice for tenants. We have put in place measures to create greater choice, professional services and higher quality properties for tenants. That is why we are financing the construction of up to 10,000 new homes specifically for private rent through our £1 billion Build to Rent Fund, while our Private Rented Sector Housing Debt Guarantee Scheme will support up to £3.5 billion of investment in private rented projects, plus a potential share of £3 billion held in reserve.

We know that the majority of tenants are satisfied with the performance of their landlords and that the majority of landlords and letting agents provide a good service. However, the small minority of rogues or criminals who exploit tenants drag the reputation of the sector down. We are cracking down on these landlords using a range of tools from legislation, funding and other support to local government.

It is important that tenants and landlords are able to choose letting agents who do operate to best practice. That's why, in October 2013, we asked the Royal Institution of Chartered Surveyors to work with other leading sector organisations to develop a Code of Practice.

I am delighted that the leading organisations representing landlords, letting agents and property managers have come together to create this comprehensive Code that may be used by anyone involved in the letting and management of private rented property.

Where this Code is particularly valuable is that it not only explains what is legally required, but provides a model for best practice. Members of any organisations which have signed up to this Code agree to abide by its contents, giving tenants assurance of a good service, driving up standards in the sector.

I am delighted, therefore, to introduce this Code of Practice. I truly believe it will lead to an even better and more professional private rented sector in England.



Brandon Lewis, Minister of State for Housing and Planning



1 Introduction

1.1 Scope

This Code is intended to promote best practice in the letting and management of *private rented sector* housing in England. The aim of the Code is to ensure:

- Good-quality homes for rent.
- Consistent and high standards of management.
- Choice for the *consumer*.

The Code is intended for use by landlords and lettings and management agents in the private rented sector (PRS).

Whether you are a landlord or an *agent*, if you are responsible for the letting and management of homes you have a minimum duty to achieve basic compliance required by law. However, landlords and agents should aspire to a standard above minimum legal requirements and in line with industry best practice as set out in this Code. If you are unsure of what you should do or what is required of you, seek professional advice. Ignorance or inexperience is not an acceptable defence for poor practice.

A useful checklist has been provided for inexperienced landlords at the back of this Code of Practice – see [Appendix B](#).

1.2 How to use this Code

Terms shown in italics are defined in a [glossary](#) at the end of the Code.

Landlords are responsible for ensuring that they comply with the law when letting and managing residential property. When a landlord engages an agent, the tasks and responsibilities of letting and managing property will be allocated between them. It is for the landlord and the agent to decide and to understand who is responsible for which tasks and responsibilities.

This Code uses the words ‘you’ and ‘responsible person’ to refer to whoever is responsible for a particular task or responsibility. Where items in the Code are aimed *only* at agents or landlords, this is indicated where required.

In the Code:

- The word ‘*must*’ indicates a legal requirement.
- The word ‘*should*’ indicates best practice. Where you should do something and have not, you ought to be able to justify reasons for not doing it.

Where procedures are recommended for specific tasks, these are intended to represent ‘best practice’; that is, procedures that, in the opinion of the property management industry, meet a high standard of competence.

When an allegation of professional negligence or a breach of obligation is made against a responsible person, a court or tribunal is likely to take account of the contents of the Code in deciding whether or not you have acted with reasonable competence.

The principles on which this Code is based are:

- 1 To comply with all laws relating to the letting and management of residential private rented sector property.
- 2 To meet all other legal requirements and relevant codes of practice.
- 3 To let and manage properties in an honest, fair, transparent and professional manner.
- 4 To manage properties with due skill, care and diligence, and ensure that, where staff are employed, they have the skills and training needed to carry out their tasks.
- 5 To do their best to avoid conflicts of interest and, where they do arise, to deal with them openly, fairly and promptly.

- 6 You must not discriminate on the basis of age, gender, race, language, sexuality or any other factor that might place an individual at a disadvantage.
- 7 To ensure that all communications and dealings with *clients* and tenants are fair, clear, timely and transparent.
- 8 To ensure that all relevant information is provided to clients and tenants, including publicising fees, prior to them committing to a *transactional decision*.
- 9 To ensure that all advertising and marketing material is accurate and not misleading.
- 10 To take steps to look after *client money* and to hold this separately from other funds.
- 11 To behave ethically and responsibly at all times.

The Code contains some principles aimed specifically at letting and management agents, as follows:

- To ensure that landlords and tenants are given details of complaints-handling procedures and the redress scheme to which the agent belongs.
- To ensure client money is covered by client money protection.

2 Lettings and management

2.1 For landlords only: selecting an agent

Landlords should only engage agents who:

- are members of an accredited body
- are members of an independent redress scheme
- protect client money by way of a *clients' money protection scheme*; and
- have appropriate insurance such as public liability and professional indemnity insurance.

2.2 For agents only: accepting instructions from a landlord

2.2.1 Conflict of interest

Before confirming instructions, agents and contractors must check that they will not have any *conflict of interest*. If they do, they must declare it and get written permission from the landlord that they can continue to act.

If the landlord gives permission then, at the earliest practical opportunity, and definitely before negotiations begin, the agent or contractor must give details of the conflict of interest, *in writing*, to the prospective tenant.

2.2.2 Giving correct advice

An agent must provide truthful, accurate and unbiased advice to a landlord.

Where an agent advises a landlord about a letting a realistic rental assessment must be made, reflecting current market conditions. It should be supported by comparable market evidence, if available.

2.2.3 Consumer Protection from Unfair Trading Regulations 2008

When offering services to a landlord:

- An agent must comply with the:
 - *Consumer Protection from Unfair Trading Regulations 2008* (CPRs)
 - *Business Protection from Misleading Marketing Regulations 2008* (BPRs)
 - *Unfair Terms in Consumer Contracts Regulations 1999* (UTCCRs)
 - *Supply of Goods and Services Act 1982* (SGSA); and
 - *Unfair Contract Terms Act 1977* (UCTA).
- An agent must not engage in any unfair commercial practice by saying, doing or omitting to do something which causes, or is likely to cause, the *average consumer* to take a different transactional decision.
- An agent should refer to the Competition and Markets Authority's [Guidance for lettings professionals on consumer protection law](#) for further information and guidance on the regulations.

2.2.4 Confirming identity

Agents should make every reasonable effort to confirm a landlord's identity before accepting instructions.

If the landlord operates as a business, the agent should identify and confirm who within the business has the authority to act on its behalf.

2.2.5 Agreeing the scope of work

The agent should agree the scope of work and then issue terms of engagement, which should detail the duties the landlord expects the agent to perform.

2.2.6 Terms of engagement

Agents must give landlords written confirmation of their instructions to manage a property on their behalf. This must include details of:

- fees and expenses
- business terms
- the duration of their instructions; and
- the extent of the agent's financial authority to authorise expenditure such as essential repairs/maintenance.

The agent must give these details to the landlord before the landlord is committed or has any liability towards them. The landlord should be given sufficient time to read and understand the agreement before signing.

Terms of engagement must clearly state the scope of the work the agent will carry out and any additional responsibilities. The terms must be fair and must be written in plain and intelligible language.

The terms of engagement should state that a copy of the agent's complaints-handling procedure is available on request, together with details of the redress scheme to which the agent belongs.

If a landlord signs a contract:

- with the agent present at their home; or
- at another location away from the agent's premises; or
- by post or online; or
- without having met the agent

the landlord must be given a right to cancel that contract within 14 calendar days from the date of signing.

If the landlord requires the contract to start before the end of this cancellation period the agent must obtain confirmation of this in writing.

Both parties should sign and date the terms of engagement. Any subsequent changes to terms of engagement must be confirmed in writing and signed by both parties.

2.2.7 Fees, charges and taxes

Agents must provide clearly defined details of their fees and expenses which may become payable. All fees, charges and penalties applicable to both landlords and tenants need to be displayed inclusive of VAT. This is in accordance with the [Advertising Standards Authority](#), the *Consumer Rights Act 2015* and *Consumer Protection from Unfair Trading Regulations 2008* requirements. Agents must prominently display these on their website and at each office where they deal face-to-face with those using or proposing to use their services. They must also state whether or not they are a member of a client money protection scheme and which redress scheme they belong to.

If the agent does not know the exact amount at the time, they should give details of how it will be calculated. This should include any renewal commission and the method of calculation, making clear that this will only arise where the agent is instructed to renew the tenancy or the landlord has specifically agreed to the agent's entitlement. The intention of the legislation is that both tenants and landlords are able to understand what a service or cost is for and why it is being imposed.

Agents should state all fees inclusive of tax, a legal requirement where the landlord is not a business.

Agents must include any contractual right to interest on late payment in the terms of engagement. The terms of engagement should set out which party retains any interest accruing from client money held.

2.2.8 Using subagents

Agents who want to appoint a subagent must first obtain the landlord's authorisation. Appointing a subagent without authorisation may be considered a breach of duty unless it is contained within the agent's terms of engagement.

2.2.9 Commissioning other documentation

You must follow legislative requirements about documentation to be provided at the point of marketing, during the marketing process or on completion. This must include an Energy Performance Certificate (EPC) and, where gas is provided at the property, a current Gas Safety certificate.

3 Lettings

As described in [section 2.2.5](#), landlords who use an agent will have agreed the scope of work that the agent will provide. If the landlord has not instructed an agent to carry out the following tasks then the landlord is responsible.

3.1 Marketing and advertising

You must always act in good faith, with the standard of care and skill that is in accordance with honest market practice.

Before letting, you must obtain any consent needed – for example, joint owner, lender, insurance company, *superior landlord*, freeholder and local authority. You must also comply with the obligations and requirements of the various safety legislation, standards and regulations that apply to rented property.

If the owner of a leasehold property wishes to let, they must consider the terms of that property's lease to the immediate landlord and any covenants or other obligations that will need to be included in the tenancy agreement. You must draw these to the attention of potential tenants at the earliest appropriate opportunity.

You must not exert undue pressure on any potential tenant.

You must comply with the *Consumer Protection from Unfair Trading Regulations 2008* and the *Consumer Rights Act 2015*.

You should treat all tenants, prospective tenants, landlords and prospective landlords as consumers for the purposes of the regulations, unless they are clearly not, such as in the case of a limited company landlord or tenant.

You should refer to the Competition and Markets Authority's [Guidance for lettings professionals on consumer protection law](#) for further information and guidance.

You must take reasonable steps to ensure that all statements made about a property, whether oral, pictorial or written, are correct and are not misleading. The information must be provided in a clear and timely manner and must not omit or hide *material information*.

You must not engage in any unfair commercial practice by saying, doing or omitting to do something which causes, or is likely to cause, the *average consumer* to take a different transactional decision.

You must not engage in any of the 31 specific practices that the *Consumer Protection from Unfair Trading Regulations 2008* ban outright (see [Regulation 3 and Schedule 1 of the Regulations](#)).

Advertisements must comply with the Committees of Advertising Practice (CAP)'s [UK Code of non-broadcast advertising, sales promotion and direct marketing](#).

You must ensure that the property particulars and any advertisements include the alphabetical [Standard Assessment Procedure \(SAP\)](#) rating from the EPC.

You should explain all the possible tenancy options to the prospective landlord and tenant, including any potential for longer term lets. You should also explain that longer agreements may include rent review clauses to allow for changes in rent during longer fixed-term tenancies. If the agreement is for a fixed term of three years or more, the agreement must be executed as a deed. If you know that the property is only available in the short term, you should advise prospective tenants of this at the earliest opportunity, preferably before viewing.

'To let' boards must comply with [planning requirements](#).

For agents only

If asked to let a leasehold property, the agent must ask the *leaseholder* for full details of all covenants or obligations that may apply to the tenant and which must be incorporated in any tenancy agreement.

3.2 The Green Deal

You must disclose the existence of a *Green Deal* charge to a potential tenant at the earliest appropriate opportunity using the prescribed wording in the [Statutory Instrument](#). You must obtain confirmation in writing from the tenant that they understand they will be:

- liable to pay the Green Deal plan and instalments; and
- bound by the terms of the Green Deal Plan.

3.3 Viewings

You must advise tenants of all material information and ensure that there are no misleading omissions from the information provided. This includes responses to questions from potential tenants.

When arranging for a potential tenant to view an already tenanted property, you must ensure that the existing tenant is given appropriate and reasonable notice (24 hours recommended) of the appointment and in accordance with any provisions within the tenancy agreement, unless other arrangements have been made with the agreement of the tenant.

When accompanying a potential tenant on a viewing, you should take appropriate steps to ensure the [personal safety](#) of all involved.

3.4 Agreeing the letting

You should ensure you understand the requirements of potential tenants and the flexibility on tenancy length offered by the *assured shorthold tenancy* to meet these requirements. Consideration should be given to the granting of longer tenancy agreements where this is appropriate for both parties.

You should provide tenants with a copy of [How to rent – the checklist for renting in England](#).

When negotiations are concluded, you should send written confirmation to the potential tenant setting out:

- the tenancy terms
- the costs that the tenant will be responsible for
- the deposit
- any holding deposit, clearly stating the basis of such a deposit and all associated terms and conditions
- the total sum required on signing
- any guarantor requirements, if applicable
- the methods of payment that could apply; and
- the procedure to follow when the tenant comes to sign the tenancy agreement.

3.5 References and checks

You must obtain the prospective tenant's consent before seeking a reference or carrying out a credit check.

You should take references that are in accordance with the individual circumstances of the tenant and should take care in validating their authenticity. You should keep a record of the steps you take to do this. You should ensure that you understand any additional requirements around obtaining a reference for a tenant in a selective licensing area.

You must make reasonable endeavours to check the lawful immigration status of any potential tenant or other persons living at the property where required to do so by law (*Immigration Act 2014*).

3.6 Inventory

Prior to the commencement of the tenancy, an appropriate inventory should be prepared. The principle items to be included in the inventory must be made clear to the potential tenant at the earliest convenient opportunity.

You can find further guidance about inventories in [A guide to best practice for inventory providers](#) published jointly by RICS, APIP, ARLA, Asset Skills and NAEA.

3.7 Formal agreement

The tenancy agreement should be written in plain, intelligible language. You must give a prospective tenant enough time to read and understand the agreement before signing. You must give the tenant the opportunity to raise queries to clarify the rights and obligations of the tenancy agreement.

An appropriate payment method for the rent should be agreed with the tenant.

The tenancy agreement must be signed by the landlord or their representative. The counterpart tenancy agreement must be signed and dated by all of the tenants in order to come into effect. The tenant should be given the signed tenancy agreement. The landlord should retain the counterpart agreement.

Where letting to joint tenants, you should ensure that all tenants sign the tenancy agreement wherever possible. If this is not practical, someone else can sign on their behalf so long as they are duly authorised to do so and you have clear evidence of this authority.

Any guarantors must sign a written deed of guarantee that clearly states their obligations.

You should ensure the inventory is signed by or on behalf of the parties and dated.

You should provide the tenant with at least one complete set of keys that is recorded in the inventory.

You should consider identifying a lead tenant to whom key correspondence and enquiries are directed and who arranges rent payments. However, some legal documents need to be served on all tenants.

3.8 Tenancy deposits for assured shorthold tenancies

Tenancy deposits for assured shorthold tenancies must be protected in a Government-authorised scheme within the statutory timescale and otherwise in accordance with the [relevant scheme rules](#).

You should consider the amount of a deposit based on what is fair in relation to the potential liability the tenant has in relation to the property.

The tenancy agreement must make provision for the holding of any deposit, specifying:

- how the deposit is to be held; and
- who keeps any interest earned on it.

The tenancy agreement must also state why the deposit is being held and the circumstances in which it is to be released, in whole or in part.

The tenancy agreement should also state which tenancy deposit protection scheme the deposit is held under.

You must make *prescribed information* regarding the tenancy deposit protection scheme available to the tenant(s) within the statutory timescale of receiving the deposit. See www.gov.uk for further information. The tenant(s) must be given an opportunity to check and sign the prescribed information.

Where a deposit is held by an agent, this should be held as a 'stakeholder' on behalf of both parties. These matters should be made clear to the prospective tenant before the deposit is paid and the tenancy agreement is signed.

Where a deposit is held by an agent, deposit money must be dealt with in the same way as other client money (see [section 4.21](#)). The letting commission or other charges owed by the landlord to an agent must not be taken from the deposit.

The deposit must be released only in compliance with the terms under which it was originally held.

3.9 Company lets

Where residential properties are let to a company rather than an individual, the company is responsible for all of the tenant's obligations under the terms of the tenancy agreement in the same way an individual tenant would be. Company tenants are not treated as consumers under the relevant legislation. Agreements will not be an assured shorthold tenancy.

You should request sufficient details to legally identify the company, such as the company registration number and who may legally contract on behalf of the company.

You should be informed of the identity of the licensee of the tenant company. The tenancy agreement should allow the property to be occupied by the permitted occupier together with their family.

The tenancy agreement should include a clause making clear that money paid by the licensee towards the rent will be paid as an agent on behalf of the company and will not give the licensee rights as a company tenant.

4 Property management

4.1 General arrangements

You should always manage properties in a professional manner. If you are unsure what this entails then consider either undertaking accreditation or similar qualification yourself or using an accredited agent.

You should always manage properties in an open and transparent way, subject to maintaining confidentiality in respect of personal information.

You should advise tenants of your contact details for day-to-day tenancy management matters and should be available:

- to be contacted during normal working hours
- to meet tenants; and
- to inspect the property at reasonable times and intervals.

If requested, you should assist tenants in understanding their tenancy agreement or other terms of occupation by explanation or by referring them to www.gov.uk and to the [Citizen's Advice Bureau](#) for independent advice. You should not give advice about the tenant's legal rights, and should avoid a conflict of interest when giving any advice.

You should maintain appropriate records relating to the building and decide how long to keep them, taking account of periods of statutory limitation of action.

You should take steps to keep informed of developments in legislation affecting residential management to keep wholly within the law.

So far as it is reasonably practicable and consistent with statutory and contractual obligations, personal information must be kept confidential and must not be disclosed to other people without consent. It may be permissible to disclose information without consent in accordance with the advice of the Information Commissioner's Office (ICO). However, a privacy notice to the tenant may be required. You are required to register with ICO if you hold any personal data electronically (this would include holding a tenant's phone number in your own phone) or pass personal information to someone else, such as carrying out an immigration check with the Home Office. Almost all agents and landlords who do not use agents need to register with the ICO. Landlords who use agents for some or all of the letting and management process may need to register depending on personal information held and/or passed on. See www.ico.org.uk.

You should be aware of the local private rented sector licensing requirements in the area of the premises. This includes additional licensing, selective licensing and mandatory *Houses in Multiple Occupation* (HMOs) licensing and planning consent requirements (see [Licensing of houses in multiple occupation in England: a guide for landlords and managers](#) and [Selective licensing in the private rented sector: a guide for local authorities](#)).

You must ensure that the property and all equipment meet the requirements of the relevant regulations and licensing.

You must not cause or permit a dwelling to be overcrowded.

4.2 Financial management

4.2.1 Client's money

Money held, deposits or rent collected for and on behalf of an applicant, tenant or ex-tenant, client or ex-client landlord is considered as client money.

You should keep adequate accounts and records to show all dealings with client money.

Client money should be held separately from landlord or agent money and you must be able to account immediately for all money held on behalf of a client or a tenant.

Clients' money should only be withdrawn from an account:

- where it is properly required for payment to, or on behalf of, the person entitled to it
- when meeting agreed costs
- for payment of any remuneration or reimbursement of expenses in carrying out services to which the landlord or agent is entitled, with the written agreement of the client
- in the exercise of any *lien* to which the landlord or agent is entitled
- for transfer to another client account; and
- when non-client money was used to open or maintain the account.

Otherwise, no deductions should be made from clients' money without that client's prior written permission. You should give sufficient notice prior to the deduction so they are able to object to it.

You should advise clients or tenants in writing that you are not liable to repay lost money through bank failure.

4.2.1.1 For agents only: client's money

You should keep adequate and up-to-date accounts and records to show that money has been paid into a dedicated client account and to explain all dealings with that money.

You should advise your client or tenant that the monies will be held in a designated client account and provide them with details of this account.

A client account should be in credit at all times. There must not be any borrowing from one client's fund to pay another client or those entitled to receive money from the latter's account.

The clients' money should be deposited into a [Financial Conduct Authority \(FCA\)](#)-authorised bank or building society.

Unless the client or tenant has agreed otherwise in writing you should credit interest earned on any client bank accounts to the appropriate client or tenant.

The letting commission or other charges due to the agent from the client must not be taken from a tenant's deposit. You must ensure at all times that the deposit is released only in compliance with the terms under which the deposit was originally held.

You should be a member of a clients' money protection scheme and you must clearly display, in your offices and on your website, whether or not you are a member of such a scheme.

4.2.2 Proceeds of crime

You must report any suspicion that another person is engaged in money laundering or other related financial crime to the National Crime Agency (NCA) before proceeding with any transaction with that person.

4.2.3 Taxes

Landlords should ensure that HMRC is aware of rental income and deductions and that they pay the appropriate tax.

4.3 Tenancy management

You must levy rents and other charges and manage the property in accordance with the law and the clauses of the relevant tenancy agreement.

You must include the landlord's name and address on any written rent demand. Until such information is provided, rent is deemed not to be lawfully due from the tenant. If that address is not in England or Wales then you must notify the tenant of an address in England and Wales to which notices may be served.

You must give the tenant the landlord's name and address within 21 days of any written request. If the landlord is a company and the tenant requests more information after receiving the name and address of the landlord, the name and address of the directors and the secretary of the company must also be given to the tenant within 21 days of that request.

You should communicate promptly with the tenant, and any client as appropriate, on any important issues or obligations relating to the use and occupation of the property, including material breaches of the tenancy agreement that you become aware of.

You should respond promptly to reasonable written requests from tenants for and, where appropriate, consents required under the tenancy agreement should be granted promptly. Where applicable under the terms of the tenancy when an application is refused, reasons should be given. Unless authorised by the tenancy or lease or, in the case of certain transactions accepted by the courts (e.g. subletting), you should not charge the tenant for considering an application or granting permission.

4.3.1 Actions following a new letting

You should assist the tenant with the necessary information to ensure that the tenant registers as the customer for services from the commencement of the letting in accordance with their obligations under the tenancy agreement.

Where utilities are metered, meter readings should be taken and recorded. The local authority should be informed of the date the letting commences for council tax and utility companies should be similarly advised for water, sewerage, gas and electricity, as appropriate.

4.3.2 Rent

4.3.2.1 Rent payments and review of rent

Rent demands (if used) should be clear and easily understandable by tenants. Avoid using codes and abbreviations if possible; if you do use them, they should be clearly explained.

You must provide a rent book if the rent is paid weekly and ensure that any rent book is kept up to date. Where payment of rent is handed over in cash, a receipt should be given. In other cases, a receipt should be given if requested. An annual statement of rent payments received should be made available to tenants on request.

Where rent review clauses are included in the tenancy agreement you must follow those procedures for any review of rent.

4.3.2.2 Local housing allowance and rent

Where appropriate, you should co-operate with a tenant's claim for local housing allowance/housing benefit/ Universal Credit and supply any necessary information promptly to ensure that the claim can be processed as quickly as possible.

You should ensure the tenant is made aware before signing any agreement that they are committed to pay the rent, whether or not they are entitled to receive local housing allowance/housing benefit and that they will be required to make up any shortfall of local housing allowance/housing benefit.

4.3.2.3 Arrears

Where rents are not received when due, you should communicate promptly with the tenant. Where housing support is being paid directly to the tenant, for example local housing allowance (LHA) or as part of Universal Credit, and payments cease or are varied, you should inform the local housing authority or the Department for Work and Pensions as soon as possible. Where housing support is paid directly to you and payments cease or are varied, you should notify the tenant as soon as possible.

You should keep channels of communication open with your tenants and encourage tenants to let you know if they are under financial difficulties. You should maintain contact with tenants in cases where arrears continue to accumulate and recommend that they seek independent advice (e.g. from the Citizens Advice Bureau, the [Money Advice Service](#), or a legal adviser).

A tenant must not be evicted without a possession order and following due process. If tenants are facing eviction and are threatened with homelessness (especially if they are vulnerable or there are children living with them) you should suggest they contact their local authority housing team for support in accessing alternative accommodation.

For agents only

If you are retained to collect rent, you should have a system in place to notify a client landlord promptly if rent becomes overdue. In the event of arrears, you must notify any rent warranty insurers promptly and ensure that the timescale for any rent warranty notification is met.

4.3.3 Service charge

If administering a service charge, refer to the RICS *Service charge (residential) management code* for guidance, as this is outside the scope of this Code.

4.3.4 Repairs and maintenance

You must take all reasonable measures to provide housing that is safe and without risks to health.

The duties of the parties should be stated in the tenancy agreement, as set out in relevant legislation.

You should be aware of repairing obligations imposed by statute and common law.

You must ensure a safe and healthy environment for the tenants and act upon demands for improvements by the local housing authority under the [Housing Health and Safety Rating System \(HHSRS\)](#).

You must be prudent in the selection of persons who are competent to perform repairs and maintenance on the property. You should take reasonable steps to ensure such contractors have:

- public liability insurance
- professional indemnity insurance, if appropriate
- relevant trade qualifications where required; and
- appropriate health and safety risk assessments and adopt safe systems of work.

You must also pass over any relevant health and safety information you hold to any contractor/designer, including regarding asbestos.

Matters of disrepair should be dealt with promptly and in a timely manner appropriate to their urgency, placing a priority on reducing any risk to people.

You should ensure tenants know how to report repair and maintenance issues and have an established procedure for dealing with urgent requests for repair work, particularly for out-of-office hours.

Tenants must never be evicted for simply requesting repairs to the property.

Landlords must keep the structure and exterior of the property in repair. If an agent is charged with this duty then, in the event that the agent is unable to carry out this duty for any reason, the duty must return to the landlord or otherwise provisions must be put in place for keeping the structure and exterior of the property in repair.

You must repair and keep in proper working order the installations for space heating and water heating, together with the installations for the supply of gas, water, electricity and drainage.

You must take reasonable care to maintain and repair paths, driveways and car parking areas so that they are safe to use. You must maintain and repair gutters, downpipes, drains and gullies.

You should ensure that tenants are [aware of their responsibility](#) to act in a *tenant-like manner* and to carry out minor repairs, such as replacing bulbs or clearing pipes or drains they have blocked.

When arranging repair and maintenance work on a let property, you must be aware that tenants are entitled to the quiet enjoyment of their homes and you must seek to minimise disruption.

You should consult tenants on the details and programme for carrying out such works, unless urgency or the tenancy agreement dictates otherwise. Works must be carried out to a reasonable minimum standard so that they do not need to be repeated within a short period of time relative to their nature and reasonable expectations.

You should maintain accurate and complete records of all maintenance and insurance of the property and hold records safely for the required period of time.

For agents only

You should ensure that sufficient funds from the landlord are available prior to instructing a contractor. The method of payment should be agreed between all parties prior to works commencing.

You should disclose any commission you might receive from the contractor at the time that estimates are provided to the landlord.

For landlords only

If you use a managing agent, you should ensure that the agent is provided with sufficient funds to be able to commission agreed repairs/maintenance once an estimate has been accepted.

4.3.5 Health and safety and contractor management

You should inspect the property at appropriate intervals to identify whether or not there are any hazards or repairs that require attention. You should maintain a record of the inspections and any action required and taken.

You should seek to reduce any unacceptable health and safety risks that are identified.

4.3.6 Services

4.3.6.1 Fire safety and testing

You should have regard to the Local Government Association (LGA) LACORS [Housing – Fire safety](#) guidance. For larger buildings such as HMOs and buildings with common parts, you should have regard to the Department for Communities and Local Government (DCLG) document [Fire safety risk assessment: sleeping accommodation](#).

Where recommended in accordance with the above guidance, fire extinguishers and fire blankets should be provided and must comply with current British Standards. Where they are required they must be provided, including complying with HMO licence conditions.

Where required (any building where there are *common parts*) you must ensure that a fire risk assessment is carried out to identify and evaluate all fire risks to which anyone legally allowed on the premises could be exposed.

You must ensure that any furniture provided by the landlord complies with current regulations for fire safety.

All properties should be fitted with smoke detectors. Properties built after 1992 must be fitted with smoke detectors. With effect from 1 October 2015 all properties must be fitted with a smoke alarm on every floor ([The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015](#)).

Detectors must:

- comply with current British Standards
- be installed in accordance with the manufacturer's recommendations; and
- be kept in working order and tested at the beginning of each tenancy.

Tenants may be made responsible for replacing batteries by prior written agreement made at the start of the tenancy.

4.3.6.2 Carbon monoxide alarms

Carbon monoxide detectors should be provided in all properties where a gas or solid fuel appliance is present. Detectors must comply with current British Standards and be installed in accordance with the manufacturer's recommendations. The fitting of carbon monoxide detectors is mandatory when a new solid fuel burning appliance is installed and it will become mandatory for all rooms with an existing solid fuel appliance from 1 October 2015 ([The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015](#)). Alarms must be tested at the start of all new tenancies.

4.3.6.3 Electrical

You should ensure that a competent electrician undertakes a full-fixed wiring test within 10 years of installation for new properties/full installations and it is recommended every five years thereafter. For HMOs the test must be undertaken every five years or as recommended by an electrician.

On any change of tenancy, you should check the fixed wiring installation for defects that are visually obvious to a non-qualified layman, including checking leads and plugs (unless the plug is of the moulded type).

You should provide an appropriate electrical certificate to the tenant.

You must ensure that all alterations/repairs/improvements to the fixed electrical system comply with the latest edition of Part P of the Building Regulations and the latest Institution of Engineering and Technology (IET) Wiring Regulations.

A competent person should undertake a portable appliance test (PAT) of all moveable electrical items or equipment provided by the landlord; for example, kettles, fridges, etc. as recommended in the HSE publication [Maintaining portable electrical equipment in low-risk environments](#), or at more frequent periods recommended by a competent person or as a result of a risk assessment.

If you are informed of a fault that could compromise safety, this should be dealt with immediately.

4.3.6.4 Gas

All gas appliances, flues, installation pipework etc. must be maintained in a safe condition in accordance with the *Gas Safety (Installation and Use) Regulations 1998*.

A gas safety check must be carried out every 12 months by a Gas Safe-registered engineer, and a record kept for two years. You must issue a copy of this safety check to each existing tenant within 28 days of the check being completed and to any new tenants before they move in.

You should ensure that new tenants understand how to turn off the gas supply in case of an emergency. If a fault is reported, this must be dealt with immediately.

4.3.6.5 Solid fuel

You must ensure the safety of solid fuel heating installations and carry out appropriate routine maintenance. You should maintain a record of servicing and work carried out.

4.3.7 Access

The tenancy agreement may stipulate the procedure for the routine inspection of the property by the landlord or agent. If this is not stated in the tenancy agreement, the property must be visited at normal times of the day, provided that reasonable written notice (at least 24 hours) has been given to the tenant.

If the tenant refuses access, you have no right to enter the property without a court order. To enter the property against the wishes of the tenant may be considered harassment.

The tenancy agreement should contain provision for entry in emergencies. In the event that you hold a spare key, entry should only be with the express consent of the tenant or in the case of a genuine emergency.

Forced entry should only be considered:

- if it is an emergency event such as a fire
- in the event of problems with gas, electrics or escape of water that pose real risk of injury or significant damage to the property or adjoining properties; or
- in the event that the tenant is unavailable or does not respond and you have genuine reason to believe the property has been abandoned.

4.3.8 Harassment and unlawful eviction

Tenants are entitled to quiet and peaceable enjoyment of the property. You must not interfere with this right except with the tenants' agreement or in the event of an emergency. Locking the tenant out of the property, cutting off services or otherwise interfering with the tenants' right to quiet and peaceable enjoyment is an offence.

4.3.9 Insurance

The insurance obligations of the parties should be set out in the tenancy agreement. The tenant should be made aware of their responsibilities and the scope and limitations in respect of any insurance held by the landlord in respect of the property.

Insurers should be notified of claims or potential claims at the earliest opportunity. Claim settlements should be treated as belonging to the persons suffering damage. Unless otherwise agreed, you should not deduct arrears or other payments due when passing them on to the claimant.

Any arrangements regarding payment of any excess should be clearly set out in the tenancy agreement.

Agents dealing with insurance issues should be mindful of the insurance regulations on regulated activities. See the Financial Conduct Authority (FCA) website (www.fca.org.uk) for further guidance. When a claim arises it should be processed promptly and appropriately. Agents may charge for this service, depending on the terms of engagement.

5 Terminating a tenancy

5.1 Bringing a tenancy to an end

On giving or receiving notice to bring a tenancy to an end, you should provide a tenant with general written guidance as to what steps need to be taken to prepare the property for the final checkout, handover of keys and other matters. You should draw the tenant's attention to any specific clauses or obligations within the tenancy agreement relating in particular to proposed deductions from the tenancy deposit but also, for example, to specified standards of cleaning etc.

If you serve a notice on a tenant to terminate a tenancy you must ensure that the deposit has been protected and that the tenant has, at the appropriate time, been given the correct prescribed information relating to the protection of their deposit. The property must also have a valid EPC and CP12 Gas Safety Certificate. There should be a system in place to monitor the response from a tenant regarding the vacation of a property when notice has been served.

For agents only

You should inform a client landlord, promptly and in writing, of the receipt of a lawful notice from a tenant.

Where a tenant does not vacate a property on the due date, you should make reasonable efforts to ascertain the tenant's intentions as soon as practicable and before instigating possession proceedings through the courts.

For agents only

Where a tenant does not vacate a property on the due date, you should advise the client landlord promptly and co-operate fully and promptly with legal advisers acting for, or appointed on behalf of, client landlords.

Where appropriate, you must take steps to notify any legal protection or expenses insurer.

All keys and fobs relating to the tenanted property should be received or collected on the day the tenancy terminates.

5.2 Once the property has been vacated

The vacated property should be inspected within 24 hours of vacation, or on the next working day, to establish whether it has been returned to the landlord in the condition specified in the tenancy agreement. The tenant should be given a reasonable opportunity to attend the inventory checkout.

The local authority and utility companies should be notified of the change in, or discontinuance of, occupation.

In obtaining estimates for restoring the property and contents, all actions should be duly recorded. You must make proper allowance for fair wear and tear and no claim can be made for any deterioration which is fairly attributable to fair wear and tear. You should seek guidance from the relevant tenancy deposit scheme.

The tenant's deposit should not be refunded until the final inspection has taken place and you are satisfied that the deposit should be refunded. Deposit sums not in dispute should be refunded to the tenant within a reasonable time (in accordance with the scheme rules) from the end of the tenancy. Any balance remaining should be refunded within a reasonable time (in accordance with the scheme rules) after reaching agreement between the parties of what is to be refunded or after the decision of the tenancy deposit scheme adjudicator.

The grounds for any retention from the deposit must be provided to the former tenant in writing, if requested, and in compliance with tenancy deposit legislation and the requirements of the relevant tenancy deposit protection scheme.

You should refer disputes about the return of tenancy deposits to the relevant tenancy deposit protection scheme.

6 Tenancy renewals and changes

If necessary, you should seek legal advice in connection with company tenancies, as the legal requirements will differ from lettings to individuals.

You must be clear and transparent about all fees payable and potentially payable to you by a tenant in all and any circumstances prior to that tenant making a transactional decision to enter into a contractual relationship with you in the first place, i.e. before the tenancy is entered into.

For agents only

Where a tenancy is to be renewed you should satisfy yourself that all the necessary consents including from lenders and superior landlords have been obtained.

You must be clear and transparent to the client about all fees payable and potentially payable on any tenancy renewal or change to a tenancy prior to that client making a transactional decision to enter into a contractual relationship with you in the first place.

Where the tenancy is to be renewed by contract, a procedure should be in place for consulting the landlord well in advance of serving statutory notices.

For landlords only

Where a tenancy is to be renewed you should obtain all the necessary consents including from lenders, superior landlords.

7 Additional responsibilities for the management of multi-let buildings and common parts

7.1 Health and safety

Note: In sections 7.1.1–7.1.6 the terms ‘responsible person’ and ‘you’ do **not** refer to the person responsible for the maintenance and management of the building but are defined by the *Health and Safety at Work etc. Act 1974* as being the person responsible for all health and safety matters in regard to the building.

7.1.1 Health and safety risk assessment and policy

Health and safety risk assessments and policies vary significantly in scope and proportionality depending on the building and individual circumstances. While legal responsibilities and liabilities are absolute, the required actions to ensure compliance should be proportionate to the individual circumstance.

A competent ‘responsible person’ as defined by the *Health and Safety at Work etc. Act 1974* must be appointed and that person must be clear as to their responsibilities and liabilities.

A health and safety risk assessment of any common parts must be carried out by a suitably competent person.

The risk assessment and the subsequent health and safety policy must be proportionate in scope to the property and circumstances. You must continually ensure the scope of the risk assessment has not changed; for example, if the building is let to individuals who are unusually vulnerable or have special needs. The health and safety policy must address lone worker safety.

All recommendations of the risk assessment and policy must be carried out, with appropriate records kept safely to demonstrate compliance.

You should put a monitoring process in place to ensure the requirements of the risk assessment and policy are being met at all times and that suitable training is provided to individuals to ensure and demonstrate that they are competent to carry out their duties to satisfy the requirements of the assessment.

The risk assessment and policy must be reviewed at the appropriate intervals as recommended by the risk assessment author.

You must put in place a system of contractor control to ensure that all hazards and requirements identified in the risk assessment and policy are drawn to the attention of any party that needs to know that information; for example, staff or contractors working at the building. You must instigate an appropriate system of ensuring contractor compliance with the building’s health and safety risk assessment and policy.

Where appropriate you must ensure that contractors carry out their own risk assessments and maintain their own health and safety policies.

7.1.2 Risks specific to common area management

Risk assessments must be considered for:

- the operation of mixed use areas, including waste disposal and car parking
- car park and personnel gates, both in terms of operational safety and means of escape in the event of fire
- gym, pool, leisure and common rooms
- cycle parking or bike stands; and
- lifts including maintenance and operation in the event of fire.

7.1.3 Asbestos

An asbestos risk assessment must be carried out to common parts. You should take reasonable measures to identify the presence and assess the risk of asbestos to let areas. If appropriate, depending on

circumstances such as the age and history of the building, an asbestos survey should be carried out with all recommendations adhered to. You must draw the attention of occupiers, contractors and others at potential risk to the presence of any asbestos and take all necessary measures to ensure the risk is managed safely.

7.1.4 Fire safety

You must carry out a fire risk assessment and implement all recommendations.

You must formulate and maintain a method of monitoring that all recommendations are continually adhered to, for example maintaining clear escape routes and signage. You must be vigilant to any change in on-site conditions that may require a re-assessment of risk, for example the loss of an assembly area.

7.1.5 Water safety

You should clearly understand the ownership and maintenance responsibilities of the water supply(ies) to the building. Where you are responsible for the maintenance of the supply, you must instigate a programme of maintenance in accordance with your health and safety risk assessment to ensure the supply is clean and fit for its intended purpose. A risk assessment for the control of legionella bacteria must be carried out and all recommendations should be adhered to.

7.1.6 Crisis management

You should develop an appropriate policy and procedure for dealing with emergencies and crisis management. In addition to procedures to follow in the event of an emergency, this should include:

- record keeping
- reporting lines
- insurers' details
- press and communication procedures; and
- counselling.

7.2 Disposal of waste and recycling

You should provide adequate means of storage of waste so as to prevent a risk to health and hygiene.

You should, as required by the local authority or waste removal contractor, provide adequate means of separation of waste by type, including for recycling, and provide clear signage and guidance for tenants on the requirements for waste separation as appropriate.

7.3 Staff management

You should notify tenants of any change in staff who are the tenants' main point of contact.

7.4 Noise

You should seek to reduce disturbance to residents from noise; for example, noisy mechanical and electrical installations or hard surface floors in inappropriate locations.

You should ensure that the right to quiet and peaceable enjoyment of the accommodation is incorporated into the tenancy agreement and that the agreement imposes that obligation on tenants for the benefit of other residents.

7.5 Mixed tenure schemes

Where properties include affordable or social housing alongside private housing, arrangements should be established with the registered provider (of the social housing) for exchange of information and your attendance at joint management meetings.

7.6 Disputes

You should put in place policies and procedures for handling disputes and complaints of nuisance between occupiers. These procedures should be made available, their existence made known and the response times for their various stages included. All parties should be dealt with fairly.

Disputes should be resolved by informal means where possible before turning to any formal provision in the tenancy agreement. Where not provided for in the tenancy agreement, *alternative dispute resolution methods* may be suggested, rather than litigation, as a means of settling particular disputes.

7.7 Security

You should provide adequate security measures, procedures and systems to common parts and living spaces for the protection of residents, visitors and possessions.

You should make reasonable efforts by way of referencing and vetting procedures to ensure that staff and workers employed in a building are fit and proper persons appropriate to their role and level of responsibility and supervision.

You should provide appropriate means of holding mail and deliveries until collected by the tenant.

Appendix A: Glossary of terms

This glossary gives definitions of key terms used in the Code.

Agent	A company or individual employed to let or manage residential property on behalf of a landlord.
Alternative dispute resolution methods	This can include mediation, conciliation and arbitration.
Assured shorthold tenancy	As defined by Chapter II of the <i>Housing Act 1988</i> (as amended).
Average consumer	<p>A consumer who is reasonably well informed and reasonably observant and circumspect, taking into account social, cultural and linguistic factors. It is someone who takes reasonable care of their own interests.</p> <p>This definition can change depending on the target of a particular business or of a marketing campaign. The average consumer will then relate to a member of that target group. A full definition can be found in regulation 2 of the <i>Consumer Protection from Unfair Trading Regulations 2008</i>.</p>
Client	A person or organisation who has instructed you or your organisation to act on its behalf.
Client's money	Money held on behalf of client landlords and deposits or money held for and on behalf of tenants or potential tenants.
Clients' money protection scheme	A compensation scheme to protect client's money.
Common parts	Any part of a building containing the property and any land or premises which the tenant is entitled under the terms of the tenancy to use in common with the owners or occupiers of other dwellings.
Company let	When a company rather than an individual takes on a tenancy or a tenancy agreement as the 'tenant'. An employee of the company then occupies the premises as a licensee of the tenant.
Conflict of interest	Where an agent acts for clients who have competing interests or where an agent's personal interests conflict, or could potentially conflict, with those of the client or tenant.
Consumer	Anyone who is acting outside their trade, business or profession. This can include clients, potential clients, landlords, potential landlords, tenants, potential tenants and others identified within regulation 2 of the <i>Consumer Protection from Unfair Trading Regulations 2008</i> .
Green Deal	A Government initiative to encourage the take-up of energy efficiency measures in existing properties by a loan repaid through the energy bill for a property.

House in Multiple Occupation (HMOs)	A property such as a shared house, bedsits or a hostel, where three or more unrelated individuals share any of the basic amenities (kitchen, bathroom or WC). It includes a block of converted flats not complying with the 1992 or later Building Regulations if more than one-third of flats are rented out. Larger HMOs are subject to mandatory licensing and others may be designated for additional HMO licensing.
In writing or written	Typed or handwritten text, email, fax or in Braille.
Leaseholder	A tenant of a long leasehold property.
Letting agent	A company or individual employed to let or manage residential property.
Lien	A right to keep possession of property belonging to another person until a debt owed by that person is discharged.
Material information	The information that the average consumer needs according to the context to take an informed transactional decision (as defined in section 6(3) of the <i>Consumer Protection from Unfair Trading Regulations 2008</i>).
Misleading omissions	Omissions which cause the average consumer to make a different transactional decision.
Must	Required by law.
Prescribed information	This includes: <ul style="list-style-type: none"> • the name of the deposit protection scheme • the address of the property • the amount of the deposit • a leaflet explaining the scheme • the scheme's procedures for payment and repayment • dispute procedures; and • dispute resolution facilities available.
Private rented sector Definition from the English housing survey 2011–12 administered by DCLG	'Households are typically grouped into three broad categories known as tenures: owner occupiers, social renters and private renters. The tenure defines the conditions under which the home is occupied, whether it is owned or rented, and if rented, who the landlord is and on what financial and legal terms the let is agreed. <ul style="list-style-type: none"> • owner occupiers: households in accommodation which they either own outright, are buying with a mortgage or are buying as part of a shared ownership scheme. • social renters: this category includes households renting from Local Authorities (including Arms Length Management Organisations (ALMOs) and Housing Action Trusts) and Housing Associations, Local Housing Companies, co-operatives and charitable trusts.

	<p>A significant number of Housing Association tenants wrongly report that they are Local Authority tenants. The most common reason for this is that their home used to be owned by the Local Authority, and although ownership was transferred to a Housing Association, the tenant still reports that their landlord is the Local Authority. There are also some Local Authority tenants who wrongly report that they are Housing Association tenants. Data from the EHS for 2008-09 onwards incorporate a correction for the great majority of such cases in order to provide a reasonably accurate split of the social rented category.</p> <ul style="list-style-type: none"> • private renters: this sector covers all other tenants including all whose accommodation is tied to their job. It also includes people living rent-free (for example, people living in a flat belonging to a relative). <p>In places, the report differentiates between market and non-market renters:</p> <ul style="list-style-type: none"> • market renters: households with assured or assured shorthold private tenancies. Under the 1988 Housing Act, all tenancies starting after the 14th January 1989 are Assured (including Assured Shorthold) unless they fall into one of the excluded categories, for example business lettings or lettings by resident landlords. Before March 1997, tenants had to be given a notice in writing to say that a tenancy was an Assured Shorthold. From March 1997, the rules changed and all new tenancies were Assured Shortholds unless the agreement specifically stated that they were not. Assured Shorthold lettings are for a fixed period of six months or more. The landlord can regain possession of the property six months after the beginning of the tenancy provided that two months notice is given. In the case of an assured letting the tenant has the right to remain in the property unless the landlord can prove grounds for repossession. The landlord does not have an automatic right to repossess the property when the tenancy comes to an end. • non-market renters: households with all other types of private rental tenancies including those with rent-free tenancies and tied accommodation (that is tied to employment).’ <p>Crown copyright material is reproduced under the Open Government Licence v2.0 for public sector information: www.nationalarchives.gov.uk/doc/open-government-licence/version/2/</p>
Residential property	Property used as living accommodation.
Responsible person	Person with the responsibility for the letting or management of a residential property. This could be the landlord, managing agent or letting agent.
Should	Recommended best practice.
Stakeholder <i>(Definition from Tenancy deposit scheme for lettings agents and corporate landlords membership rules, TDS, 2012)</i>	‘Any person or body who holds the Deposit at any time from the moment it has been paid by the Tenant until its allocation has been agreed by the parties to the AST, determined by the ADR process, or ordered by the court.’

Superior landlord	An entity that owns the interest in the premises, which gives that entity the right to possession of the premises at the end of the landlord's lease. Sometimes called a head lessor or freeholder.
Subagency	Instruction of a separate or related firm to provide agency services to the landlord on behalf of the principle agent.
Tenant	A leaseholder on a short lease (usually assured shorthold or assured tenancy).
Tenant-like manner	<p>In <i>Warren v Keen</i> 1953, Lord Justice Denning said the tenant is under an obligation:</p> <p>'to use premises in a tenant-like manner [...] the tenant must take proper care of the place. He must, if he is going away for the winter, turn off the water and empty the boiler. He must clean the chimneys, when necessary, and also the windows. He must mend the electric light when it fuses. He must unstop the sink when it is blocked by his waste. In short, he must do the little jobs about the place which a reasonable tenant would do. In addition, he must, of course, not damage the house, wilfully or negligently; and he must see that his family and guests do not damage it; and if they do, he must repair it. But apart from such things, if the house falls into disrepair through fair wear and tear or lapse of time, or for any reason not caused by him, then the tenant is not liable to repair it.'</p> <p>Crown copyright material is reproduced under the Open Government Licence v2.0 for public sector information: www.nationalarchives.gov.uk/doc/open-government-licence/version/2/</p>
Transactional decision	A decision by a consumer relating to a potential or actual transaction and the decision points relating to this. Examples include decisions to accept an offer, view a property or commission a survey (defined in regulation 2 of the <i>Consumer Protection from Unfair Trading Regulations</i> 2008).
You	The responsible person.

Appendix B: Landlord's checklist

The following checklist is provided for inexperienced landlords to give a summary of some of the key aspects of this Code that they should follow. However, it is important that you read the whole Code to be familiar with all its suggested best practice and legal requirements.

- 1 Only use an agent that is accredited. This will provide valuable protections to you and your tenants (see [section 2.1](#)).
- 2 Be clear about all fees that tenants will have to pay you and your agents, and be proactive in making tenants aware of these in advance of them making a decision to take or renew a tenancy (see [section 2.2.6](#) and [section 2.2.7](#)).
- 3 You, or your agent, will have to provide tenants with various documents at different stages of letting the property. This must include an Energy Performance Certificate (EPC) and, where gas is provided at the property, a current Gas Safety Certificate (see [section 2.2.9](#)).
- 4 Make sure you advertise your property honestly and in accordance with the law. Do not mislead prospective tenants (see [section 3.1](#)).
- 5 Provide tenants with a clear written tenancy agreement, agree an inventory, and if you are taking a deposit make sure it is taken in accordance with the law and that relevant documents are served on time. (see [sections 3.6 to 3.8](#)).
- 6 Provide tenants with contact details, including a telephone number they can use in case of an emergency (see [section 4.1](#)).
- 7 Keep informed of developments in legislation affecting residential management so you keep wholly within the law (see [section 4.1](#)).
- 8 Be clear who is responsible for various bills and co-operate with your tenant to ensure they are only getting charged for their usage of the property (see [section 4.3.1](#)).
- 9 It is your responsibility to keep the property you rent out safe and in good repair. Be proactive in maintaining your property. You or your agent should let your tenant know how they can report repairs and should respond promptly and prioritise according to urgency (see [section 4.3.4](#)).
- 10 Houses in Multiple Occupation may require additional services/standards (see [section 4.3.6](#)).
- 11 You must provide working smoke and carbon monoxide alarms, a mandatory requirement from 1 October 2015. You should test electrical wiring at least every 10 years. You must test the electrical wiring every five years for certain Houses in Multiple Occupation, You must arrange an annual gas safety check (CP12) where gas is present (see [section 4.3.6](#)).
- 12 You cannot enter your tenant's home unless invited or with prior permission. You should give at least 24 hours' notice. Be specific in the tenancy agreement about what will happen in an emergency if you need access (see [section 4.3.7](#)).
- 13 Provide your tenant with clear instructions on what they should do at the end of a tenancy. Inspect the property within a day if possible. Make sure any deposit is released in accordance with the rules of the tenancy deposit scheme it is held under (see [sections 5.1 to 5.2](#)).
- 14 Monitor health and safety according to occupation. If one of your tenants is a vulnerable member of society, for example they are elderly or very young, it may mean you have to consider additional health and safety requirements (see [section 7.1](#)).
- 15 Provide tenants with a clear means of making complaints, including any dispute resolution schemes or mechanisms you are a member of. Ensure tenants are aware of the standards of behaviour they should follow and how they will be dealt with if they fail to meet such standards (see [section 7.6](#)).

Appendix C: Legislation referred to in this Code

Business Protection from Misleading Marketing Regulations 2008

Consumer Protection from Unfair Trading Regulations 2008

Consumer Rights Act 2015

Deregulation Act 2015

Gas Safety (Installation and Use) Regulations 1998

Health and Safety at Work etc. Act 1974

Housing Act 1988

Housing Act 2004

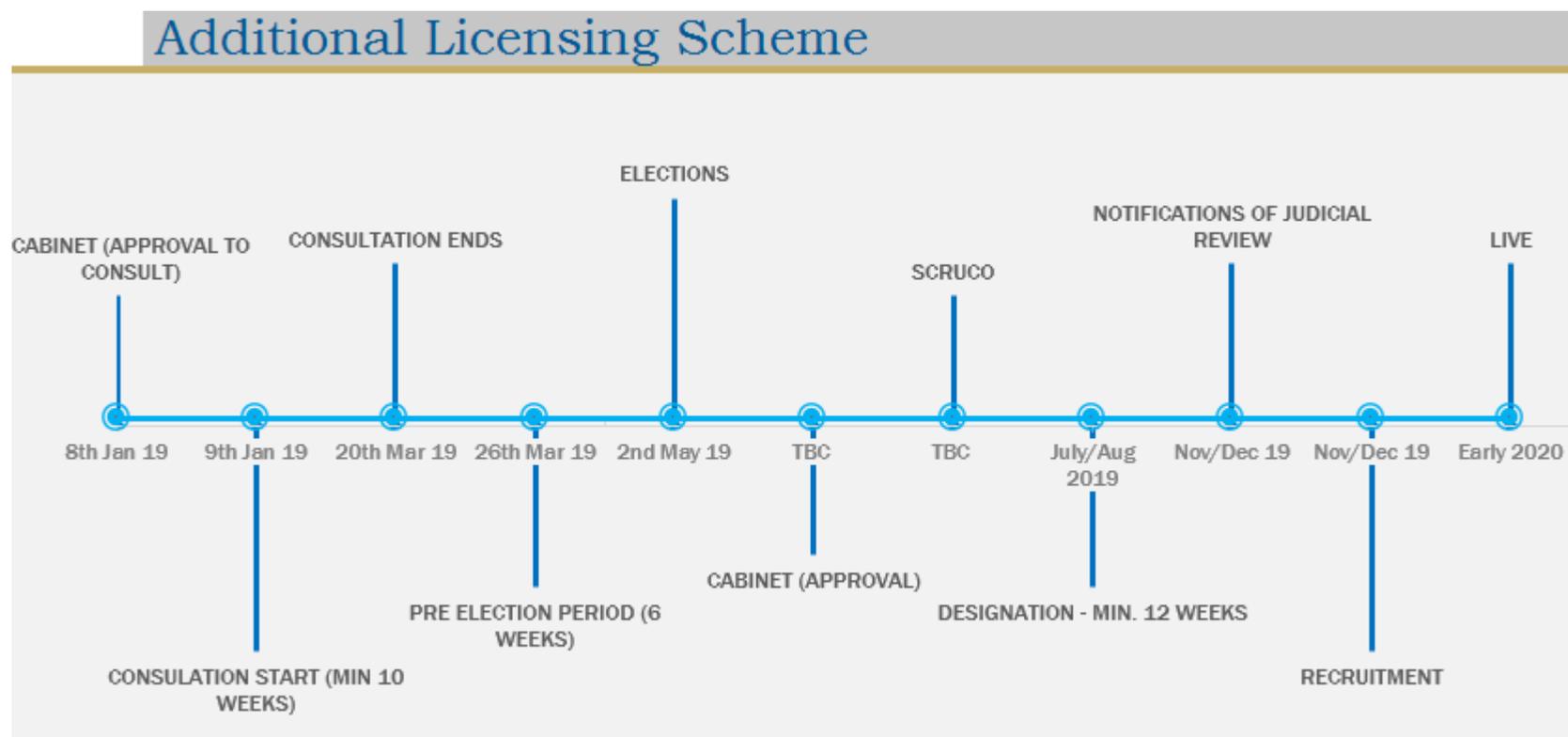
Immigration Act 2014

Supply of Goods and Services Act 1982

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 (subject to Parliamentary approval)

Unfair Contract Terms Act 1977

Appendix 4 – Timeline for Additional Licensing



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Appendix 3 – Additional Licensing Fees and Charges

Budget Year		<u>Oct 19/Mar 20</u>	<u>Apr 20/Mar 21</u>	<u>Apr 21/Mar 22</u>	<u>Apr 22/Mar 23</u>	<u>Apr 23/Oct 24</u>	<u>total</u>
New Applications							
Five Year Licence		75	500	300	0	0	875
Two Year Licence		50	200	250	250		750
Annual Licence		250	400	300	250	150	1350
Unlicensed Annual		75	200	150	100	100	625
Total Licensed		450	1300	1000	600	250	3600
Total HMOs							4000
% Licensed							90.0%
Renewals							
1 year		0	325	925	1375	1725	4350
2 year				50	200	250	500
Total renewals		0	325	975	1575	1975	4850
Income - New Applications	Fee						
New Applications							
Annual	£1,055.00	£ 263,750.00	£ 422,000.00	£ 316,500.00	£ 263,750.00	£ 158,250.00	£ 1,424,250.00
Annual unlicensed	£1,250.00	£ 93,750.00	£ 250,000.00	£ 187,500.00	£ 125,000.00	£ 125,000.00	£ 781,250.00
Two year	£705.00	£ 35,250.00	£ 141,000.00	£ 176,250.00	£ 176,250.00	£ -	£ 528,750.00
Five year	£640.00	£ 48,000.00	£ 320,000.00	£ 192,000.00	£ -	£ -	£ 560,000.00
Total		440,750.00	1,133,000.00	872,250.00	565,000.00	283,250.00	3,294,250.00
Income - Renewals							
Two year	£545.00	0.00	0.00	27,250.00	109,000.00	136,250.00	272,500.00
Annual	£545.00	0.00	177,125.00	531,375.00	858,375.00	1,076,375.00	2,643,250.00
Total		0.00	177,125.00	558,625.00	967,375.00	1,212,625.00	2,915,750.00
Overall income		440,750.00	1,310,125.00	1,430,875.00	1,532,375.00	1,495,875.00	6,210,000.00

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**Coventry City Council
Equality and Consultation Analysis (ECA) Form**

In line with the principles of decision making outlined in the City Council Constitution, the Council will ensure that its decision making is open and transparent, and that due regard is given to the Council's obligations and desire to promote equality of opportunity and equal treatment.

Form 1

This part must be completed and before formal consultation is undertaken and must be available during the consultation stage.

Author of this document: Faye Cockayne

Name of ECA and Service: Additional Licensing

Head of Service: Andrew Walster

Date of completion: December 2018

Background to the planned changes

1. What is the background to the planned changes? Why is this change being considered?

The Housing Act 2004 gave Local Housing Authorities the power to introduce Additional Licensing of Houses in Multiple Occupation (HMOs) within part or all of their area.

Coventry is well known nationally and internationally as the city of peace of reconciliation. It has also recently been awarded the City of Culture for 2021. However there have long been serious problems, especially around housing. For thousands of people coming to study the condition of accommodation for rent can be very poor. In addition, due to the problems associated with a lack of housing supply many people are forced to rent privately. This is particularly relevant for young professionals and migrant workers. The large numbers of people looking to rent, and the lack of affordable housing available to buy have conspired to present failures in the operation of the housing market.

For many years the Council has been looking for effective means of assisting and encouraging improvements in the quality of houses in multiple occupation (HMOs) let out in Coventry. The HMO sector is a substantial element of the private rental market.

These informal approaches met with a degree of success but the scope of such intervention is very limited and many wards across the City still present significant problems with HMOs. The other tools available remain an option but prosecution for breaches of Regulations is a cumbersome procedure and one that is essentially negative – albeit appropriate in the right circumstances.

The mandatory licensing of HMOs has been effective in regulating and improving the standard of accommodation offered to let in Coventry. Licensing encourages a

Coventry City Council Equality and Consultation Analysis (ECA) Form

positive interaction with landlords and allows for the problems presented by each house to be managed on an individual basis through a bespoke set of licence conditions.

Additional licensing spread over the whole of the City will allow for those positive effects to be extended and for the benefits to be available to everybody. The Council believes that licensing all HMOs is essential for bringing about improvements in Coventry's rental stock. There is a very strong commitment from the Council for this development and the licensing of all HMOs is an indispensable element in that work.

HMOs make a considerable contribution to the vibrancy of the City's economy and the Council appreciates the work good landlords do in providing decent living accommodation. It is imperative that all landlords in the City are encouraged to operate minimum standards that anyone should be able to expect when renting such accommodation.

The significance of HMOs in Coventry is only likely to increase. The pressures on the City's housing market are such that house prices are likely to continue to rise restricting further those households who cannot access the property ladder. In turn, this will mean that for a greater number of people who live in the Private Rented Sector (PRS), the only chance of a decent home is in a properly managed and well regulated, licensed house in multiple occupation.

In areas where Additional Licensing applies, landlords must apply for a licence if they want to rent out a HMO that is not currently subject to the Mandatory HMO licensing regime. This means the Council can check whether they are a "fit or proper person" to be a landlord, as well as making other stipulations concerning management of the property and appropriate safety measures.

An additional licensing scheme can be introduced if the Council is satisfied that a significant proportion of the HMOs are being poorly managed and are giving rise, or likely to give rise, to problems affecting the occupiers or members of the public.

Coventry City Council is proposing to designate the whole of its area as subject to Additional Licensing for HMOs under Part 2 of the Housing Act 2004.

2. Who do you need to consider as part of this ECA?

- Accredited landlords/letting agents
- Cabinet Member
- CABs
- Community Safety
- Council for the disabled/access groups
- Disability Forums
- Existing tenants
- Landlords
- Lead Party Members
- Local media
- Local people
- Members of Parliament

Coventry City Council Equality and Consultation Analysis (ECA) Form

- National and Regional landlord agencies, Eg. National Landlord Association, Guild of Residential Landlords, Association of Residential Rights, Residential Landlord Association
- Opposition Members
- Public Health
- Registered Social Landlords
- Resident Associations
- Specialist press
- Statutory stakeholders
- Students
- Universities
- Voluntary Action Coventry
- Voluntary/community organisations
- West Midlands Combined Authority
- West Midlands Fire Service
- West Midlands Police

Pre-Consultation Engagement

This section refers to any activities that took place (such as briefings, meetings, workshops, scoping exercises etc) with stakeholders before the formal consultation period.

3. What engagement activities took place prior to formal consultation and what feedback (if any) was received in relation to equality issues?

None yet. A formal stakeholder and public consultation will take place between 9 January 2019 and 20 March 2019.

Analysis of Impact

4. Outline below how this proposal/review could impact on protected groups positively or negatively, and what steps/mitigations (if any) could be taken to reduce any negative impact that has been identified.

The common inequalities in respect of protected characteristic groups are shown below. The proposals recognise that one of the City's strengths is its diversity and to ensure that there is equality and fairness for all. In this regard, we will adopt an inclusive and principally locality driven approach to the implementation of the licensing as well as focusing on the issues faced by protected characteristic groups.

As part of the license application process, landlords will need to show that when carrying out their business they have not (amongst other things) practised unlawful discrimination and must meet license conditions on how they manage their properties. The licensing scheme should have a positive effect on anti-social behaviour and this may have a positive impact for protected characteristic groups and those who may be persecuted or their race, religion, sexual orientation or

Coventry City Council Equality and Consultation Analysis (ECA) Form

gender.

Coventry is the second largest city in the region by population, with a population estimated to be in excess of 350,000. The city is also the 9th largest in England, and its population places it as the 12th largest in the UK.¹

Between 2012 and 2013, the city's population increased by over 2%. A significant number of migrants have contributed to the city's population, which is expected to continue into the future as Coventry will see steady population increases.

Census 2011 data suggests that Coventry's population has a much younger age profile than England in general; it is the younger population that is on the increase with a decline in the over 75's.

Age – The English Housing Survey 2016/17 (EHS) reported, that the PRS has now grown to 20%, up from 19% in 2013-14 and 11% in 2003 and that a larger proportion of 25- to 34-year-olds now rent their home.

So the additional licencing will have a positive effect on young people especially as rising house prices have seen many young people priced out of buying a home which is apparent from the results of the EHS which acknowledges that *“While the under 35s have always been overrepresented in the private rented sector, over the last decade or so the increase in the proportion of such households in the private rented sector has been particularly pronounced. In 2006-07, 27% of those aged 25-34 lived in the private rented sector. By 2016-17 this had increased to 46%. Over the same period, the proportion of 25-34 year olds in owner occupation decreased from 57% to 37%. In other words, households aged 25-34 are more likely to be renting privately than buying their own home, a continuation of a trend first identified in 2012-13. As with those aged 35-44, the proportion of 25-34 year olds in the social rented sector did not change”*.

The average age of Coventry's residents is 33 years, notably lower than the England average of 40 years, and is falling. In 2007 when the Coventry population started to grow the average age was 36 years. The young average age is partly because the City is home to two large universities - Coventry is one of the top 20 towns and cities in the UK in terms of the proportion of the population who are students (source: Census 2011).

Disability – The additional licencing will have a positive effect on tenants with disabilities who often face particular problems when renting properties. They may particularly have problems with security of tenure. Landlords are reluctant to facilitate property adaptations. Tenants with health issues are also much more likely to be affected by problems with damp and housing disrepair issues and may face problems with getting repairs done more quickly. Disabled tenants are much more impacted by the cold and issues such as no heating or hot water affect them more. Disabled tenants who have assistance dogs also have more problems renting properties as these are seen as pets.

¹ <https://www.ukpopulation.org/coventry-population/>

Coventry City Council Equality and Consultation Analysis (ECA) Form

Gender reassignment - Although the proposals are not believed to have adverse impacts on this group, we do know that this is a group that experiences discrimination and this may impact on their ability to rent property

Marriage/Civil Partnership – There is not believed any impact on this group

Pregnancy/Maternity – Although it is not believed there is any significant impact on this group.

Race – Property investment by the Asian community is widespread and often a means to support their families both within the UK and in Pakistan and India. There may be a negative impact on this group as the cost of the scheme may affect their property portfolios.

The Office for National Statistics (ONS) reported in 2014 that overall for the UK as a whole, the proportion of the population born outside of the UK was 13% (8.3 million of 63.7 million). In Coventry the figures for 2014/15 were reported to be 24% non UK born, almost twice the national average.

According to the 2011 Census, Coventry as a local authority has experienced the greatest migration since 2001 - second only to London. (not relevant to this ECA
The additional licencing will have a positive effect on race as the 2011 Census tells us that 1 in every 5 people living in Coventry (21%) were born outside the UK. People move in and out of the city every year, including students studying at the city's two universities from both the UK (37,580) as well as an estimated 19,160 overseas students (2016-2017 figures)². 14,035 students enrolled from Non-EU countries and 5,125 from EU countries. The condition of rented housing will be more suitable for habitation for people from all communities by reducing inequalities within the City and addressing migrant health as a clear priority.

. Not relevant to equalities

Religion/belief –. Some religions are unable to receive interest from investments and this proposal may impact on members of those religions.

Sex – There are not believed to be any specific impacts on this group. However, if landlords increase rents to cover the cost of the license, this will impact all renters.

Sexual orientation - Although the proposals are not believed to have adverse impacts on this group, we do know that this is a group that experiences discrimination and this may impact on their ability to rent property.

5. Are there any other vulnerable groups that could be affected?

² <https://www.hesa.ac.uk/news/11-01-2018/sfr247-higher-education-student-statistics/location>

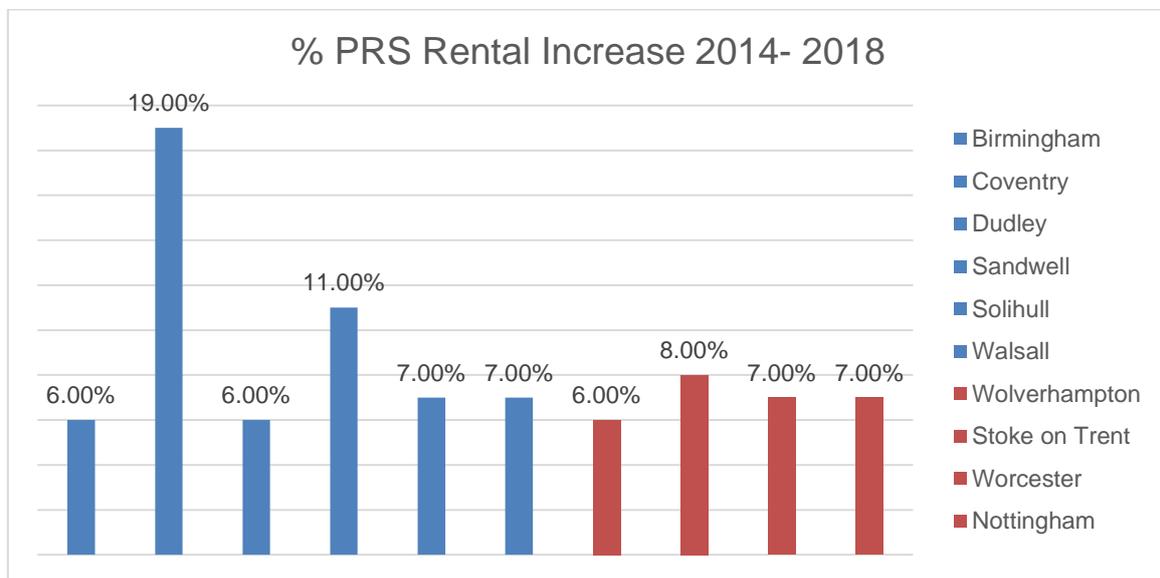
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Socio-economic - people in lower socio-economic groups, those in routine/semi routine jobs and those who are long term unemployed or have never worked are often those most impacted by poor quality accommodation and the additional licencing will have a positive effect in this area They are also more likely to live in private rented accommodation. However, this group will be significantly affected if landlords increase rent to cover the cost of the license or improvements required to comply.

The Council has conducted some research into this area and made a comparison of rents from 2014- 2018 between areas in England that had discretionary licencing schemes and those that did not, in order to establish if there was any evidence to show that discretionary licencing increases rent.

As can be seen from Figure 2 below rental values increased in Coventry, on average by 19% between 2015 and 2018 compared to 11% in the West Midlands and 8% England over the same period. The increases in rent occurred in Coventry without the existence of a licencing scheme whilst lesser increases occurred across areas of the West Midlands where licencing is in operation – those shown in red (Wolverhampton 6%, Stoke 8%, Worcester 7% & Nottingham 7%). The evidence therefore suggests that despite the perception that licencing increase rents it is **not** the main contributing factor.

Figure 2 - Comparison of Rents in Areas with and without Licencing



Health – The additional licencing will have a positive effect on health as it is well reported that poor housing conditions, including overcrowding and homelessness, are associated with an increased health risk, specifically of cardiovascular diseases, respiratory conditions and mental health problems. In Coventry, as of the 2011 census, 61% of homes were owner occupied (69% in 2001) and 17% were rented from the Housing Association or a Social Landlord (18% in 2001). In addition, 9.5% of housing was deemed overcrowded.

**Coventry City Council
Equality and Consultation Analysis (ECA) Form**

6. What are the gaps in evidence? Can this be addressed during the consultation stage?

There is limited data on inequalities in the private rented sector related to marriage/civil partnership issues. It is unlikely that additional data will be gathered on this during the consultation stage, this will be considered as part of future information gathering exercises.

7. What are the likely impacts of this project/review on staff from protected groups? None (this would relate to staff from the equality groups losing their jobs)

Coventry City Council
Equality and Consultation Analysis (ECA) Form

Form 2

This section should be completed AFTER any consultation has been concluded.

Author of this document:

Date of completion:

Potential Impacts – further information

8. Referring to the information detailed in question 4 of ECA Form 1, state if the potential impacts have been confirmed. Also detail below any additional information about potential impacts that has been highlighted during any consultation.

Outcome of equality impact

9. Indicate which of the following best describes the equality impact of this project/review:

There will be **no** equality impact if the proposed option is implemented

There will be **positive** equality impact if the proposed option is implemented

There will be **negative** equality impact if the proposed option is implemented but this can be objectively justified

There will be both **positive and negative** impacts if the proposed option is implemented

Summary of ECA

Write a paragraph below which summarises the key aspects of this ECA.

This paragraph should be included in the Equalities/EIA section of any Cabinet/Cabinet Member Report.

Coventry City Council
Equality and Consultation Analysis (ECA) Form

Approvals from Director and Cabinet Member

Name of ECA Author

Date

Director:

Cabinet Member:

Please detail below any committees, boards or panels that have considered this analysis.

Name

Date

Chair

Decision taken

Next steps

Please send this completed ECA to the Insight Team as follows:

Wendy Ohandjanian (wendy.ohandjanian@coventry.gov.uk tel. 7683 2939)

Jaspal Mann (jaspal.mann@coventry.gov.uk tel. 7683 3112)

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Cabinet
Council

08 January 2019
15 January 2019

Name of Cabinet Member:

Cabinet Member for Policy and Leadership – Councillor G Duggins

Director Approving Submission of the report:

Deputy Chief Executive (People)

Ward(s) affected:

All

Title:

LGA Corporate Peer Challenge – Outcome of Peer Challenge

Is this a key decision?

No – Although this report affects all Wards, the impact is not expected to be significant

Executive Summary:

The Local Government Association (LGA) is the national voice of local government, working with Councils to support, promote and improve local government. A major part of the LGA support is the offer to each Council to have a Corporate Peer Challenge every four or five years.

In 2018 it was agreed that Coventry City Council would host an LGA Corporate Peer Challenge. The Peer Challenge took place from 9th to 12th October 2018. The visit focused on how we understand our place and set our priorities, our leadership and governance, financial planning, and our capacity to deliver on what we set out to achieve. These areas are considered by the LGA in all Local Authorities that they visit to conduct a Peer Challenge.

We also asked the Peer Team to look at our approach to housing and homelessness, our readiness for UK City of Culture 2021, how we make the most of social value in our capital projects and our One Coventry approach. These areas were specifically chosen on the basis that they would benefit from some external challenge and feedback on both current and future delivery plans.

A high-level feedback session was held on the final day, in advance of the feedback report being produced.

In summary, during the course of the Peer Challenge week, the Peer Team found that:

- pride and passion of employees and partners for their work and the city really stood out
- Coventry City Council is seen as a good partner and a key player within a wider cultural and economic geography
- this is now a 'point of step change' for the city and the Council
- there are some areas where further work is needed. These areas are described in the 'Key recommendations' section of the LGA's feedback report (Appendix A).

Following the Peer Challenge visit, the Council has reflected on the Team's findings and suggestions in order to determine its response to the recommendations that have been made. It is the responsibility of the Extended and Corporate Leadership Teams to have oversight of, and accountability for, delivery of this work.

The full Peer Challenge Feedback Report is provided as an appendix to this report (Appendix A).

Recommendations:

Cabinet is requested to:

- 1) Support the work of the Extended and Corporate Leadership Teams to evidence delivery of actions outlined in Appendix B, in response to recommendations made by the Peer Challenge Team
- 2) Consider any comments of the Chair of Scrutiny Co-ordination Committee in relation to the outcome of the Peer Challenge

Council is requested to:

- 3) Note the contents of the Peer Challenge Team's Feedback Report, associated Council Response document and support the work of the Extended and Corporate Leadership Teams response to recommendations made by the Peer Challenge Team

List of Appendices included:

Appendix A:

LGA Corporate Peer Challenge – Feedback Report

Appendix B:

Council Response to Peer Team Recommendations

Background papers:

None

Other useful documents

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

Yes – 15th January 2019

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Report title: LGA Corporate Peer Challenge – Outcome of Peer Challenge

1. Context (or background)

- 1.1 Peer Challenge is a core element of the LGA's sector-led improvement offer to local authorities. The activity is improvement focused, with the scope being agreed by the Council and tailored to reflect local needs and specific requirements.
- 1.2 In early 2018, the Council held an initial scoping meeting with the Local Government Association to determine the main focus (in addition to the core areas) of the challenge. Discussion focused on when it would be best to undertake the onsite activities, the nature and composition of the Peer Team and the results the Council was seeking to achieve. It was subsequently agreed that a Corporate Peer Challenge would take place in October 2018.
- 1.3 The core components of each Corporate Peer Challenge relate to leadership, governance, corporate capacity and financial resilience. These elements help Councils to check they have the capacity to continue to deliver their local priorities. The core components are described below:
 - 1) Understanding of the local place and priority setting
Does the Council understand its local context and place and use that to inform a clear vision and set of priorities?
 - 2) Leadership of place
Does the Council provide effective leadership of place through its elected members, officers and constructive relationships and partnerships with external stakeholders?
 - 3) Financial planning and viability
Does the Council have a financial plan in place to ensure long-term viability and is there evidence that it is being implemented successfully?
 - 4) Organisational leadership and governance
Is there effective political and managerial leadership supported by good governance and decision-making arrangements that respond to key challenges and enable change and transformation to be implemented?
 - 5) Capacity to deliver
Is organisational capacity aligned with priorities and does the Council influence, enable and leverage external capacity to focus on agreed outcomes?
- 1.4 In addition, Coventry City Council asked the LGA to provide further input into the following areas that would benefit from some external challenge and feedback on both current and future delivery plans by:
 - 1) Considering the potential for the One Coventry approach to enable the delivery of the Council Plan, the Cultural Strategy and other major Council projects and programmes

- 2) Testing how well the One Coventry approach is shared and owned by Council officers and Elected Members
 - 3) Challenging the social value of the Council's capital works programme
 - 4) Reflecting on the readiness of the City Council, with partners, to deliver the City of Culture
 - 5) Using best practice from elsewhere to inform the development of Coventry in addressing housing and homelessness issues
- 1.5 There is an expectation that the outcomes and resulting action plan, is owned and delivered by the City Council, whilst recognising that the Council neither can, nor should, seek to do everything itself.
 - 1.6 In respect of the co-ordination of the Peer Challenge, the LGA and the Council worked together to agree the timetable of activities and ensure the input of partners. The Corporate Peer Challenge took place from 9th to 12th October 2018. The Peer Team spoke to more than 150 people during their time in Coventry, including a range of Council staff, Councillors, external partners and stakeholders, across 35 interviews and workshops. The Team collectively spent more than 225 hours determining their findings – the equivalent of 1 person spending more than 6 weeks in Coventry.
 - 1.7 A 'Position Statement' was required to be submitted to the LGA, in advance of the onsite activities. This document provided a narrative on the Council's ambitions, progress and challenges at the time of writing.
 - 1.8 The Peer Challenge concluded on 12th October 2018 with a roundtable high-level feedback discussion where the Peer Team shared their findings with Senior Officers and Elected Members. The LGA's draft feedback report was shared with the Council in November 2018 (Appendix A), providing a detailed response regarding these findings and including recommendations for the Council to consider.
 - 1.9 The Peer Challenge did not provide an overall performance rating but it did highlight what is working well and where there are opportunities for improving. It is now a matter for the Council, with the support of its partners, to decide how the areas for improvement identified during the Peer Challenge are taken forward.
 - 1.10 In summary, the Peer Team found that pride and passion of employees and partners for their work and the city really stood out across the week. They also found that the workforce was responding positively to changing ways of working. In addition, they acknowledged that there is a recognised need for a shared vision for working in partnership across the Council and the city. Positively, the Peer Team identified that the Council is integral to what is being achieved in the city and is held in high regard by those it works with, the Council being a key player within a wider cultural and economic geography.
 - 1.11 The Peer Team also reported that the extent and pace of transformation in Coventry is notable, acknowledging that the Council had recently submitted proposals for, and won, a number of external awards and bids. The Peer Team felt that the approach to winning UK City of Culture 2021 bid was impressive, along with other accolades such as European City of Sport 2019 and being a

Commonwealth Games host city in 2022. Since hosting the Peer Challenge, the Council has also been shortlisted for the prestigious Local Government Chronicle (LGC) Council of the Year 2019 award, in addition to being shortlisted in the Driving Growth category, where Councils have to evidence their impact on the economy and show their success in building partnerships with employers and investors.

- 1.12 The Peer Team also, importantly, highlighted that this was now a 'point of step change' for the city and the Council and outlined some areas where further work is needed and areas where we could learn from others. The Peer Team highlighted the importance of providing further clarity on where to focus resources and what to concentrate on in the short-term relative to what can follow over subsequent months and years. This will help us make a difference to the city and lives of local people with the resources we have available.
- 1.13 The Council has begun to reflect on these findings and suggestions in order to determine its response to the recommendations identified by the Peer Team during their time in Coventry (Appendix B).
- 1.14 The LGA feedback report highlights 10 main recommendations, specifying areas for improvement, arising from the Peer Challenge. The recommendations are as follows:
 - a) Prioritising action to tackle homelessness by:
 - Replacing expensive bed and breakfast with cheaper temporary accommodation options
 - Increasing the supply of social rented and affordable private rented accommodation so it exceeds projected temporary accommodation demand
 - Making greater use of peer or external challenge to continue to develop our response
 - b) Ensuring the work to deliver against the projected balanced budget position for 2019/20 is successfully concluded
 - c) Learning from other public sector best practice on industrial relations, pay and reward models and HR policy and practice
 - d) Taking the opportunity to enhance the way the council communicates with residents and delivers customer service
 - e) Driving the digital agenda harder and faster
 - f) Being very mindful of those staff who have not yet benefited from the changes to ways of working and accommodation and responding to the thirst amongst staff for knowledge and input
 - g) Hard-wiring the legacy and inclusive growth potential of the City of Culture and the cultural strategy
 - h) Determining what 'One Coventry' is and the role it can play in helping the city and the council respond to the challenges being faced
 - i) Taking forward the recognised need for a shared vision for working in partnership across the council and the city
 - j) Strengthening delivery of the change programme to support the transformation agenda

- 1.15 The Council's response (Appendix B) describes the work that is being undertaken to address each recommendation. Much of this is already in progress. The Council's response has been developed in a manner that is intended to give clarity and focus to the existing programmes of work that are already in place rather than creating a standalone set of activities. For example, work is already underway to develop a Housing and Homelessness strategy and action plan.
- 1.16 Some of the work to address the Peer Team recommendations is complex, requiring input from a range of stakeholders and consideration of resource requirements but this will only become clear as the work progresses.
- 1.17 There is an expectation that each Council will commit to a follow-up visit within 2 years of their Peer Challenge. The purpose of this is to help the Council assess the impact of the Peer Challenge and demonstrate the progress it has made against the areas of improvement and development identified by the Peer Team. The timing of this visit is to be determined by the Council.
- 1.18 The current LGA sector-led improvement support offer includes an expectation that all Councils will have a Corporate Peer Challenge or Finance Peer Review every 4 to 5 years. It is therefore anticipated that Coventry will commission its next Peer Challenge by 2023.

2. Options considered and recommended proposal

- 2.1 Participation in the process was optional however all Councils are encouraged to take up the Peer Challenge offer, at a time of their choosing, as an effective tool for improvement. More than three quarters of Councils have now commissioned a Corporate Peer Challenge. Independent evaluations of the LGA's Corporate Peer Challenge programme have concluded that there is a positive impact and a range of benefits from the Council receiving a Peer Challenge.
- 2.2 Cabinet is recommended to support the Council in delivering the work to address the recommendations identified in the LGA's feedback report.

3. Results of consultation undertaken

- 3.1 There was no specific consultation undertaken, however a range of partner organisations and stakeholders were engaged in the Peer Challenge. Trade Unions were also briefed on the review and its outcomes.

4. Timetable for implementing this decision

- 4.1 The improvement plan associated with the Peer Challenge will be monitored through the One Coventry Change Board and Strategic Management Board with implementation responsibility as identified in the action plan.
- 4.2 As outlined above, there is an expectation that the Council will commit to a follow-up visit within 2 years of the Peer Challenge. This will provide some assurances on progress following the Peer Team's initial visit.

5. Comments from Director of Finance and Corporate Services

5.1 Financial implications

There are no specific financial implications associated with this report. Should it transpire that the delivery of any of the specific actions require, additional resources, these will be managed across the total available system resources, ensuring appropriate organisational governance is in place.

5.2 Legal implications

There are no specific legal implications associated with this report.

6. Other implications

6.1 How will this contribute to the Council Plan

Progressing the areas identified during the Peer Challenge will make a positive contribution to the delivery of the Council's priorities, particularly in relation to promoting the growth of a sustainable Coventry economy and improving the quality of life for Coventry people.

6.2 How is risk being managed?

The Council's Strategic Management Board will be responsible for oversight of delivery of Peer Challenge recommendations. Where recommendations are associated with other change or improvement programmes, risk will be managed through individual programme governance arrangements.

6.3 What is the impact on the organisation?

There are no direct implications at this stage.

6.4 Equalities / EIA

No specific analysis of equality impacts was completed in the course of the Peer Challenge.

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

Although led by the City Council the Peer Challenge included a number of partner organisations as well as representatives from various partnership boards across the city and wider geographical area. Progressing the improvements identified will require input and leadership from everyone.

Report author(s):**Name and job title:**

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Martin Yardley	Deputy Chief Executive	Place	29/11/18	10/12/18
Martin Reeves	Chief Executive	-	29/11/18	03/12/18
Councillor G Duggins	Cabinet Member for Policy and Leadership	-	10/12/18	10/12/18

This report is published on the council's website: www.coventry.gov.uk/councilmeetings



Corporate Peer Challenge **Coventry City Council**

9th to 12th October 2018

Feedback Report

1. Executive Summary

There is tremendous pride in Coventry. A huge buzz and excitement exists – centred on both the here and now and the potential that has been created through the work of the council and its partners in recent years. Key aspects of this include the city centre regeneration and public realm improvements, the international events being hosted over the coming years, the inward investment taking place and the digital infrastructure that is being established. The council has been integral to what is being achieved and can be very proud of the role it has played.

The council recognises the social and economic challenges that exist for Coventry, including the number of children in the care of the local authority, the very significant housing and homelessness challenge and variations in life expectancy across different parts of the city. As the city faces up to these challenges it does so on solid foundations of good partnership working. The council is held in high regard by those it works with.

Relationships within the council are founded upon mutual respect and there are comprehensive formal and informal working arrangements between officers and elected members. Whilst this set of arrangements can be seen to be resource intensive, they provide for an inclusive and thorough approach that engages councillors at all levels and facilitates smooth decision-making.

The council is proud of having successfully met the financial challenge to date. There is recognition that work remains to ensure the planning for this year and next translates into successfully concluded savings and reductions. There is much less certainty for the council regarding the financial position in 2020/21, although the authority is currently projecting a gap of £20m. This gap, combined with the cumulative impact of the savings required to date, is starting to inform thinking that the status quo, in terms of what the council delivers and how it operates, cannot be maintained.

The council is combining its traditional values – centred on delivering for local people – with a growing track record of innovation and managed risk-taking. This is reflected in the emergence of new ways of working and an increasing appetite around investment opportunities and commercial ventures.

'One Coventry' – the narrative that outlines the council's objectives, key strategies and approaches – is seen as new and the start of something although there is actually a long 'back story' to it. Making it clearer that 'One Coventry' has this history would be useful in helping people to see it as an amalgam of things long-established rather than a new concept which has suddenly emerged. It is important for the council to determine what 'One Coventry' is and where it goes from here. With it having been set in train, time is of the essence.

Coventry has a strong reputation as an evidence-led organisation. The importance of the residents' voice is recognised within the council and there are good examples of the way it has engaged local people. There is an opportunity for the council to enhance the way it communicates with residents and delivers customer service. Whilst there has been something of a shift towards using social media more, there is a lot of potential that has not yet been fulfilled. A similar situation exists in relation to customer service, with an

emphasis continuing to be placed on people contacting the council by telephone or visiting in person. The creation of the Customer Service Centre has created a more streamlined approach but there is a great deal of frustration for both customers and council staff with the fragility of the authority's telephony system.

Staff that we met from across the organisation both feel and contribute to the sense of pride that exists in Coventry and the buzz and excitement that exists. They are passionate about their work, embody what the city stands for and are responding positively to changing ways of working. The council's move to Friargate and the complementary introduction of 'agile working' has generated significant benefits. The organisation is working increasingly corporately and staff reflected to us just how highly they value the flexibility they now have in terms of where and how they work.

Staff are also welcoming the increasing two-way engagement with the council's leadership which is being seen. There is a thirst there for knowledge and input, with them being keen to play an increasing role in informing the council's thinking and helping to find solutions. We would encourage the council to be very mindful though of those staff who have not yet benefited from the changes that have been made and the need to ensure all staff across the organisation can contribute and be involved.

Capacity pressures are being felt within the organisation and careful thought is required about how to address them. This is as much an issue of prioritisation as it is one of investment, with a recognition that the financial challenge is on-going. The demands facing the organisation require it to be able to get the best out of its people by being able to operate flexibly. To facilitate this, we would encourage the council to learn from other public sector best practice on industrial relations, pay and reward models and HR policy and practice.

Coventry has been awarded the title of 'UK City of Culture 2021'. The approach to winning the bid was impressive and what is being done is brave and bold. The potential of being the host city is enormous, in the lead up to 2021, during the year itself and, crucially, long after the year has concluded. There stands to be a place legacy and there is total commitment to securing a legacy for the people of the city too. 'Hard-wiring' the people legacy and inclusive growth is crucial if the City of Culture is to be deemed to have been successful. Getting the regional dynamic of the City of Culture right will be important too, with Coventry, as the host city, being the hub of a wider cultural geography.

The housing and homelessness challenge being faced in the city is very significant. There is a need for over 42,000 homes to be built in the twenty years to 2031, including 12,000 'affordable' homes. Homelessness continues to represent a rapidly growing policy and financial pressure for the council. Although increasing rough-sleeping is the high profile manifestation of this, the biggest challenge remains the number of homeless families in temporary accommodation. A new housing and homelessness strategy and action plan are being developed.

The prevention of homelessness is now being seen as a corporate priority, there is more understanding of the situation and investment is clearly being made. There is recognition that commissioning around homelessness services needs to be more clearly focused and joined up. Council staff demonstrated huge commitment to addressing the issue and

people across the organisation are clearly working together much more now. Staff do, however, have a desire for clearer strategic leadership of the homelessness agenda and greater clarity of priorities.

The actions being taken are not yet sufficient to address the scale of the homelessness problem being faced. The council should prioritise action to replace expensive bed and breakfast with cheaper temporary accommodation options and increase the supply of social rented and affordable private rented accommodation so it exceeds projected temporary accommodation demand. This needs to be achieved in the short term. However, the overall housing and homelessness strategy needs to be progressed at the same time.

The council is seen as one of the most pro-active local authorities to work with in terms of promoting social value. Our discussions identified opportunities to enhance things further by building on the good practice that already exists, including the opportunity to link social value contributions to council priorities more clearly.

2. Key recommendations

There are a range of suggestions and observations within the main section of this report that will inform some 'quick wins' and practical actions, in addition to the conversations on-site – many of which provided ideas and examples of practice from other organisations. The following are the peer team's key recommendations to the council:

- Prioritising action to tackle homelessness by:
 - Replacing expensive bed and breakfast with cheaper temporary accommodation options
 - Increasing the supply of social rented and affordable private rented accommodation so it exceeds projected temporary accommodation demand
 - Making greater use of peer or external challenge to continue to develop our response
- Ensuring the work to deliver against the projected balanced budget position for 2019/20 is successfully concluded
- Learning from other public sector best practice on industrial relations, pay and reward models and HR policy and practice
- Taking the opportunity to enhance the way the council communicates with residents and delivers customer service
- Driving the digital agenda harder and faster
- Being very mindful of those staff who have not yet benefited from the changes to ways of working and accommodation and responding to the thirst amongst staff for knowledge and input

- Hard-wiring the legacy and inclusive growth potential of the City of Culture and the cultural strategy
- Determining what 'One Coventry' is and the role it can play helping the city and the council respond to the challenges being faced
- Taking forward the recognised need for a shared vision for working in partnership across the council and the city
- Strengthening delivery of the change programme to support the transformation agenda

3. Summary of the Peer Challenge approach

The peer team

Peer challenges are delivered by experienced elected member and officer peers. The make-up of the peer team reflected your requirements and the focus of the peer challenge. Peers were selected on the basis of their relevant experience and expertise and agreed with you. The peers who delivered the peer challenge in Coventry were:

- Alison McKenzie-Folan, Deputy Chief Executive, Wigan Metropolitan Council
- Councillor Jon Collins, Leader, Nottingham City Council
- Mark Lloyd, Chief Executive, Local Government Association
- Kate Waterhouse, Head of Performance, Research and Intelligence, Manchester City Council
- Terrie Alafat, Chief Executive, Chartered Institute of Housing
- Dan Korski, Co-founder, PUBLIC
- Chris Bowron, Programme Manager, Local Government Association

Scope and focus

The peer team considered the following five questions which form the core components looked at by all corporate peer challenges. These are the areas we believe are critical to councils' performance and improvement:

1. Understanding of the local place and priority setting: Does the council understand its local context and place and use that to inform a clear vision and set of priorities?

2. Leadership of place: Does the council provide effective leadership of place through its elected members, officers and constructive relationships and partnerships with external stakeholders?
3. Organisational leadership and governance: Is there effective political and managerial leadership supported by good governance and decision-making arrangements that respond to key challenges and enable change and transformation to be implemented?
4. Financial planning and viability: Does the council have a financial plan in place to ensure long term viability and is there evidence that it is being implemented successfully?
5. Capacity to deliver: Is organisational capacity aligned with priorities and does the council influence, enable and leverage external capacity to focus on agreed outcomes?

Alongside these questions, the council asked the peer team to:

1. Consider the potential for the 'One Coventry' approach to enable the delivery of the council plan, the Cultural Strategy and other major council projects and programmes
2. Test how well the 'One Coventry' approach is shared and owned by council officers and elected members
3. Challenge the social value of the council's capital works programme
4. Reflect on the readiness of the council, with partners, to deliver the city of culture
5. Use best practice from elsewhere to inform the development of Coventry in addressing housing and homelessness issues

The peer challenge process

It is important to stress that this was not an inspection. Peer challenges are improvement focused and tailored to meet individual councils' needs. They are designed to complement and add value to a council's own performance and improvement. The process is not designed to provide an in-depth or technical assessment of plans and proposals. The peer team used their experience and knowledge of local government to reflect on the information presented to them by people they met, things they saw and material that they read.

The peer team prepared for the peer challenge by reviewing a range of documents and information in order to ensure they were familiar with the council and the challenges it is facing. The team then spent four days on-site in Coventry, during which they:

- Spoke to more than 150 people, including a range of council staff, councillors and external partners and stakeholders

- Gathered information and views from more than 35 different interviews and focus groups, a tour of the city centre and additional research and reading
- Collectively spent more than 225 hours to determine their findings – the equivalent of one person spending more than six weeks in Coventry

This report provides a summary of the peer team's findings. It builds on the feedback presentation provided by the peer team on Friday 12th October at the end of their visit. In presenting feedback to the council, they have done so as fellow local government officers and elected members, not professional consultants or inspectors. By its nature, the peer challenge is a snapshot in time. We appreciate that some of the feedback may be about things the council is already addressing and progressing.

4. Feedback

4.1 Understanding of the local place and priority-setting

Coventry has a strong reputation as an evidence-led organisation. This has been demonstrated through the development and use of the Joint Strategic Needs Assessment (JSNA), which provides a shared collective understanding of Coventry's communities. To supplement this, the council is seeking to use Public Health intelligence more widely to inform thinking and planning around key programmes and cross-cutting themes, such as social value. As an example, evidence-based policy is informing some of the decisions on the planning and reforming of public spaces to deliver clean air and promote opportunities for physical activity.

Insight has also been used with transformation activity, including the conducting of Equalities Impact Assessments and work to model the impact of early years, youth services and libraries re-design work based on asset-based approaches to community engagement such as deliberative consultation events. Insight and engagement is also embedded in the approach to place-based commissioning via the Local Public Service Board. The approach will be strengthened further through the council's newly formed Community Resilience Team.

The importance of the residents' voice is recognised within the council and there are good examples of the way they have engaged local people. This includes the 'Connecting Communities' programme, which has involved engaging individual residents, groups and organisations in looking at how services can be provided differently. Eight Family Hubs, alternative forms of nursery provision and the revised library service have all been established as a result. Work re-designing aspects of adult social care provides another example, with the council and Coventry and Rugby Clinical Commissioning Group creating a £2.5m Preventative Support Grant to facilitate the establishment of networks of support for people with physical impairments or dementia, mental health conditions or learning disabilities, and those caring for them, in order to enhance both personal and community resilience.

A lot of emphasis is placed by the council on its resident's survey, further demonstrating their commitment to hearing the voice of the resident. The council has continued to undertake this bi-annual survey when many authorities have ceased doing so, utilising it to supplement the anecdotal evidence provided by elected members. There is an opportunity to review the methodology behind the survey in order to ensure that it is representative of all of Coventry's communities and there would be benefit in agreeing a core set of questions that can be used to base-line residents' perceptions of the council and Coventry and see how they evolve.

There are ambitions to make the use of intelligence and insight – both within the council and on a cross-partner basis – even more integral to policy formulation and service planning, including change and transformation. An example of this, on which work is already underway with health and care partners, is the development of a data profiling tool to host and share information for the JSNA. The potential presented around intelligence and insight through the city's digital agenda is huge, as seen with the work with National

Health Service colleagues, the police, the two universities, West Midlands Public Health Intelligence Group and the West Midlands Open Data Forum to share knowledge and maximise information sharing through open data.

The council's performance management framework is embedded across the organisation and there is strong service-led ownership of performance. A centralised performance information hub has been established recently, with this sitting at the heart of a growing emphasis on staff in the council 'self-serving' in relation to performance data and information. This system is also key to the setting and driving of standards around evidence-based action – to which performance information is central.

There is an opportunity for the council to enhance the way it communicates with residents and delivers customer service. Currently, the council seems to place an emphasis on traditional forms of communication to get messages out, including its 'Citivision' magazine and the issuing of press releases to the media. Whilst there has been something of a shift towards using social media more, there is a lot of potential there that has not yet been fulfilled.

A similar situation exists in relation to customer service, with an emphasis continuing to be placed on people contacting the council by telephone or visiting in person. The creation of the Customer Service Centre has created a more streamlined approach, rationalising the avenues in to the organisation, although there is a great deal of frustration for both customers and council staff with the fragility of the authority's telephony system. There has been some exploration of the digital opportunities available to enhance the customer experience but only 35% of services have been subject to 'channel shift' and there is scope to build on both the level of sign-up to, and usage of, the MyAccount platform. There is widespread acknowledgement that the council needs to be making more of its on-line opportunities, including ensuring its web presence is fully meeting citizens' needs.

4.2 Leadership of Place

There is tremendous pride in Coventry, reflected in the people we met during the course of the peer challenge process. It is a city that is very clear about its history and what it stands for – a place of sanctuary and welcome, migration, peace and reconciliation, diversity, youthfulness and reinvention. A huge buzz and excitement exists about the city – centred on both the here and now and the potential that has been created through the work of the council and its partners in recent years. Key facets of this include the city centre regeneration and public realm improvements taking place, the international events being hosted in the city over the next three years, inward investment, the digital infrastructure that is being established and the investment that has been attracted to boost innovation and technology, as seen with the UK Battery Industrialisation Centre. The council has been integral to generating the vibrancy that has resulted from all of this and it can be very proud of the role it has played.

As the city moves forward, it does so on solid foundations of good partnership working. The council played a highly influential and valued role in the setting up of the West Midlands Combined Authority and partners at that level are keen for this leading role to be built upon, with Coventry firmly established as an integral element of the West Midlands. The Place Board for Coventry and Warwickshire with its cross-sector collaboration,

involving leaders of some of the global companies with an interest in the area, and the Coventry and Warwickshire Local Enterprise Partnership are just two examples of the solid foundations of partnership working that are in place. The two universities, with their 56,000 students and the myriad benefits that these institutions bring, are key partners in the city. The Place Forum, comprising the members of the Health and Wellbeing Boards for Coventry and Warwickshire, other health and social care forums and partnerships, joint working with police and the vibrant and diverse third sector all stand the city in good stead for the future. The council is held in high regard by those it works with.

The council recognises the social and economic challenges that exist for Coventry. Over 700 children are in the care of the local authority, the population growth rate – which has seen an increase in the number of residents of around a fifth since 2007 – is the seventh highest out of all local authority areas (bringing challenges as well as advantages) and there is a very significant housing and homelessness challenge. Life expectancy in the city is below the national average, with variations between different parts of the city being quite profound.

There is a strong sense of this being a ‘point of step change’ for both the city and the council. As we have outlined, there is a buzz, an excitement and a vibrancy about Coventry, with everything that is happening serving to boost local pride still further and changing perceptions of the city nationally and internationally. The authority is fully aware that much still needs to be done and, at the same time, recognises that it neither can, nor should, seek to do everything itself. The solid foundations of partnership working can be both capitalised upon and enhanced as the challenges in the city are responded to, with the ‘traditional’ role of the local authority potentially replaced by that of one of being central to what is happening and what needs to be delivered but by shaping and influencing rather than doing.

4.3 Organisational leadership and governance

The council is combining its traditional values – centred on delivering for local people – with a growing track record of innovation and managed risk-taking. This is reflected in the emergence of new ways of working and an increasing appetite around investment opportunities and commercial ventures. The authority’s move to new council offices at Friargate, the city’s emerging business district, is the prime example of this – simultaneously securing financial savings through the rationalisation of existing office accommodation, establishing a working environment appropriate for a modern and forward-looking organisation, anchoring a key development site in the city and creating commercial opportunity.

Other examples of new ways of working include working with partners and volunteers to revise the way in which libraries and youth services are delivered. Investment opportunities and commercial initiatives include the purchasing by the council of commercial property on an unprecedented, yet still modest, level, a variety of traded services including its Payroll and commercial waste functions and a number of Joint Ventures, such as the Solihull Waste Disposal Company.

Relationships within the council, both within the elected membership and between councillors and officers, are founded upon mutual respect. There are comprehensive

formal and informal working arrangements between officers and elected members, including Political Cabinet meetings which bring Cabinet members, Deputy Cabinet members, Committee Chairs and Strategic Management Board together for informal discussion of key issues. Officers are regularly invited to attend meetings of the political groups in order to brief them on matters they have identified. The Chief Executive meets frequently with the Leader and Deputy Leader and has a regular dialogue with the Leader and Deputy Leader of the Opposition. All-member briefings are held to inform councillors about topical matters, with recent examples including the LGA Green Paper on adult social care and the council's performance against its priorities. Whilst this set of arrangements can be seen to be resource intensive, they provide for an inclusive and thorough approach that engages councillors at all levels and facilitates effective and smooth decision-making.

Overview and Scrutiny is felt to be delivering some good work at a task and finish group level and there is a focus on pertinent issues. Recent examples include Broadband provision in the city, preparation for the City of Culture and homelessness. Not uniquely to Coventry, the challenge for Overview and Scrutiny is around ensuring the work it undertakes makes a difference as a result.

4.4 Financial planning and viability

The council is proud of having successfully met the financial challenge to date. This has involved addressing what it calculates to have been a reduction in government funding of 50 per cent (around £100m) since 2010. The way the council has gone about meeting the challenge has been refined over time, shifting from a 'framework approach' (in which broad financial targets were set and then the way they would be achieved being identified during the course of the financial year) to the more 'granular' approach that is now being seen and which makes it very clear from where savings are to be delivered or revenue is to be increased.

Significant pressures are being experienced around children's services and homelessness. With children's services, the council is taking a managed approach to reduce demand and build on the improvements that have been made. This is similar to the approach seen with adult services in recent years, with investment being made at a crucial juncture in order to create the capacity necessary to bring about change and improvement and, through this, reduce cost. Children's services are seen to have now advanced to a level of 'Requires Improvement' and the council is carefully monitoring progress and flexing its approach accordingly as it seeks simultaneously to reduce demand, sustain improvement and secure cost reductions.

The council has established what it terms a 'projected balanced budget position' for 2019/20, entailing having identified the means through which the projected financial gap will be addressed. There is recognition that work remains to ensure such planning translates into successfully concluded savings and reductions – involving securing the current year's savings initiatives, managing current demand pressures and fully achieving the agreed reductions next year.

There is much less certainty for the council regarding the financial position in 2020/21, given rising demand and a lack of clarity concerning the funding position for local government generally. The council's projection currently for that year, some of which of

course coincides with being the 'City of Culture', is a gap of £20m. This gap, combined with the cumulative impact of the savings required to date, is starting to inform thinking that the status quo, in terms of what the council delivers and how it operates, cannot be maintained – reinforcing the notion of this being a 'point of step change'.

4.5 Capacity to deliver

The staff that we met from across the organisation are proud and passionate about their work and the city they serve. A very high proportion of them are residents in the city and many are long-serving. They both feel and contribute to the sense of pride that exists in Coventry and the buzz and excitement that exists and they embody what the city stands for.

Staff are responding positively to changing ways of working. The move to Friargate and the complementary introduction of 'agile working' has generated significant benefits both for the organisation and individuals. Staff reflected in our discussions with them just how highly they value the flexibility they now have in terms of where and how they work. The organisation is working increasingly corporately, which is attributed in part to the 'breaking down of barriers' facilitated by the move to Friargate and how things operate there. Another key dimension of this is seen to be the way in which the Corporate Leadership Team (the management cohort below Chief Executive and Deputy Chief Executive level) and Executive Leadership Team (the management cohort at Head of Service level) have been shaped to work together to look at strategic and cross-cutting issues facing the council and the city and identify how to move them forward. Managers at these levels spoke of an increased sense of autonomy having been engendered and recognise and value the trust being placed in them.

Staff are also welcoming the increasing two-way engagement with the council's leadership which is being seen. The 'Let's Talk' staff forums, which have proved to be very popular and both update people on key issues and enable them to contribute views and ideas, are central to this. There is a thirst amongst staff for knowledge and input, with them being keen to play an increasing role in informing the council's thinking and helping to find solutions.

All of this is extremely positive. We would simply encourage the council to be very mindful of those staff who have not yet benefited from the changes that have been made and the need to ensure all staff across the organisation can contribute and be involved. Staff who aren't working out of Friargate or who haven't yet been equipped to work in more flexible ways risk feeling disadvantaged. Similarly, those who work hours that might be classed as out-with the norm and/or are constrained by reasons of geography, risk finding themselves being unable to participate in the 'Let's Talk' sessions.

Capacity pressures are being felt within the organisation. The council's workforce has reduced by 40 per cent since 2010, with much of this being achieved through a programme of voluntary redundancy and early retirement. Whilst this approach was designed to 'lessen the pain' it also meant the impact has risked being greater in some places than others. Experience has been lost, spans of control have been extended and sometimes people are finding themselves doing their best in a revised role that takes quite some adapting to. Careful thought is required about how to address the capacity pressures.

This is as much an issue of prioritisation as it is one of investment, with a recognition that the financial challenge is on-going and the council is facing a 'point of step change' in the way it operates.

The demands facing the organisation require it to be able to get the best out of its people and respond flexibly in the way it operates. Central to this is a need for 'all managers to manage' and a re-setting of industrial relations within the council. Currently there is seen to be a reluctance on the part of some managers to carry out their people management responsibilities to the full. This is attributed to them feeling they are operating in a climate which they don't feel to be conducive, with significant trade union and elected member involvement e.g. elected member chairing of Appeals Panels. The situation that exists currently around capacity pressures and people management is manifesting itself in levels of sickness absence that exceed both the council's own target and the sector average by around 50 per cent. The status quo here is not an option. The climate must become one in which the council is able to get the best from its staff by being able to operate flexibly and, at the same time, maximise employee well-being. To facilitate this, we would encourage the council to learn from other public sector best practice on industrial relations, pay and reward models and HR policy and practice.

4.6 City of Culture

Coventry was awarded the title of 'UK City of Culture 2021' in December 2017. The approach to winning the bid was impressive, founded upon strong partnerships – reflected in the setting up of the Coventry City of Culture Trust, involving the council, both universities, arts organisations and private sector organisations. This partnership-based approach and devolved model of leadership has continued and is very welcomed.

What is being done is brave and bold, with Coventry having the vision to position culture as the counter-balance to austerity. The City of Culture is a major factor in the buzz and excitement being felt in the city. It is also transforming the lens through which people are viewing the city, with language appearing in some of our discussions along the lines of "is that what you would expect from the City of Culture" and "is that good enough for the City of Culture".

The potential of being the host city is enormous, in the lead up to 2021, during the year itself and, crucially, long after the year has concluded. A direct economic impact of £350m is envisaged and more than 2.5 million extra visitor day trips to the city in 2021 are anticipated. There stands to be a place legacy, reflected in, for example, infrastructure development, increased hotel accommodation and a heightened profile for the city. The potential to leverage future investment is huge, with the opportunity to develop an industrial strategy founded on creative industries and Coventry as a city of re-invention.

There is total commitment to securing a legacy for the people of the city too. Indeed the principles upon which the bid and the planning are founded are of a City of Culture that is community-led and accessible and which builds legacy and capacity. 'Hard-wiring' the legacy and inclusive growth is crucial if the City of Culture is to be deemed to have been successful. The ten year cultural strategy, covering the period through to 2027, has been developed in partnership. Those behind it are seen to be innovative and

willing to do things differently and it is already being influential in helping to 'lock down' the legacy, as seen with the establishment of 'ward producers' and the devolvement to the Historic Coventry Trust by the council of more than 20 buildings that will play a role in the City of Culture and beyond.

Getting the regional dynamic of the City of Culture right will be important. Coventry, as the host city, is the hub of a wider cultural geography. This is reflected in the securing of funding from the West Midlands Combined Authority to assist with what is being delivered and the support being provided by many other partners at the regional and sub-regional level.

There are a range of tactical considerations too as the city prepares to act as the City of Culture. All of these are very well understood by the people that we spoke to during the course of our activities:

- Undertaking a study in to the accommodation requirements for those coming to the city and how the need will be met – with a recognition of the need to accelerate it being carried out
- Communication – there is a growing thirst for information, reflected to us during our discussions with partner organisations, and it is important, now that the key post-holders in the Trust are in place, that communication is stepped up
- Picking up on the transport challenge – ensuring those who wish to visit the City of Culture can both get there and get around is clearly a priority consideration. The city's experience of hosting major international events, not least the annual Godiva Festival which brings more than 100,000 people into the city over a single weekend, will stand it in good stead. There is exciting talk of seeking to deploy autonomous vehicles to assist, although this will only have a minor role to play relative to more traditional forms of transport.
- Recruitment – following on from the recruitment of senior people to the Trust, the remaining posts both in the Trust and the council now need to be filled and the army of people needed to support the City of Culture, often in a voluntary capacity, needs also to be put in place. This needs to move quickly and it provides the opportunity, through the ensuring of visibility around it, of assisting the communications agenda by enabling people to see that things are happening. Ensuring it provides for inclusivity is also clearly important, as a key part of delivering the legacy.

4.7 Housing and Homelessness

The housing and homelessness challenge being faced in the city is very significant. The Local Plan reflects a need for over 42,000 homes being built in the twenty years from 2011 to 2031, including 12,000 'affordable' homes. Around 18,000 of these are designated to be built out-with the city's boundary, requiring very close collaboration with neighbouring local authorities. The current rate of housing completions is just under 1,000 a year – a significant increase on the average of 680 completed annually in the ten years to 2011 but less than 50 per cent of the rate required to secure the figure required by 2031. The

council has transformed the performance of its Planning function, which is now seen to be amongst the best in the country in terms of the speed of applications processing, and based on the most recent comparator data available (for 2016/17) is amongst the best performing local authorities (fifth nationally) for the number of affordable homes being secured.

A new housing and homelessness strategy and action plan are being developed, reflecting a lot of thought being given to the issues in the city. There are some very good aspects of the strategy, such as setting out the homelessness priorities in line with the 'Positive Pathway' approach (a national framework designed to help local authorities and their partners more effectively prevent homelessness amongst 16 to 25 year olds and promote better outcomes for young people who can't stay at home or in care) and recognising the importance of looking beyond responsive measures to more upstream and pro-active interventions.

Homelessness continues to represent a rapidly growing policy and financial pressure for the council. Although increasing rough-sleeping is the high profile manifestation of this, the biggest challenge remains the number of homeless families in temporary accommodation. Currently there are 400 families or couples and 100 single people in temporary accommodation. Recent years have seen a 400 per cent increase in the number of people presenting as homeless and the council's subsidising of temporary accommodation has increased from £1m to £5m annually. The first three months of the current financial year saw more than 1,000 people contact the council indicating they were at risk of becoming homeless.

The prevention of homelessness is now being seen as a corporate priority and there is both more understanding of the situation and better join-up across the organisation in seeking to address it. However, gaps remain in the understanding of the issue. We would advocate targeting the reasons for homelessness and then focussing actions directly upon them. For example, with one of the major reasons for homelessness being people not being able to stay with friends and family, are the mediation services in Coventry sufficient to have the necessary impact with regard to prevention?

Investment to address the situation is clearly being made. Lots of changes are taking place in the organisation and the new Homelessness Prevention team is beginning to deliver some real successes but, based on what people expressed during our discussions with them, it feels as though the council is playing 'catch up'.

Although the emerging housing and homelessness strategy reflects a growing emphasis on more up-stream and pro-active interventions, there appear to be some gaps. As an example, there is currently nothing about working with children's services to assess 16/17 year olds who are homeless or at risk of homelessness. Another example is the absence from the strategy of actions for partner organisations. The partners we met are keen to help and the council seems to have good relationships with them. The council needs to secure their sign-up to the strategy and ensure the ownership and responsibility for delivering it is shared.

The council is very reliant on others, through the delivery of commissioned services, and there is recognition that commissioning around homelessness services needs to be

more clearly focused and joined up. An opportunity exists here with a variety of contracts coming up for renewal, such as a number focused on tackling domestic violence which expire in 2019. We would encourage the council to take a step back and ensure their commissioning priorities are clear and absolutely focused on helping to reduce homelessness.

Our discussions with council staff around homelessness demonstrated huge commitment on their part and people across the organisation are, as we have already outlined, clearly working together much more now. They do, however, have a desire for clearer strategic leadership of the homelessness agenda and greater clarity of priorities. People are keen to see the different services linked to homelessness drawn together more, for somebody to 'hold the ring' on the delivery of the new strategy and to push for greater join-up across the West Midlands around the homelessness agenda.

Our overall conclusion is that the actions being taken are not yet sufficient to address the scale of the homelessness problem being faced. The financial pressures are the consequence of a lack of appropriate accommodation being made available to meet the needs of the homeless and solutions need to be found urgently. The council should therefore prioritise action to:

- Replace expensive bed and breakfast with cheaper temporary accommodation options
- Increase the supply of social rented and affordable private rented accommodation so it exceeds projected temporary accommodation demand

This needs to be achieved in the short term. However, the overall strategy needs to continue to be progressed at the same time.

The strategy reflects a lot of action to be undertaken and we would encourage a greater sense of urgency and prioritisation, with increased clarity on where to focus resource and what to concentrate on now relative to what can follow over subsequent months and years. As an example, the creation of dedicated student accommodation in the city may lead to more capacity in the private rented sector but this is very unlikely to be on a significant scale nor to happen particularly quickly. With 28 per cent of housing provision in the city being delivered through the private rented sector, and given what we heard about a reluctance on the part of private sector landlords to accept Housing Benefit claimants, applying joint effort with Housing Associations to develop a service to private landlords to provide them with assurances about support for tenants, good management of their properties and rent top-up or guarantees, might be an area to prioritise. The council's capacity, and that of partners, is finite and therefore needs to be used in the ways that will secure the greatest impact.

4.8 Social Value

Building on the 2014 Social Value Policy, Coventry City Council developed their own definition of social value (the Coventry Charter for Social Responsibility), which went beyond the Sustainable Procurement Task Force definition. The Charter is well known

and respected by those close to it, but the council is not clear how well it is understood and valued across the whole organisation.

During our discussions, there was a recurring theme around 'joining the dots' between capital investment and tangible activities to reduce health inequalities. For example, how is social value interpreted through Coventry's status as a Marmot City (there are seven in the UK and the principle is partners across the public and voluntary and community sectors whose decisions and activities have an impact on health, working together to advance the Marmot principles which aim to reduce inequality and improve health outcomes for all) so that business plans, Equalities Impact Assessment and Health Impact Assessments leverage the benefits of social value within all contracts?

The city has strong anchor organisations with a genuine commitment to social value and responsibility, including the universities and a number of large local employers. Businesses that the council is working with feel positively held to account for delivering social value, both by officers and elected members, and it is also seen as a key part of the Planning conditions in the city.

The council is seen as one of the most pro-active local authorities to work with in terms of promoting social value. A good example is the joint work with Jaguar Land Rover leading to the creation of their apprentice centre in Coventry. Others include the street lighting Private Finance Initiative (PFI) contract and the establishment of the direct labour organisation (DLO) for the minor civil works framework. Both of these have strong links to local employment objectives via the Job Shop – a joint venture by the council and other partners to provide pathways into employment for local people. All contractors are encouraged to advertise their jobs through the Job Shop to maximise the chances of city residents securing the benefit of economic growth. There is ambition around doing the same with the city's leading-edge development of autonomous vehicles and making sure commitment to social value and local regeneration becomes embedded throughout the related supply chain.

Our discussions identified opportunities to enhance things further by building on the good practice that already exists. For example, some officers that we spoke to felt that there could be benefit in seeking to increase accountability further, encouraging commercial providers to maintain the benefits across the whole life cycle of a contract, rather than risk seeing 'quick wins' being front-loaded, and to make sure that social value is embedded throughout their supply chains. As another example, it is felt that the opportunity exists to link the work taking place in Coventry around social value to that at the Local Enterprise Partnership level in order to achieve greater economies of scale and impact.

The council takes a case study approach to demonstrating good examples of social value through a 'Targets, Outcomes and Measurements' model but there is thought being given to whether a more quantitative approach would be beneficial in helping to increase the level of social value secured. Officers also indicated they felt more could be done to share knowledge and understanding about need in local communities so that attempts to secure social value could become more targeted, particularly in relation to reducing health inequalities.

There is also felt to be the opportunity to link social value contributions to council priorities more clearly, building on the strong council commitment to using social value to deliver an enhanced corporate parenting role. It was felt that, whilst businesses cases being drawn up within the organisation may reference the securing of social benefits, where they are not explicit about the social value contribution it makes it difficult to measure and quantify the contribution to the city's objectives. A clearer link could also be made between corporate social responsibilities and community needs, going beyond social value. For example, the social value agenda can link well with the newly formed Community Resilience Team and the volunteering strategy. Balfour Beatty, as a PFI contractor to the council, offer their staff two days paid leave and five days unpaid leave to get involved with volunteering. However, those interested do not always know what is needed. A 'brokerage' service would be of value, helping volunteers find opportunities and matching skills within the private sector to voluntary and community sector organisations who may benefit from increased capacity, for example around marketing advice or HR support, to deliver their objectives. Other ideas include the creation of a Social Value Exchange and the introduction of Social Value Credits.

It was also seen to be important that the City of Culture delivers on its promise of sustained community engagement and there was also reference in our discussions to the council potentially doing more with sport and leisure operators to ensure greater involvement from hard-to-engage communities where sport and physical activity may not be the community norm. Another area of potential that was highlighted was around the council having more influence over major building projects and capital programmes in the city that do not involve council investment, in order to enhance social responsibility and impact on local priorities.

Local business knowledge and approaches could also be utilised more in helping to advance the thinking around measuring the impact of social value. Some of the businesses we spoke to said they often present to council forums, for example at Overview and Scrutiny or as part of a procurement process, and they felt it would be helpful to have a standard way of demonstrating their contribution to social value. The idea of social value calculators being developed for specific Coventry objectives was cited.

The businesses we spoke to felt more needed to be done to 'talk up' the contribution of investment and the role of the private sector, working with the council, in achieving social outcomes. They felt that more could be done to shout about the successes being achieved and the sustained impact being delivered. There was a sense of Coventry having a culture of always moving on to the next project rather than taking the time to celebrate and communicate what had been achieved for the city through the various programmes and investments. It often feels to local businesses that residents are not aware of how money is spent and the impact it has beyond the visible development, such as a building.

Local businesses are also keen to see more being done to promote the city on an international basis and, as a return to business who are investing in the local area, potentially making it more feasible for them to join in with trade missions as part of the wider Coventry offer.

4.9 One Coventry

'One Coventry' – the narrative that outlines the council's objectives, key strategies and approaches – is seen as new and the start of something. In actual fact, however, there is a long 'back story' to it, including long-standing principles of the organisation (most notably 'working together to improve people's lives by being globally connected and locally committed'), changed ways of working (including children's services transformation) and core areas of activity such as housing and homelessness and the capital programme. In talking with staff about 'One Coventry', the core components of it – or the 'back story' – resonated much more strongly with them than the concept of 'One Coventry', although most had heard of it. Making it clearer that 'One Coventry' has this history would be useful in helping people to see it as an amalgam of things long-established rather than a new concept which has suddenly emerged.

It is important for the council to determine what 'One Coventry' is and where it goes from here. For example, it could come to be a set of values and behaviours that sit at the heart of the future organisation. Equally, it could morph into a 'City Plan' that outlines the shared priorities for the city and how the council, partners and citizens gear themselves to addressing them. Another option is for it to become a brand or strapline either for the council or the city. With 'One Coventry' now having been set in train and being 'out there', time is of the essence. If there are ambitions for it to move into the territory of becoming a 'City Plan' then things will need to move at pace and in a very inclusive way in order to ensure that partners can feel ownership of it and citizens can shape it.

'One Coventry' potentially links to what we have touched on at several junctures in this report – that of a 'point of step change' feeling as though it exists. There are two dimensions to this. The first is the potential that has been established of Coventry as a place – a city of reinvention, with technology and digital now at its core, delivering major city centre regeneration and entering the national and international psyche as the City of Culture – and capitalising upon it in order to transform lives in the city. The second dimension is that of the council determining whether to continue on the current trajectory – of seeking to deliver what it traditionally has within a climate of ever-reducing resources – or defining an alternative role that it can play going forward, in order to maximise its effectiveness, and the different ways in which it needs to operate as a consequence.

Irrespective of where the concept of 'One Coventry' heads in the future, we see a great deal of benefit in the council and its partners working together to establish a clear shared narrative for the city. We heard mention during our discussions of different pieces of work getting underway – some of which are linked to the City of Culture – around this. Ensuring joint endeavour on this would avoid both duplication of effort and the risk of competing narratives. Similarly, a clear narrative for the council as an organisation as it shapes itself for the future would be widely welcomed.

5. Next steps

Immediate next steps

We appreciate the senior managerial and political leadership will want to reflect on these findings and suggestions in order to determine how the organisation wishes to take things forward.

As part of the peer challenge process, there is an offer of further activity to support this. The LGA is well placed to provide additional support, advice and guidance on a number of the areas for development and improvement and we would be happy to discuss this. Helen Murray, Principal Adviser, is the main contact between the authority and the Local Government Association (LGA). Her e-mail address is helen.murray@local.gov.uk

Follow-up visit

We are keen to continue the relationship we have formed with the council through the course of the peer challenge.

The LGA corporate peer challenge process includes a follow-up visit. The purpose of this is to help the council assess the impact of the peer challenge and demonstrate the progress it has made against the areas of improvement and development identified by the peer team. It is a lighter-touch version of the original visit and usually involves some, rather than all, members of the original peer team. The timing of the visit is determined by the council. Our expectation is that it will occur within the next two years.

Next corporate peer challenge

The current LGA sector-led improvement support offer includes an expectation that all councils will have a corporate peer challenge or finance peer review every four to five years. It is therefore anticipated that Coventry will commission its next peer challenge by 2023.

LGA Corporate Peer Challenge

Appendix B – Council Response to Peer Team Recommendations

No.	Peer Team Recommendations	Lead Officer	Council Response
1	<p>Prioritising action to tackle homelessness by:</p> <ul style="list-style-type: none"> ➤ Replacing expensive bed and breakfast with cheaper temporary accommodation option ➤ Increasing the supply of social rented and affordable private rented accommodation so it exceeds projected temporary accommodation demand ➤ Making greater use of peer or external challenge to continue to develop our response 	David Ashmore	<p>We have relaunched our governance and partnership working approach. This will include a refreshed strategic board and an operational group, each having external representation from partners in the city.</p> <p>As part of this, we are looking at multiple strategies to proactively increase the numbers of properties available for affordable and social rent, working innovatively with Registered Housing Providers and the private sector.</p> <p>In turn, this will reduce the reliance on temporary accommodation, improve the experience of residents and reduce costs.</p>

2	Ensuring the work to deliver against the projected balanced budget position for 2019/20 is successfully concluded	Barry Hastie	The Council's Pre-Budget Report sets out savings options that virtually balance the 2019/20 Budget, mostly in the form of technical changes and additional income generation and commercial proposals. In addition, work has begun already to identify proposals for the medium term position. These will be brought forward and discussed at an early stage of the 2020/21 Budget process.
3	Learning from other public sector best practice on industrial relations, pay and reward models and HR policy and practice	Grace Haynes/ Amanda Durrant	This is in progress. An initial meeting has been held with the workforce lead from the Local Government Association. Advice has been sought and work is progressing with a focus on "Levers for Change" and how the LGA can support our thinking on developing future options for workforce efficiency and change including identifying Local Authority contacts.
4	Taking the opportunity to enhance the way the council communicates with residents and delivers customer service	Nigel Hart	<p>A lot of emphasis is placed by the Council on its resident's survey, demonstrating their commitment to hearing the resident's voice. We have continued to undertake a bi-annual survey when many Councils have stopped, using it to supplement the anecdotal evidence provided by members. There is an opportunity to review the survey methodology to ensure that represents the views of all of Coventry's communities and agree a core set of questions for base-lining.</p> <p>There are ambitions to use intelligence and insight more – both within the Council and on a cross-partner basis – making it even more integral to policy formulation and service planning, including change and transformation. The potential presented around intelligence and insight through the city's digital agenda is huge, as seen with the work with National Health Service colleagues, the police, the two universities, West Midlands Public Health Intelligence Group and the West Midlands Open Data Forum to share knowledge and maximise information sharing through open data.</p>

5	Driving the digital agenda harder and faster	Paul Ward	<p>We continue to push hard on the digital infrastructure of the city evidenced through Fibre to the Home initiatives for residents from both City Fibre and Openreach. We have recently begun the roll-out of public Wi-Fi within the City Centre and are fully engaged in the development of 5G testbeds within the city as part of the West Midlands Combined Authority. In line with the conversation with Daniel Korski we are giving more focus the how we can digitally enable and transform the services that we deliver to our citizens. In support of this we have recently signed up to support the Local Government Digital Declaration and are aligning our digital ambitions with our One Coventry transformation programme.</p>
6	Being very mindful of those staff who have not yet benefitted from the changes to ways of working and accommodation and responding to the thirst amongst staff for knowledge and input	Nigel Hart	<p>This is in progress. Other Council buildings, including Whitley Depot and Broadgate House, will benefit from changes to new ways of working and updated accommodation. Technology refreshes are being rollout across the Council and we will continue to provide training to help people update their skills and get the most from new ways of working.</p> <p>We are looking at how we ensure our internal communication channels reach different parts of the organisation and help provide them with the information they need and opportunities to influence our future work. We have already begun this with Let's Talk and continue to look at ways we can build on the success of these sessions. We have a monthly news update that is distributed to employees without Intranet access by managers.</p>

7	Hard-wiring the legacy and inclusive growth potential of the City of Culture and the cultural strategy	David Nuttall	Theory of Change models are in development for both the Cultural Strategy and City of Culture to articulate the ambitions, obstacles, principles, drivers and measures of change. These models identify the contribution that City of Culture can make to inclusive growth and to goals for positive social and economic impact. These models will be owned and regularly monitored by the Cultural Place Partnership and through the governance structures currently being established for managing city readiness.
8	Determining what 'One Coventry' is and the role it can play helping the city and the council respond to the challenges being faced	Michelle McGinty	<p>One Coventry will become the vehicle for addressing our challenges both within the Council and across the city.</p> <p>A One Coventry Change Board (comprising of Corporate Leadership Team and Head of transformation) has been implemented and is well established. The Board has responsibility for oversight of delivery of One Coventry priorities and programmes. This Board is supported by the Council's Extended Leadership Team, in order to ensure operational delivery and ownership.</p> <p>In addition, a One Coventry Operational Group has been established with a focus on the delivery of both strategic and practical actions required to fully realise the ambitions of our One Coventry approach.</p>
9	Taking forward the recognised need for a shared vision for working in partnership across the council and the city	Michelle McGinty	<p>A People Partnership is in its early stages of implementation with a focus on strengthening partnership arrangements across the city and working together to create connectivity. This Partnership includes lead representatives from key partner organisations including both Coventry and Warwick Universities, West Midlands Police, City of Culture, Whitefriars Housing and Coventry and Rugby Clinical Commissioning Group.</p> <p>There is a strong commitment from this Partnership to develop a shared purpose and narrative that meaningfully connects all organisations. The Partnership will mobilise leadership and drive shared activity at pace, with members holding each other to account.</p>

10	Strengthening delivery of the change programme to support the transformation agenda	Michelle McGinty	The Council is clear about its corporate priorities for change and transformation. Oversight of delivery of programmes of activity to deliver these, are overseen through the Council's Change Board. Governance arrangements for each programme have been refreshed to ensure clear accountability for delivery of change at pace and with a focus on targets that are set. The scale of change that is required across the Council is challenging and an ongoing responsibility for the Change Board will be to ensure that sufficient resources are available to deliver what is required.
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Cabinet

8 January 2019

Name of Cabinet Member

Cabinet Member for Education - Councillor K Maton

Director Approving Submission of the report:

Deputy Chief Executive (People)

Ward(s) affected:

All

Title:

Outcomes of the Fair Funding Consultation 2019-2020

Is this a key decision?

Yes – the proposals in the Fair Funding Consultation 2019-20 will affect all schools and all providers of funded early years education the City.

Executive Summary:

This report is to inform you of the results of the consultation on proposed changes to the Fair Funding Scheme of Delegation ("the Scheme") and seek approval for recommended changes to the Scheme and the Fair Funding Formula.

Recommendations:

Cabinet is requested to:

- (1) Approve the recommended changes to the Fair Funding Formula and Fair Funding Scheme of Delegation, which are summarised in section 3 of the report.
- (2) Delegate authority to the Cabinet Member for Education and Skills, following consultation with the Director of Education and Skills, to make any necessary amendments to the final detail of these recommended changes, in order to comply with the School Finance (England) Regulations 2018 once full detail of the schools funding settlement has been published by the Department for Education for 2019/20. Any changes will be made following discussion with the Schools Forum as appropriate.

List of Appendices included:

Appendix 1 - Fair Funding Consultation 2019-20: Summary of Responses
Appendix 2 - De-delegation levels approved for 2018-19
Appendix 3 - Fair Funding Consultation 2019-20

Background papers:

None

Other useful documents:

Draft Fair Funding Scheme of Delegation available on the Coventry City website:
<http://www.coventry.gov.uk/ffsd-consultation>

One Strategic Plan – SEND proposal for the use of the Woodlands site

Has it or will it be considered by Scrutiny?

No

Has it, or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title:

Outcomes of the Fair Funding Consultation 2019-20

1 Background

- 1.1 Under Section 48 of the School Standards and Framework Act 1998, Local Authorities (LAs) are required to have schemes of delegation which set out the financial controls and arrangements that will operate between schools and the LA. Any proposed revisions to these schemes and/or the Fair Funding Formula must be the subject of consultation and require approval by the Schools Forum.
- 1.2 The Department for Education (DFE) published the "Schools Revenue Funding 2019 to 2020: Operational Guide" which sets out the school revenue funding arrangements for 2019-20.
- 1.3 The DFE introduced its National Funding Formula (NFF) for LAs in 2018-19, whereby allocations for LAs were determined under the NFF approach, but LAs retained control over how they chose to distribute that funding amongst their schools. In Coventry the decision was made to mirror the NFF allocation for schools as far as possible as this provided all schools with a minimum 0.5% increase in funding per pupil.
- 1.4 There have not been any significant changes to the operation of the local school funding formula for 2019-20; with the main changes (including a new funding floor factor) aimed at providing flexibility to allow LAs to honour the Funding Floor (a net 1% per pupil funding increase compared with 2017-18) as set out in the NFF (see section 2 for further detail). In this report we are proposing to make some corresponding changes to the funding formula, and are seeking approval of the Fair Funding Scheme of Delegation.
- 1.5 The consultation document was circulated on the 5th November 2018 to Head Teachers including Academy Head Teachers/Principals, Chairs of Governing Bodies, Trades Unions, Diocesan authorities, the Coventry Governors Association, members of the Schools Forum and Early Years Free Entitlement providers in the private, voluntary and Independent (PVI) sectors. The 4-week consultation period ended on 30th November 2018.
- 1.6 Stakeholder groups were briefed throughout the consultation period. These included Primary and Secondary Head Teacher Partnerships, Primary Finance representative head teachers, the Schools Trade Union representatives, Coventry Governors and the Schools Forum. The consultation document also seeks to act as an information document to school stakeholders regarding anticipated local budget pressures.

2 Context of the National Funding Formula

- 2.1 The DFE implemented a 'soft' National Funding Formula for the 2018-19 and 2019-20 financial years. This means that the DFE will run the NFF for each school and the sum total of Coventry schools' allocations will become the total budget available for schools in Coventry. The LA is still required to go through the usual budget setting process and run the local schools funding formula to distribute the resource.
- 2.2 The national announcements surrounding the 1% increase over two years, and the publication of individual school allocations, set a level of expectation that all schools would see at least a 1% per pupil increase in their funding vs 2017-18 allocations.
- 2.3 It remains the case that the pure NFF (without any protection) delivers significantly less resource for Coventry schools. The estimated value of protection in 2019-20 for Coventry schools is estimated to be £11M. It is not clear what protection arrangements will be in

place after 2019-20 as this will be subject to the Government's forthcoming Comprehensive Spending Review.

- 2.4 Further background on the National Funding reform and full details of the following proposals can be found in the Fair Funding Consultation 2019-20 which is included in this report at appendix 3.

3 Options considered and recommended proposals

3.1 Fair Funding Formula options

- 3.1.1 As a result of the continued application of the National Funding Formula (NFF) we consulted on 2 options in relation to the application of the schools funding formula:

Option A) Continue to mirror, as closely as possible, the allocations and protection arrangements set out in the NFF; meaning the majority of schools will see a ca. 0.5% per pupil increase (subject to affordability)¹ compared with 18-19.

Under option 1 all schools would have received at least a 1% per pupil increase in formula funding between 2017-18 and 2019-20 (as set out in the NFF), although eight schools that received an increase above 1% in 2018-19 would see small reductions, but remain at or above the minimum 1% increase level received by all other schools.

Option B) Move away from mirroring NFF allocations and protection levels as closely as possible, instead protecting all schools with an equal, but reduced (<0.5%), protection level per pupil compared with 18-19 funding allocations.

Under option 2, all schools would see an equal increase in per pupil formula funding between 2018-19 and 2019-20. However, under this approach no school will receive an allocation in line with those published as part of the NFF detail.

- 3.1.2 The consultation document asked stakeholders to feedback any general comments on the proposal. The consultation responses received were mostly in favour of option A. Please see appendix 1 for a summary of the responses.

- 3.1.3 The Schools Forum, which contains stakeholders from all representative groups, voted unanimously to recommend option A. Primary Finance representative head teachers were also in favour of option A.

- 3.1.4 **Recommendation:** The LA should calculate school budgets which continue to mirror, as closely as possible, the allocations and protection arrangements set out in the National Funding Formula (NFF) documentation (subject to affordability).

3.2 De-delegated Services

- 3.2.1 The 2013-14 reforms directed that a number of centrally held budgets within the Schools Block should be delegated to schools, listed below;

- administration of free school meals eligibility;
- insurance;

¹ For a number of factors within the NFF, the funding for LAs is based upon historic cost – our ability to fund the additional 0.5% will depend on the extent to which our future costs are higher or lower than the historic funding.

- licenses or subscriptions;
- staff costs or supply cover;
- support for minority ethnic pupils or underachieving pupils;
- behaviour support services; and
- library and museum services
- school improvement

3.2.2 These budgets have to be allocated to schools through the formula but can be de-delegated for maintained primary and/or secondary schools. This means that these schools can chose to pool resource to continue delivery of a service centrally.

3.2.3 In 2018-19 Primary maintained schools opted to pool resources for most of the de-delegated services offered. Trade Union facility was not de-delegated by secondaries. The same de-delegation arrangements are available in 2019-20.

3.2.4 De-delegation items must be approved by Schools Forum with Primary and Secondary maintained member representatives deciding for their own phase. The table within appendix 2 shows the values approved for de-delegation in 2018-19. School phases can also opt to de-delegate resources for services previously delegated.

3.2.5 Approval has already been given by the Schools Forum for 2019-20 to de-delegate the areas previously de-delegated last year. The only centrally managed service offered that was not de-delegated was Trade Union facility for secondary schools.

3.2.6 The consultation document asked stakeholders to feed back any general comments on the proposal. The responses were unanimously in favour de-delegating funding for these services. Please see appendix 1 for a summary of the responses.

3.3 Minimum Funding Guarantee Disapplications

3.3.1 As part of the schools funding formula the LA is required to apply a Minimum Funding Guarantee (MFG) protection mechanism to provide funding stability to schools on a per pupil basis.

3.3.2 In order to enable the LA to closely mirror the NFF allocations and protection levels (as per Proposal 1, option A), an MFG protection exemption is needed to ensure all schools are protected equivalently. We proposed to apply to the DFE for an MFG disapplication related to this aim.

3.3.3 A second disapplication was proposed in order to allow one-off reserve funding to be delegated to schools without affecting their calculated protection level.

3.3.4 A further disapplication to the funding regulations was also proposed in order to allow a DSG revenue reserve contribution to capital of up to £1.25M in relation to the LA's proposal to relocate and expand Woodfield Special School onto the former Woodlands Academy site.

3.3.5 The consultation document asked stakeholders to feed back any general comments on the proposal. The responses received were unanimously in favour of all the proposed disapplications. Please see appendix 1 for a summary of the responses.

3.4 Commissioned High Needs Places

3.4.1 High Needs places for Coventry pupils are commissioned by the LA directly with providers. The costs of these placements are funded from the Dedicated Schools grant (DSG).

3.4.2 The proposal highlights the continuing places pressure on the Further Education and Special School sector, and ongoing work that is taking place in order to identify the number of additional places that need to be commissioned for 2019-20. Specifically, it highlights an additional 10 places that need to be commissioned at the newly rebuilt Tiverton Special School. It also sets out that as the commissioning work develops it will be discussed in detail with the Schools Forum.

3.4.3 The consultation document asked stakeholders to feed back any general comments on the proposal. The responses were unanimously supportive of the proposal. Please see appendix 1 for a summary of the responses.

3.5 Early Years Funding – Monthly Payments

3.5.1 The 'Early Education and Childcare statutory guidance' published in March 2018 set out that Local Authorities should pay early years providers on a monthly basis. The LA has been working to identify the most appropriate approach to meet this requirement and has begun testing potential approaches with a number of pilot providers which cover private, voluntary and independent (PVI) early years providers (including childminders) across all pre-school age groups.

3.5.2 The proposal sets out the LAs intention to move to monthly payments of early years funding to PVI providers from April 2019, subject to the outcomes of the current pilot programme and development of the necessary IT system.

3.5.3 The consultation document asked stakeholders to feed back any general comments on the proposal. The majority of responses were in favour of the proposal. Please see appendix 1 for a summary of the responses.

3.6 Fair Funding Scheme of Delegation

3.6.1 Section 48 of the School Standards and Framework Act 1998, and Schedule 14 to the Act set out that Local Authorities (LAs) should have a Scheme of Delegation. LAs are required to publish schemes for financing schools setting out the financial relationship between the LA and the schools they maintain.

3.6.2 In making any changes to their schemes, local authorities must consult all schools in their area and receive the approval of the members of their Schools Forum representing maintained schools. Local authorities must take this guidance into account when they revise their schemes, in consultation with the Schools Forum.

3.6.3 The proposed changes to the scheme for 2018-19 include;

- Increasing the maximum power of virement (budget transfer) able to be delegated by the Governing Body to the Headteacher; and creating an exemption to this limit in order to recognise new grant income.
- Updating the procurement thresholds set out in the Purchasing, Tendering and Contracting section.
- Updating the Credit Union Loan guidance to reflect the DFE directed revision to the national scheme loan schemes should only be used to support schools in spreading the cost of large, one-off, individual items of a capital nature.
- Updating the rules around a schools' Unofficial Funds to reflect that they no longer mandated to be held in a separate bank account.
- Amending various references to LA officer job titles as appropriate.

3.6.4 The link to the consultation version of the Fair Funding Scheme of Delegation is www.coventry.gov.uk/FFSD-consultation

3.6.5 The fair funding consultation document asked stakeholders to feed back any general comments on the revised scheme. The majority of responses were in favour of the proposal. Please see appendix 1 for a summary of the responses.

4 Results of consultation undertaken

4.1 The Fair Funding Consultation is an annual consultation. All Local Authorities are required by the Department for Education (DfE) to consult with all relevant stakeholders on the proposed changes to the local fair funding formula.

4.2 The consultation document was circulated on the 5th November 2018 to Head Teachers including Academy Head Teachers/Principals, Chairs of Governing Bodies, Trade Unions, Diocesan authorities, the Coventry Governors Association, members of the Schools Forum and Early Years Free Entitlement providers in the private, voluntary and Independent (PVI) sectors. The 4-week consultation period ended on 30th November 2018.

4.3 In addition, where possible, stakeholder groups were briefed throughout the consultation period. These included Primary and Secondary Head Teacher Partnerships, Primary Finance representative head teachers, the Schools Trade Union representatives, Coventry Governors and the Schools Forum.

4.4 The result of the consultation is set out in Appendix 1 to the report.

5 Timetable for implementing this decision

5.1 We are required to submit a proforma to the Education and Skills Funding Agency (ESFA) by 21st January 2019 setting out the draft Fair Funding Formula, including proposed changes. Once the proforma is checked for compliance and approved by the EFA, the proposed changes will then be implemented from April 2019.

5.2 We are not required to submit details of our high needs top-up rates for special schools to the EFA, however we are required to inform all special schools of the top-up rates that will apply to them in 2019-20 by the end of February 2019.

5.3 Any changes to the Early Years hourly funding rates will be informed to providers before the beginning of the 2019-20 financial year.

6 Comments from the Director of Finance and Corporate Services

6.1 Financial Implications

Financial implications on schools

6.1.1 Schools will face significant cost pressures in 2019-20 as a result of price inflation and increasing staffing costs which still be more than the extra 0.5% increase to pupil led funding. These pressures are likely to be exacerbated in schools where there are surplus places or falling rolls.

- 6.1.2 Mainstream schools will continue to be subject to the minimum funding guarantee (MFG) protection arrangements in 2019-20. The MFG seeks to protect schools against historical levels of pupil led funding for the purposes of stability. The level of the MFG in 2019-20 will be set at negative 1.5%, which means no school will see a per pupil funding decrease of more than 1.5% per pupil (subject to affordability)². Schools therefore may still see a significant cash reduction where there are falling rolls.
- 6.1.3 Within the National Funding Formula (NFF) there is a highly significant level of protection (ca. £11M) being applied to school budgets compared with the pure NFF allocations. It is not clear what protection arrangements will be in place for schools after 2019-20 as these will be subject to a future spending review. We do not anticipate that the full protection will be immediately removed, but schools must be made aware of the level of protection included within their funding allocations, so that they can begin to scenario plan and manage vacancies so that they are prepared to take swift informed decisions should the level of protection reduce in 2020-21 or beyond.

Financial Implications on the LA

- 6.1.4 The DfE's School Funding Reform requires Local Authorities (LA)s to delegate some centrally spent dedicated schools grant (DSG) to schools. Maintained schools can then agree to pool funding and return to the LA to be spent on their behalf. Areas that this includes are Minority Group Support Services (new arrivals), maternity & Trade Union staffing. This is reviewed and approved by the Schools Forum on an annual basis. Should a decision be taken not to pool funding for a service, then the LA would either need to operate a Service Level Agreement or stop providing the service. This would have financial and staffing implications that would need to be addressed.
- 6.1.5 Should the significant level of protection funding in schools (see 6.1.3) be quickly reduced after 2019-20 this could result in a number of schools needing to carry out restructures and make staffing redundancies. In this event, there is likely to be an increased call on the LA's small core budget (£100k) for employee termination and early retirement costs. Overspend on this budget cannot be met from the Dedicated Schools Grant and would create a core funding pressure. Work to mitigate this is continually discharged through the LA's Schools Finance function, working with schools on scenario planning and vacancy management in order to reduce the likelihood that redundancies are required; although given the potential level of funding change that may occur, some of these costs may be unavoidable.
- 6.1.6 As part of the NFF reform we will receive a small reduction in the amount of central DSG for Ongoing Responsibilities (e.g Admissions, Servicing of Schools Forum) - this will be dealt with through the Education Services Review which pre-empted these funding changes.
- 6.1.7 The DFE has also set out that from 2020-21 they intend to begin a national reduction in LAs' levels of central DSG for Historic Commitments (e.g. contribution to combined budgets, termination of employment costs, equal pay – back pay). Although they have yet to set out the scale or the speed of the reductions, this is likely to have financial and staffing implications that we will need to plan to address as further detail becomes available.

6.2 Legal implications

- 6.2.1 s 48(1) of the School Standards and Framework Act 1998 requires Local Authorities (LA)s to maintain and publish schemes connected with the financing of maintained schools. Regulations made under the Act (Schools Finance and Early Years Regulations 2015 and

² For a number of factors within the NFF, the funding for LAs is based upon historic cost – our ability to fund the extra 0.5% will depend on the extent to which our future costs are higher or lower than the historic funding.

the Schools and Early Years Finance (England) Regulations 2017) specify the functions which the LA is and is not required to delegate to schools, and the factors which the LA considers when delegating funding and the consultation requirements. A scheme maintained by the LA may be revised in whole or in part, the LA is required to take into account guidance issued by the Secretary of State (Schools Revenue Funding 2018-2019 operational Guide-December 2017) in respect of the provisions that the Secretary of State regards as appropriate for inclusion into any revised scheme. The LA is required to consult the governing body and head teacher of every school maintained by the authority and to submit the proposals for approval to the School's Forum.

- 6.2.2 Public authority decision makers are under a duty to have due regard to 1) the need to eliminate discrimination: 2) advance equality of opportunity between people who share a protected characteristic and those who do not: 3) foster good relations between persons who share a relevant protected characteristic and people who do not (public sector equality duty - s 149(1) Equality Act 2010). The applicable protected characteristics are disability, gender reassignment; race, religion or belief, sex; sexual orientation, pregnancy or maternity.
- 6.2.3 Decision makers must be consciously thinking about these three aims as part of their decision making process with rigour and with an open mind. The duty is to have “due regard”, not to achieve a result but to have due regard to the need to achieve these goals. Consideration being given to the potential adverse impacts and the measures needed to minimise any discriminatory effects.

7 Other implications

7.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / LAA (or Coventry SCS)?

- 7.1.1 A clear and transparent financial infrastructure is key to ensuring that schools can focus on improving educational outcomes.
- 7.1.2 We also want to ensure that the financial relationship between the City Council and the schools it maintains is clear and transparent, and this is set out in the Fair Funding Scheme of Delegation.

7.2 How is risk being managed?

- 7.2.1 The consultation document is sent to all relevant stakeholders within the city.
- 7.2.2 The City Council has a statutory responsibility to ensure maintained schools can balance their budget, and the Education Funding Agency (EFA) has a statutory responsibility to ensure Academies are setting balanced budgets. The City Council also has a moral obligation to support all Coventry's children and young people.
- 7.2.3 Any potential school deficit or long term sustainability issues will be reported back to the City Council as early as possible to ensure plans are put in place for balanced budgets. This will include liaison with the ESFA where the school is an academy and the problem is brought to our attention.
- 7.2.4 The Updated Fair Funding Scheme of Delegation will enable schools and City Council officers to clearly understand and uphold the financial responsibilities of each organisation.

7.3 What is the impact on the organisation?

7.3.1 The proposals will continue the theme of mirroring the National Funding Formula protection mechanism and allocations in schools, as well as per pupil funding stability in schools as provided by the Minimum Funding Guarantee.

7.3.2 If as a consequence of implementing some of the proposals there is the need to make staffing structure changes then full consultation will be undertaken with both Coventry City Council staff and the trade unions in accordance with city council policies.

7.4 Equalities / EIA

The DfE carried out an Equality Impact Assessment on the significant changes introduced by the National Funding Formula for 2018-19 and 2019-20. The details of this EIA can be obtained via the link below:

<https://www.gov.uk/government/publications/national-funding-formula-for-schools-and-high-needs-equalities-impact-assessment>

The proposals included in this report are the result of the National Funding Formula changes therefore the DfE equality impact assessment should equally apply to Coventry.

7.5 Implications for (or impact on) the environment

None

7.6 Implications for partner organisations?

None

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Names of approvers: (officers and members)	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Councillor K Maton	Cabinet Member for Education	-	07/12/18	10/12/18
Gail Quinton	Deputy Chief Executive	People	07/12/18	11/12/18
Kirston Nelson	Director of Education & Skills	People (Education)	07/12/18	10/12/18
Barry Hastie	Director of Finance and Corporate Services	Place (Finance)	07/12/18	10/12/18
Rachael Sugars	Finance Manager	Place (Finance)	07/12/18	10/12/18
Jeannette Essex	Head of SEND and Specialist Services	People (Education)	07/12/18	11/12/18
Elaine Atkins	Solicitor	Place (Legal)	07/12/18	11/12/18
Sarah Lal	Senior Human Resources Manager	People (HR)	07/12/18	10/12/18

This report is published on the council's website: <http://democraticservices.coventry.gov.uk>

Fair Funding Consultation 2018/19 - Summary of Responses

1 Introduction

- 1.1 This Appendix provides a summary of responses received to the consultation paper that was issued to all schools and other stakeholders on 5th November 2018. All responses that were received have been analysed and the results are summarised in this paper.
- 1.2 A total of 5 responses were received, with 3 of those received from groups and therefore representing multiple stakeholder views.

Respondent	Responses Received
Primary	4
Secondary	0
Special	0
Early years	0
Other	1
Total	5

- 1.3 The results and comments are summarised below. Some of the responses included further detail relating to connected issues within specific schools, and some responses highlighting concern in relation to overall funding levels and in relation to employee pay and conditions. These raise general concerns, but do not relate specifically to the proposals and so have not been included in full in this report. The full responses can be made available on request.

2 RESULTS

2.1 Proposal 1 – Fair Funding Formula options

- 2.1.1 A decision exists for 2019/20 as to whether Coventry continues to use the local funding formula to mirror the National Funding Formula protection levels as closely as possible, or moves away from that position, instead providing all schools with the same per pupil % increase in funding vs 2018/19 allocations.

- 2.1.2 We asked stakeholders for general comments on this proposal. All respondents also put forward a view as to which formula option was their preference.

Sector	Option A	Option B
Primary	3	1
Secondary	0	0
Special	0	0
Early Years	0	0
Other	0	1
Total	3	2

Respondents	General Comments
Primary (4)	Option 1: We choose to receive funding that "mirrors" the NFF protection levels. We would not want to receive a consistent per pupil increase. Option 1: Please continue to use the local funding formula to mirror the National Funding Formula protection levels as closely as possible. Option 2: I support option B as all schools would then be protected.
Other (1)	Option 1: On reflection we are in agreement with proposal 2

2.2 Proposal 2 – De-delegated Services

2.2.1 De-delegated services must be approved annually. We will be seeking approval at Schools Forum in autumn 2018 in relation to 2019-20 de-delegated services. This proposal set out the information will be shared with the Schools Forum.

2.2.2 We asked stakeholders for general comments on this proposal.

Respondents	General Comments
Primary (4)	Agree: De-delegation should continue for the services listed. Agree: Please continue with the pooling arrangements as in 2018-19.
Other (1)	Agree: We agree how it works now and we would suggest that it continues.

2.3 Proposal 3 – Minimum Funding Guarantee approach

2.3.1 The Local Authority retains the ability to set the level of the Minimum Funding Guarantee (MFG) protection for schools in 2019/20, although the appropriate MFG % will be linked to decisions on proposal 1. This proposal requests approval to apply for a series of exemptions to the MFG.

2.3.2 We asked stakeholders for their view and for general comments on this proposal.

Sector	Agree	Disagree	Blank or N/A
Primary	4	0	0
Secondary	0	0	0
Special	0	0	0
Early Years	0	0	0
Other	1	0	0
Total	5	0	0

Respondents	General Comments
Primary (4)	Agree: I support the option which matches my preference in proposal 1. Agree: We agree with the MFG level of support and to the Exemptions. Agree: Agree with going forward with the disapplications.
Other (1)	Agree: We agree with this proposal.

2.4 Proposal 4 - Commissioned High Needs Places

2.4.1 This proposal requests that ongoing funding is agreed to support 10 additional special school places being commissioned at Tiverton Special School in 19/20, and references the current provision pressure in both the statutory age and Further Education sector.

2.4.2 We asked stakeholders for general comments on this proposal.

Sector	Agree	Disagree	Blank or N/A
Primary	3	0	0
Secondary	0	0	0
Special	0	0	0
Early Years	0	0	0
Other	1	0	0
Total	4	0	1

Respondents	General Comments
Primary (4)	Agree: Additional spaces should be funded if at all possible. Agree: We agree to the funding to support the extra 10 special places at Tiverton. We consider that the increasing number of children with SEN in Coventry, needs extra provision to be made available for Coventry Pupils.
Other (1)	Agree: We are pleased that the LA is developing and proposing for 10 additional places at Tiverton.

2.5 Early Years National Funding Formula

2.5.1 New statutory guidance recommends that local authorities should pay early years providers on a monthly basis. The LA is working towards meeting this requirement and proposes to introduce a monthly payments from April 2019.

2.5.2 We asked stakeholders for general comments on this proposal.

Sector	Agree	Disagree	Blank or N/A
Primary	1	0	3
Secondary	0	0	0
Special	0	0	0
Early Years	0	1	0
Other	1	0	0
Total	2	1	3

Respondents	General Comments
Primary (1)	Agree: We accept that monthly funding to private early years providers may assist with their cash flow and would be agreeable to the proposed changes.
Other (1)	Agree: We agree to the proposal and also suggest that early years providers should be paid on a monthly basis anyway.

2.6 Fair Funding Scheme of Delegation

2.6.1 This section covers some minor changes that are being made to the Fair Funding Scheme of delegation to add additional detail and amend some references to other sections within the document.

2.6.2 We asked stakeholders for general comments on this proposal.

Respondents	General Comments
Primary (4)	Agree: We support these changes. Agree: Happy with the changes outlined.

2018-19 De-delegated Services and amounts

2018-19 De-delegated Amounts			
	Primary	Secondary	Total
Free school meal eligibility	15,743	1,818	17,560
Licences/subscriptions	0	0	0
Maternity	533,416	64,985	598,401
Trade Union facility	114,098	0	114,098
School Improvement*	208,738	25,430	234,169
EMAS (new arrivals fund)	303,338	22,569	325,907
Behaviour support services	0	0	0
Total	1,175,333	114,802	1,290,135

* Coventry Education Improvement Strategy commissioning pot

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Fair Funding Consultation 2019/20

DOCUMENTS ENCLOSED: Consultation on Proposed Changes to the Fair Funding Formula and Scheme of Delegation (including a Response Form)

Consultation on Proposed Changes to the Coventry Fair Funding Formula and Fair Funding Scheme of Delegation

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1 Purpose of Consultation

- 1.1 Under Section 48 of the School Standards and Framework Act 1998, Local Authorities (LAs) are required to have schemes of delegation which set the financial controls and arrangements that will operate between schools, nursery providers, and the LA.
- 1.2 Any proposed revisions to these schemes and/or the Fair Funding Formula¹ must be the subject of consultation and require approval by the Schools Forum.
- 1.3 **The purpose of this document is to seek your views on proposed changes to the Fair Funding Scheme of Delegation and the fair funding formula from April 2019. It also provides information in relation to funding changes and/or issues affecting funding in 2019/20.**
- 1.4 After the consultation period, the Director of Finance & Corporate Services and the Director of Education & Skills will make recommendations to Cabinet in early January 2019 and the LA will submit the Authority Pro-forma Tool to the ESFA later that month.
- 1.5 It is important that you respond to the Consultation, as responses are taken into consideration in the report to Cabinet and Schools Forum.
- 1.6 A summary of responses will be made available to Cabinet Members, and all relevant stakeholders.
- 1.7 **The closing date for responses to the consultation is Friday 30th November 2018.** It will not be possible to take account of responses after this date. Please send responses to lisa.thomas@coventry.gov.uk
- 1.8 If you have any queries regarding the proposals, please contact Christopher Whiteley, Lead Accountant – Schools Finance on 024 7683 2665 or email christoper.whiteley@coventry.gov.uk.

¹ The Fair Funding Formula is used to fund maintained schools, and calculate DSG recoupment from LA for academies. The ESFA mirror the LA Funding formula to fund academies.

2 Executive Summary

2.1 Background

- 2.1.1 Over the last month the Department for Education (DFE) published a series of operational guides and technical notes for schools and high needs funding. The “Schools Revenue Funding Operational Guide²” and “High Needs Revenue Funding Operational Guide³” set out the funding arrangements for 2019/20.
- 2.1.2 The DFE has also published a further National Funding Formula (NFF) policy document⁴ for the Schools Block, High Needs Block and Central Schools Services Block. These policies set out the composition of the formulas, including timings, transition arrangements and next steps.
- 2.1.3 There are a few, mostly minor, changes set out in the various guidance documents that relate to the 2019/20 funding formula. The main change is the introduction of a new Funding Floor factor to assist local authorities with mirroring the NFF allocations for 2019/20. These changes are set out within [section 4](#) of this consultation.
- 2.1.4 The table below identifies which proposals within this consultation could potentially have a direct effect on each sector from the start of the 2019/20 financial year.

Proposal	Nursery	Primary	Secondary	Special	FE
1	No	Yes	Yes	No	No
2	No	Yes	Yes	No	No
3	No	Yes	Yes	Yes	No
4	No	No	No	Yes	Yes
5	Yes	No	No	No	No
6	No	Yes	Yes	Yes	No

2.2 Brief Description of Proposals

2.2.1 Proposal 1: Fair Funding Formula options

- 2.2.2 A decision exists for 2019/20 as to whether Coventry continues to use the local funding formula to mirror the National Funding Formula protection levels as closely as possible, or moves away from that position, instead providing all schools with the same per pupil % increase in funding vs 2018/19 allocations.

² <https://www.gov.uk/government/publications/pre-16-schools-funding-guidance-for-2019-to-2020>

³ <https://www.gov.uk/government/publications/high-needs-funding-arrangements-2019-to-2020>

⁴ <https://www.gov.uk/government/publications/national-funding-formula-for-schools-and-high-needs>

This proposal in [section 5](#) requests that schools feedback general comments.

2.2.3 Proposal 2: De-Delegated Services

De-delegated services must be approved annually. We will be seeking approval at School Forum in autumn 2018 in relation to 2019-20 de-delegated services. This proposal in [section 6](#) sets out the information we will be sharing with the Schools Forum.

2.2.4 Proposal 3: Minimum Funding Guarantee Disapplications

The Local Authority retains the ability to set the level of the Minimum Funding Guarantee (MFG) protection for schools in 2019/20, although the appropriate MFG % will be linked to decisions on proposal 1. This proposal in [section 7](#) requests approval to apply for a series of exemptions to the MFG.

2.2.5 Proposal 4: Commissioned High Needs Places

[Section 9](#) discusses the work that the Local Authority is currently carrying out in order to determine the number of high needs places that need to be commissioned for 2019/20. The proposal also requests that ongoing funding is agreed to support 10 additional special school places being commissioned at Tiverton Special School in 19/20, and references the current provision pressure in both the statutory age and Further Education sector.

2.2.6 Proposal 5: Early Years Funding - Monthly Payments

New statutory guidance recommends that local authorities should pay early years providers on a monthly basis. The LA is working towards meeting this requirement and proposes to introduce a monthly payments from April 2019. This proposal in [Section 10](#) requests that schools and providers feedback general comments on this approach.

2.2.7 Proposal 6: Fair Funding Scheme of Delegation changes

[Section 11](#) covers changes that are being made to the Fair Funding Scheme of delegation to reflect updated national and local policies.

2.3 Consultation Response

Please respond to this consultation using the consultation response form that you will find at [appendix A](#). This can be returned electronically or by post using the details at the top of the response form.

3 Dedicated Schools Grant (DSG) Budget Implications

3.1 Context

3.1.1 This section is to provide early, high-level information to schools and other stakeholders on the emerging issues that will affect budget levels and financial positions in 2019/20 and beyond. Due to the nature of national policy development and the timing of published information & allocations, this will progress further as we work on the DSG budget setting process between now and March 2019. Stakeholders should refer to Schools Forum papers, and relevant head teacher briefings, for further developments during that time.

3.2 Cost Pressures

Pay Inflation

3.2.1 There has not been any confirmation of an officers' pay award from April 2019, we are assuming an additional 2% in line with previous increase which took effect in April 2018.

3.2.2 The recent teacher's pay award took effect from September 2018 with differing levels of national increase depending on pay grade:

- 3.5% increase - Teacher's Main Scale (TMS)⁵
- 2.0% increase - Upper Pay Scale (UPS) & allowances
- 1.5% increase - Leadership

3.2.3 A separate Teachers Pay Grant (TPG) has been announced by the Department for Education (DFE) to support schools in meeting the cost of the pay increase until March 2020. The TPG is intended to fund the increase in costs above the 1% that was already included in national planning assumptions.

3.2.4 Funding for mainstream schools and academies will be paid on a nationwide per pupil rate – this means that the amount of TPG that you receive is unlikely to exactly match your increased costs. Whether you receive slightly more or less than required will depend on the makeup and relative size of your staffing structure. Local Authorities are required to calculate allocations for special schools and PRUs locally.

Pensions

3.2.5 The employer superannuation contribution rate for officers in the Local Government Pension Scheme (LGPS) is 27.3%. The next review is

⁵ The LA has proposed, in agreement with sector representatives, to reinstate a single pay scale for TMS. Some schools will therefore see an extra 1% increase for teachers on TMS2-5 from Sept 2018. Please see letter sent to schools from Kirston Nelson on 16/10/18 for details.

scheduled to take place during 2019/20 but we do not anticipate any changes prior to April 2020.

- 3.2.6 Increases in non-teaching staff employer pension contributions for academies and free schools will be dependent on the schemes employees are in, and the scheme review date.
- 3.2.7 The employer superannuation contribution rate for teachers in the Teachers' Pension Scheme (TPS) is to increase from September 2019. The new contribution rate is still being finalised but is anticipated to be in the region of 23.6%, which is approximately 7% higher than in 18/19.
- 3.2.8 As with teacher's pay, a separate grant is being created to support schools in meeting the cost of the TPS increase. Full details are not known and are still subject to a forthcoming consultation, but we understand that the DFE's intention is to fund the increased costs in full at a national level. How this funding is passed out to schools, and the extent to which funding covers cost, will depend on the method of allocation.

Price Inflation

- 3.2.9 The largest part of a school's expenditure is staffing, so changes within that area of expenditure are by far the most significant, however the general inflation level will also affect other areas of expenditure within schools. For your information please note that the Retail Price Index (RPI) and the Consumer Price Index (CPI) inflation measures are currently running at 3.3% (Sep) and 2.4% (Sep) respectively.
- 3.2.10 Please also note that increases to teachers pay and pensions costs (detailed above) will also affect other providers and services that are staffed/delivered by teachers; this is likely to result in higher fees for these services

3.3 Pupil Premium Grant

- 3.3.1 There have now not been any significant increases in the main Pupil Premium Grant rates paid to schools since 2014/15 and although the rates for 2019/20 have not yet been announced, we are not aware of any proposed increases in those rates.

4 Schools Block National Funding Formula

The below is a high level summary of the impact of the National Funding Formula on Coventry's Dedicated Schools Grant allocation, including changes for 2019/20 and an indication of how this may impact on schools.

4.1 The Schools Block National Funding Formula

4.1.1 The school and education funding system is funded from the dedicated schools grant (DSG), which is a ring-fenced grant. In 2018/19 the total amount of grant for Coventry is £297M, and this is spent across 4 areas/blocks: Early Years, Schools, Central Schools Services and High Needs (including special school provision). The majority of this resource funds provision (including all schools) for children and pupils across the city.

4.1.2 From April 2018 the Government introduced a new "National Funding Formula" (NFF) for school funding which set nationwide funding formula values and determined the overall level of Schools Block funding for each Local Authority.

4.1.3 The government's stated intention behind the NFF is to "introduce a funding formula that addresses the long-standing inequalities in school funding that have existed for many years". Unfortunately the impact of the National Funding Formula (if protection is removed/reduced) will be to reduce the money available to Coventry schools over the longer term. As a result 102 out of 107 mainstream schools in Coventry would be on the NFF funding floor.

4.1.4 Following the announcement of an additional £1.3bn NFF protection for 2018/19 to 2019/20 the Department for Education (DFE) was able to raise the funding floor from negative -1.5% to +0.5%; meaning schools on the funding floor would see at least a 0.5% increase on like for like per pupil funding in both 18/19 & 19/20 when compared with 17/18 funding levels. Schools above the funding floor will see a higher total percentage increase across the 2 years.

4.1.5 Last year, in consultation with schools, Coventry took the decision to mirror the NFF protection levels as closely as possible for 2018/19. This allowed us to maximise the amount of funding we were able to pass out to schools, providing an equal 0.5% per pupil increase as far as was possible, and higher for the few schools above the funding floor.

4.1.6 In 2019/20 the citywide allocation we receive for these protection arrangements (funding floor) is estimated to be ca. £11M. This indicates the difference between historic funding arrangements and the NFF for Coventry, and the importance of the funding floor protection arrangement for the city. It is not yet clear what the funding protection arrangements will be post 2019/20 (including mainstreaming of grants for teachers pay award and pensions) as any decisions related to this

are closely linked to the outcomes of next year's Comprehensive Spending Review (CSR). All the intelligence that we have received, however, is that a level of protection arrangements will continue post March 2020.

4.2 NFF changes for 2019/20

- 4.2.1 The NFF is currently in a 'soft' phase, meaning that the DFE will run the NFF for each school, and then the total of the Coventry schools' allocations will become the Schools Block DSG allocation for Coventry to use in its own formula. We then need to go through the usual budget setting process and decide the local funding formula and minimum funding guarantee arrangements to calculate budget shares for Coventry schools. The soft phase of the formula was originally only for two years (2018/19 & 2019/20) this has now been extended to allow local flexibility up until at least 2020/21.
- 4.2.2 The only formula factor in the NFF to see a reduced unit rate is the Primary Low Prior Attainment factor as a result of the increase to the overall cohort size. This only impacts on school allocations above the funding floor.
- 4.2.3 A new 'Funding Floor' factor has been created for 2019/20 to allow local authorities to mirror the funding floor protection in their local formulas. Whether we use the Funding Floor factor in 2019/20, and at what value we set our Minimum Funding Guarantee (MFG) are interlinked and are explored in further detail in Proposal 1.
- 4.2.4 The growth fund allocation for Coventry (which provides funding for infant class size, estimated numbers at growing schools, in-year admissions and secondary growth) will all be allocated on a formulaic basis for the first time in 2019/20. The formula approach looks at areas of the city and provides funding for net increases in primary and/or secondary pupil numbers between the current and previous censuses. This means that growth won't be recognised if there are similar increases and decreases within the same area, and also that the allocation of growth funding will be lagged.
- 4.2.5 The extent to which our growth costs in 19/20 are higher or lower than the allocation we receive, will impact on whether we are able to fully fund growth, and/or whether we are able to afford the 1% pupil-led funding increases as set out in the nationally published school-level allocations. This will also be impacted by our premises factors (i.e. rates) and the pupil mobility factor which are both funded on an historic allocation basis where costs may be higher or lower than our funding.
- 4.2.6 The October 18 census will inform the level of funding required for some of the factors discussed in paragraph 4.2.4 and 4.2.5, and we will therefore not be able to fully understand the financial implications and

affordability of Coventry's funding formula until we have the finalised October 18 census data.

- 4.2.7 We will be working with the Schools Forum, in consultation with Headteacher Partnerships, to understand the financial models available and to implement the appropriate formula changes to deliver school funding allocations for 2019/20.

5 Proposal 1 – Fair Funding Formula options

A decision exists for 2019/20 as to whether Coventry continues to use the local funding formula to mirror the National Funding Formula protection levels as closely as possible, or moves away from that position, instead providing all schools with the same per pupil % increase in funding vs 2018/19 allocations.

5.1 Background

5.1.1 The national funding reform has set a level of expectation amongst schools that they will see at least a 0.5% per pupil increase in pupil led school funding in 2018/19 and a further 0.5% increase in 2019/20. The 0.5% rising to 1% increase is actually set against the 2017/18 per pupil allocations (the baseline). This means that the 19/20 indicative National Funding Formula (NFF) for schools (as detailed in section 4), delivers an overall 1% per pupil increase for schools on the funding floor protection arrangement (0.5% + 0.5%), and a higher than 1% per pupil increase for schools above the funding floor when compared with the 2017/18 baseline. For Schools above the funding floor, however, there may not be a positive increase between 18/19 and 19/20.

5.1.2 In 2018/19 we used the application of the MFG to override the local formula and mirror the national allocations to deliver a +0.5% per pupil increase for schools on the funding floor, and NFF allocation for schools above the funding floor. The only exception to this was for growing schools funded on estimated pupil numbers. If we continue to mirror the national allocations in 2019/20 we will need to modify the local funding formula as the MFG mechanism will not deliver this outcome. This is because there will need to be a differentiated per pupil increase for schools depending whether they are on or above the funding floor.

5.1.3 Another option to consider is the provision of a consistent per pupil increase for all schools on the 18/19 per pupil allocations. We do not receive funding in this way, however, so to ensure affordability it is likely the consistent per pupil increase value would be less than 0.5%. This would move all schools away from the national funding formula arrangements.

5.1.4 The following are the options we are considering for running the 2019/20 budget shares. A Schools Forum Sub-group is reviewing this in more detail and making recommendations to the Schools Forum on the preferred option.

5.2 Option A: Continue to mirror the National Funding Formula (NFF) protection levels as closely as possible (subject to affordability).

5.2.1 The LA would need to introduce the new Funding Floor factor. This would ensure that all schools received at least a 1% increase in pupil led funding compared with the NFF baseline (17/18 funding levels). A

Minimum Funding Guarantee (MFG) protection level of minus 1.5% per pupil would also be put in place which would allow any schools currently above the 1% funding floor to see some decrease in funding if their NFF formula allocation was due to reduce in 2019/20.

5.2.2 The financial impact of Option A would be that all schools' pupil led funding allocations will be at least 1% higher per pupil than their 17/18 baselines.

- 98 schools would receive their remaining 0.5% per pupil funding increase vs 18/19 (bringing the total increase to 1% of 17/18).
- 8 schools would see funding decreases of up to 1.5% per pupil vs 18/19 (but would remain on/above a 1% increase vs 17/18).
- 1 school (growing) will receive an increase of approximately 4% per pupil vs 18/19 as it funding currently sits below the 1% funding floor.
- All schools would continue to be in line with NFF allocations including funding floor protection

5.3 Option B Move away from mirroring NFF protection levels as closely as possible, instead protecting all schools with an equal, but reduced, protection level % per pupil compared with 18/19 funding allocations.

5.3.1 The LA would need to continue operating the Minimum Funding Guarantee (MFG) at a positive value (subject to affordability). This would provide an equal % per pupil funding protection for all schools, but at a lower level than the 0.5% protection provided in 2018/19.

5.3.2 The financial impact of Option B would be that all schools' pupil led allocations will increase by the same % amount per pupil compared with their 2018/19 funding levels. As there would be no reference to the 17/18 baseline in the formula, some schools will receive budgets greater than the NFF protection levels, whilst most will receive less. In summary it would mean:

- 98 schools will receive a small per pupil % funding increase vs 18/19 (with a total increase of less than 1% vs 17/18 baselines)
- 8 schools would receive the same small per pupil % increase as the 98 (but with total increases between ca.1.5% & 6% vs 17/18)
- 1 school will also receive the same small per pupil % increase as other schools (but it will remain ca. 4% below the funding floor)
- No school would be in line with NFF allocations including funding floor protection

5.4 Consultation

*Please feedback general comments on this proposal.
(Please respond on the Consultation Response Form - [Appendix A](#))*

6 Proposal 2 – De-delegated Services

Some centrally provided services now have to be allocated through the formula but can be de-delegated for maintained primary and secondary schools via local agreement. This Proposal highlights the 2019/20 position that will need to be agreed by Schools Forum.

6.1 Background

- 6.1.1 The budgets for a number of centrally provided services have to be delegated to schools through the funding formula but can be de-delegated for maintained primary and secondary schools. This means that maintained schools can choose to pool resources to continue delivery of a service. Academies are not able to opt into this, but can choose to buy back into the services if offered.
- 6.1.2 In 2018/19 Primary maintained schools opted to pool resources for most of the de-delegated services offered. Trade Union facility time and Learning & Behaviour Support were not de-delegated by secondaries.
- 6.1.3 Licences and Subscriptions are now funded via a national top-slice for all schools and not part of de-delegation.

6.2 Proposed way forward

- 6.2.1 The pooling arrangements continue to be available in 2018/19 and must be approved by School Forum with Primary and Secondary member representatives deciding for their own phases.
- 6.2.2 We will be seeking approval from the School Forum in the autumn in relation to de-delegated services. The table below shows the values approved for de-delegation in 2018/19. (These figures are subject to in-year change, where LA maintained schools convert to academies). Phases can also opt to de-delegate resources for services previously delegated.

2018/19 De-delegated Amounts			
	Primary	Secondary	Total
Free school meal eligibility	15,743	1,818	17,560
Licences/subscriptions	0	0	0
Maternity	533,416	64,985	598,401
Trade Union facility	114,098	0	114,098
School Improvement*	208,738	25,430	234,169
EMAS (new arrivals fund)	303,338	22,569	325,907
Behaviour support services	0	0	0
Total	1,175,333	114,802	1,290,135

* Coventry Education Improvement Strategy commissioning pot.

- 6.2.3 The Local Authority wishes to continue the operation of the Coventry Education Improvement Strategy commissioning pot (formerly part-

funded by ESG) into 2019/20 for all schools. As in 2018/19, if continuation of the fund is agreed, the funding for this pot will be given to all Coventry schools in addition to their usual budget share funding; this would be one-off funding from reserves. The expectation would be that this same level of funding would then be passed back to the commissioning pot, with maintained schools de-delegating, and academies contributing on an individual basis.

6.3 Consultation

*Please feedback general comments on de-delegated services. We will report overall response at the Schools Forum (SF) meeting. Schools can also make representation to their SF representative.
(Please respond on the Consultation Response Form - [Appendix A](#))*

7 Proposal 3 – Minimum Funding Guarantee Disapplications

The Local Authority retains the ability to set the level of the Minimum Funding Guarantee (MFG) protection for schools in 2019/20, although the appropriate MFG % will be heavily influenced by decisions on proposal 1. This proposal highlights the MFG exemptions that will need to be agreed by Schools Forum.

7.1 Background

- 7.1.1 The Minimum Funding Guarantee (MFG) is a protection mechanism which protects school formula funding, so that schools cannot lose more than a set percentage of their funding (on a per pupil basis) between one year and the next.
- 7.1.2 Historically the LA had no flexibility on what level the MFG protection % should be set at, with the DFE fixing at negative 1.5% rate; meaning schools could not lose more than 1.5% of their like for like funding between years. Last year the National Funding Formula (NFF) gave LAs a degree of flexibility to set the MFG % within a range of negative 1.5% up to +0.5%.
- 7.1.3 Despite the NFF announcements and shadow school allocations published by the Department for Education (DFE), the LA is required to operate its local funding formula within a strict legal framework which does not allow the flexibility to simply allocate funding to schools at the NFF level. In order to allow flexibility for the local formula to continue to closely mirror the NFF protection levels, and to prevent the allocation of one off resource from being locked into funding baselines, a series of formula and MFG exemptions will be required.

7.2 Proposed way forward

- 7.2.1 The decision on the level of MFG protection in 2019/20 is closely linked to how far we intend to continue to mirror the NFF. The rate will be determined, subject to affordability, by the decision on proposal 1.
- 7.2.2 We will go through the various proposed exemptions in detail with the funding sub-group so that they are able to make recommendations back to the Schools Forum.
- 7.2.3 Disapplication 1: Exclude mobility factor from MFG
- In order to give us the ability to mirror the NFF as closely as possible and to avoid locking one-off resource into ongoing budgets (proposal 1) the LA intends to apply to the DFE for a technical exemption (disapplication) to the minimum funding guarantee (MFG) protection mechanism to in order to remove the mobility factor from the calculation of the MFG in both 18/19 and 19/20.
- 7.2.4 Disapplication 2: Exclude one-off funding from MFG

As detailed in proposal 2, one-off reserve funding may again be delegated to schools at the level of resource required to contribute to the school improvement provision.

An MFG exemption is needed in order to allow this one-off reserve funding to be delegated to schools at the same level per pupil, as the operation of the MFG would currently act to redistribute the funding based on changes in overall school level funding. Not having this exemption would result in some schools being delegated more one-off funding than they are required to contribute to the school improvement provision, whilst others would receive less than required.

7.3 Financial Impact

7.3.1 Disapplication 1 (mobility factor): As outlined above, and in proposal 1, if the decision is to continue to closely mirror the NFF protection mechanism (option A), these disapplications will allow the local funding formula to follow that approach. The financial impact of this is that every school should receive a per pupil increase in funding between 2017/18 and 2018/19.

7.3.2 Disapplication 2 (one-off funding): Removing one off reserve funding: As in 18/19 if schools choose for the LA to continue to operate the Education Improvement Strategy commissioning pot, an MFG exemption would be needed to allow this one-off reserve funding to be delegated to schools at an equal level per pupil, as the operation of the MFG would currently act to redistribute the funding based on changes in overall school level funding. Not having this exemption would result in some schools being delegated more one-off funding than they are required to contribute to the school improvement provision, whilst others would receive less than required.

7.4 Further disapplication request relating to a DSG revenue reserve contribution to a High Needs capital programme

7.4.1 The Council's One Strategic Plan⁶ for school place planning outlines the LA's strategy to meet the growing demand for places for children with special educational needs and disabilities including provision for children age 5 to 16, with complex social, emotional and behavioural difficulties.

7.4.2 This specialist provision is currently delivered by Woodfield Special School from two separate sites. It is acknowledged that the existing school buildings are deemed unsuitable for purpose in the long term and have insufficient capacity to meet the growing demand.

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<http://democraticservices.coventry.gov.uk/documents/s41734/a%20Coventry%20One%20Strategic%20Plan%20and%20Education%20Capital%20Programme.pdf>

- 7.4.3 An opportunity has arisen to re-use the site previously occupied by Woodlands School, to co-locate Woodfield School, in its entirety. This would provide a future proofed fit for purpose educational environment, offering a full range of facilities including sport to learners, with the capacity for the provision to grow. A Cabinet Report⁷ setting out the details of this proposal was published on 30th October.
- 7.4.4 From the preliminary work undertaken it is considered unlikely that the proceeds from these two sites be sufficient to fully fund the capital costs and a funding gap of ca. £2.5m is likely to remain.
- 7.4.5 We will be exploring with the Schools Forum whether the current funding gap could be met/partly met from a contribution from Dedicated Schools Grant (DSG) revenue reserves. This is partly supported by a one-off return of funding to the DSG in 2017/18 financial year to reflect the fact that the Education Funding Agency had recouped more budget from the Local Authority than was required to fund the school.
- 7.4.6 In addition creating additional places within the city will create capacity to ensure that we can keep children and young people within provision in the city, and reduce the need for more costly out of city provision. This will reduce/prevent DSG revenue expenditure. It is proposed that any further funding gap would be met from corporate capital resources.
- 7.4.7 A disapplication of the funding regulations is required in order to make a revenue contribution to capital as it is seen as increasing the historic commitments threshold (these may not be breached under the normal course of business).
- 7.4.8 The financial impact of approving this proposal would be to reduce the level of funding currently within the General DSG reserve (£3.9m as at April 2018). It would also have the impact of helping to reduce long term revenue spending on highly expensive out of area placements, which will allow the LA to use the high needs DSG more effectively to support pupils with additional needs.

7.5 Consultation

Please state your view on approving the disapplications as set out above. (Please respond on the Consultation Response Form - [Appendix A](#))

7

<http://democraticservices.coventry.gov.uk/documents/s41740/b%20One%20Strategic%20Plan%20-%20SEND%20Proposal%20for%20use%20of%20Woodlands%20Site.pdf>

8 High Needs National Funding Formula

The below is a high level summary of the impact of the High Needs National Funding Formula on Coventry and the provision pressures facing the sector.

- 8.1 The national distribution of the High Needs block element of the DSG has been on an historic basis for a number of years. With some small additional allocations being distributed to all LAs using a formulaic distribution during the last few years. Since April 2018 the high needs block has been distributed to Local Authorities on a formulaic basis taking into account commissioned places, total population, deprivation factors and other health related factors. There will also be a substantial amount of the allocation that is based on historic spend levels to ensure stability.
- 8.2 For Coventry, this has meant an increase to our High Needs Block of approximately £1.4M in 18/19 rising to £2.9M by 19/20 (cumulative). The published financial implications for the high needs block do not show the impact past 19/20 for gaining local authorities. However, based on the indicative allocations given for a fully implemented national formula we anticipate a further £1.6M increase on the high needs block, although this would be subject to decisions at future spending reviews. This is separate to the schools national funding formula.
- 8.3 We continue to see significant demand pressures within the high needs block, and our expectation is that all the additional resource will go into funding provision. The Coventry One Strategic Plan that was approved by Cabinet in October 2018 provides further information in relation to future growth areas. This is available on the City Council website [Cabinet Report](#) and the consultation on the Special provision fund for high needs capital is available on the [Local Offer](#) website.
- 8.4 We will continue to consult with special school stakeholders in relation to the high needs banded funding model, any necessary further review of the model, and level of the minimum funding guarantee.
- 8.5 Consultation

*If you have any comments you would like to make in relation to this section please enter these under Other General Comments.
(Please respond on the Consultation Response Form - [Appendix A](#))*

9 Proposal 4 – Commissioned High Needs Places

This proposal discusses the work that the Local Authority is currently carrying out in order to determine the number of high needs places that need to be commissioned for 2019/20. The proposal also requests that ongoing funding is agreed to support 10 additional special school places being commissioned at Tiverton Special School in 19/20, and references the current provision pressure in both the statutory age and Further Education sector.

9.1 Background

9.1.1 High Needs places for Coventry pupils are commissioned by the LA directly with providers. The costs of these placements are funded from the High Needs element of the Dedicated Schools grant (DSG).

9.1.2 The DFE defines high needs pupils and students as those requiring education provision costing more than £10,000 per year. Under the place-plus approach, high needs funding in special schools comprises the following two elements.

Place funding; this is the first £10,000 of the placement cost. Once a place is commissioned this funding is guaranteed to the provider.

Top-up funding; this is to cover the additional costs above the place funding. The top-up rate is agreed with the provider for a whole financial year, with funding transfer based on the number of days that a place is occupied.

9.1.3 Coventry currently commissions high needs places at a number of education providers:

Education Provider Type	No. commissioned places
Special Schools	961
Further Education Colleges	319
Alternative Provision	105
Enhanced Resource Provisions	35
Mainstream Schools	10
Other 'Out of City' providers including Other LEA and Independent non-maintained special schools	55 (INMSS) 46 (OLEA)

9.2 Proposed way forward

- 9.2.1 From September 2019 there is a need for additional special school places in Coventry, in both the primary and secondary sector. Funding needs to be identified to commission additional places from one or more of the existing special schools in the city.
- 9.2.2 Tiverton Special School (currently 70 places) was rebuilt on the site of the former Alice Stevens Special School in 2017/18 and has capacity to take additional pupils within its existing structure. The LA is currently planning to commission a further 10 places from September 2019; meaning there will be a minimum of 80 places commissioned from Tiverton special school.
- 9.2.3 It is evident that there are currently insufficient special school places to accommodate the number of pupils transferring from primary special school provision, to secondary special school provision. This means that there is currently no available provision within the secondary special school sector to accommodate mainstream to special school phase transfers or new assessments in 2018/19. Negotiations are underway with special school leaders, to identify any physical capacity for expansion that would reduce the forecast shortfall in provision.
- 9.2.4 There remains a significant national pressure on high needs places in the Further Education (FE) sector, this is also being felt in Coventry. In light of this provision pressure, the number of places commissioned at local FE colleges is being analysed in order to inform commissioning decisions. We currently expect to commission an additional ca. 20 places from FE colleges for 2019/20.

9.3 Financial Impact

- 9.3.1 Any additional high needs places that are commissioned for Coventry pupils will result in an additional cost that will be funded from the High Needs Block. The further cost of ongoing funding for the additional 10 places at Tiverton Special School is estimated to be in the region of £123k part year (£211k full year). Any commissioned growth in secondary provision will increase this cost on a pro-rata basis.
- 9.3.2 Once actual changes to the number of commissioned FE places has been determined we will share details of the financial impact with the Schools Forum as part of the budget setting process.

9.4 Consultation

Please feedback any general comments on Commissioned High Needs Places. (Please respond on the Consultation Response Form - [Appendix A](#))

10 Proposal 5 - Early Years Funding – monthly payments

New statutory guidance recommends that local authorities should pay early years providers on a monthly basis. The LA is working towards meeting this requirement and proposes to introduce monthly payments from April 2019.

10.1 Background

10.1.1 Since the introduction of the Early Years Single Funding Formula in 2011/12 early years providers have received their funding in two main instalments each term.

- An interim payment at the start of the term, equal to 60% of the term's anticipated funding (based on the previous year's activity)
- A balancing payment towards the end of the term, providing the balance of funding required to ensure the providers receive 100% of their allocation (based on actual activity as at census)

10.1.2 The 'Early Education and Childcare statutory guidance'⁸ published in March 2018 set out that Local Authorities should pay all providers on a monthly basis.

10.1.3 As a result the LA has been working hard to identify the most appropriate approach to meet this requirement and has begun testing potential approaches with a number of pilot providers which cover PVI providers and childminders across all age groups.

10.1.4 This will not apply to Maintained Nursery Schools or to Nursery Classes in maintained schools as they are a part of the LA and their funding is therefore delivered through a different mechanism.

10.2 Proposed way forward

10.2.1 The current pilot programme will continue to provide evidence and feedback during this term and in the spring 2019 term to help inform the final recommended approach.

10.2.2 Current expectations are that payments will be an equal proportion % of the term's funding (i.e. for the autumn term; 25% in Sept, Oct, Nov and Dec) and that the payments will be made near to the start of each month. Providers will complete a 'forecast task' at the start of each term which will be used to inform the first two payment amounts, with the third and fourth payments based on the census return and any relevant adjustments.

8

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/692348/Early_education_and_childcare_-_statutory_guidance.pdf

10.2.3 It is proposed that a new monthly process would be introduced from April 2019, depending on the outcomes of the pilot programme and development of the necessary IT system. Once a workable approach has been selected, the exact process and timings of future payments will be shared with all providers in advance of going live.

10.3 Financial Impact

10.3.1 There would not be a funding impact on providers as a result of introducing a monthly payments process. The same total funding will be provided to each provider (based on activity) as would have been the case under the current model.

10.3.2 The impact would instead be on providers' cash flow, as they would receive smaller more frequent payments which should aid them in planning the use of their cash and ensuring that they have funds available at an appropriate time to meet their monthly outgoings.

10.4 Consultation

*Please feedback any general comments on the proposal.
(Please respond on the Consultation Response Form - [Appendix A](#))*

11 Proposal 6: Fair Funding Scheme of Delegation changes

This section covers changes that are being made to the Fair Funding Scheme of delegation to reflect updated national and local policies.

11.1 Background

11.1.1 Section 48 of the School Standards and Framework Act 1998, and Schedule 14 to the Act set out that Local Authorities should have a Scheme of Delegation.

11.1.2 Local authorities are required to publish schemes for financing schools setting out the financial relationship between them and the schools they maintain.

11.1.3 In making any changes to their schemes, local authorities must consult all schools in their area and receive the approval of the members of their schools forum representing maintained schools. Local authorities must take this guidance into account when they revise their schemes, in consultation with the schools forum.

11.1.4 The link to the draft consultation version of Fair Funding Scheme of Delegation is available at www.coventry.gov.uk/FFSD-consultation

11.2 Proposed way forward

There are five areas of change in the FFSD for 2019/20. These changes are summarised below:

11.2.1 **Section 2.5** (Virement):

- Amended paragraph 2.5.3 to increase the maximum power of virement (budget transfer) able to be delegated by the Governing Body to the Head Teacher or sub-committee from £8k to £10k.
- Inserted paragraphs 2.5.5 & 2.5.6 to recognise an exemption to the virement limit in relation to the recording of new grant income, and the subsequent procedures that must be followed.

11.2.2 **Section 2.10** (Purchasing, Tendering and Contracting Requirements):

- Amended 2.10.1 to include a hyperlink to the City Council's Rules for Contracts document.
- Updated the table in paragraph 2.10.10 to include the most current procurement thresholds.

11.2.3 **Section 4.11** (Credit Union Loan):

- Inserted paragraph 4.11.2 and amended paragraph 4.11.3 to reflect the DFE directed revision to the national scheme setting

out that credit union loan schemes should only be used to support schools in spreading the cost of large, one-off, individual items of a capital nature.

11.2.4 **Appendix D** (Unofficial Funds):

- Amended paragraph 4.3 to reflect that Unofficial Funds (i.e. School Funds) are not mandated to be held in a separate bank account, but that transactional accounting records must be kept, and be easily and separately identifiable from a school's business transactions.

11.2.5 **Whole Document**

- Amended references to “Executive Director (Resources)” to instead read “Director of Finance & Corporate Services” in order to reflect changes the LA’s staffing structure.
- Amended references to “Director of Education, Libraries & Adult Learning” to instead read “Director of Education & Skills” in order to reflect changes the LA’s staffing structure.

11.3 Consultation

Please feedback any general comments on the Fair Funding Scheme of Delegation. Please respond on the Consultation Response Form - [Appendix A](#)

Response Form

Consultation on Proposed Changes to the Fair Funding Scheme of Delegation and Formula 2019/20

Name of Respondent:

Name of setting:

Position:

Responding as (please ✓ the box)

Group

Individual

Stakeholder Group: (please ✓ the box)

- Trade Union Representatives
- Diocesan Church Authorities
- Governors Associations
- Head Teachers
- Chairs of Governors
- Schools Forum
- PVI/Childminder Early Years Provider

PLEASE RETURN BY Friday 30th November 2018 to:
E-mail: lisa.thomas@coventry.gov.uk

Proposal 1 Response

Fair Funding Formula options

(for further information see the Fair Funding Consultation, [section 5](#))

A decision exists for 2019/20 as to whether Coventry continues to use the local funding formula to mirror the National Funding Formula protection levels as closely as possible, or moves away from that position, instead providing all schools with the same per pupil % increase in funding vs 2018/19 allocations.

This proposal requests that schools feedback general comments.

Proposal 1: Comments

Proposal 2 Response

De-delegated Services

(for further information see the Fair Funding Consultation, [section 6](#))

Some centrally provided services now have to be allocated through the formula but can be de-delegated for maintained primary and secondary schools via local agreement. This Proposal highlights the 2019/20 position that will need to be agreed by Schools Forum.

Please feedback general comments on de-delegated services. We will report the overall response at the Schools Forum meeting.

Proposal 2: Comments

Proposal 3 Response

Minimum Funding Guarantee Approach

(for further information see the Fair Funding Consultation, [section 7](#))

The Local Authority retains the ability to set the level of the Minimum Funding Guarantee (MFG) protection for schools in 2019/20, although the appropriate MFG % will be heavily influenced by decisions on proposal 1. This proposal highlights the MFG exemptions that will need to be agreed by Schools Forum.

Please feedback any general comments.

Proposal 3: Comments

Proposal 4 Response

Commissioned High Needs Places

(for further information see the Fair Funding Consultation, [section 9](#))

This proposal discusses the work that the Local Authority is currently carrying out in order to determine the number of high needs places that need to be commissioned for 2019/20. The proposal also requests that ongoing funding is agreed to support 10 additional special school places being commissioned at Tiverton Special School in 19/20, and references the current provision pressure in both the statutory age and Further Education sector.

Please feedback general comments on this proposal.

Proposal 4: Comments

Proposal 5 Response

Early Years National Funding Formula

(for further information see the Fair Funding Consultation, [section 10](#))

New statutory guidance recommends that local authorities should pay early years providers on a monthly basis. The LA is working towards meeting this requirement and proposes to introduce monthly payments from April 2019.

Please feedback any general comments on the proposal.

Proposal 5: Comments

Proposal 6 Response

Fair Funding Scheme of Delegation

(for further information see the Fair Funding Consultation, [section 9](#))

This section covers changes that are being made to the Fair Funding Scheme of delegation to reflect updated national and local policies.

Please feedback any general comments on the Fair Funding Scheme of Delegation.

Fair Funding Scheme of Delegation changes: Comments

Other General Comments:

Fair Funding Conference 2019/20: Comments

Circulation List

Trade Union Representatives
Diocesan Church Authorities
Governors Associations
Head Teachers
Chairs of Governors
Schools Forum
PVI Early Years Free Entitlement Providers



Public report
Cabinet

A separate report is submitted in the private part of the agenda in respect of this item, as it contains details of financial information required to be kept private in accordance with Schedule 12A of the Local Government Act 1972. The grounds for privacy are that it refers to the identity, financial and business affairs of an organisation and the amount of expenditure proposed to be incurred by the Council under a particular contract for the supply of goods or services.

Cabinet
Council

8th January 2019
15th January 2019

Name of Cabinet Member:

Cabinet Member for Jobs and Regeneration - Councillor J O'Boyle

Director Approving Submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

St Michael's

Title:

Land and buildings between Corporation St, Upper Well St, Lamb Street, Chapel Street and Bishop Street, Coventry, CV1 4AD - Lease re-gear

Is this a key decision?

Yes – the expenditure to be approved pursuant to this report will be in excess of £1 million pounds

Executive Summary:

As part of the City's plans to host an outstanding UK City of Culture 2021 programme, promote Coventry's visitor economy and deliver its wider economic development agenda, Coventry City Council is committed to seeing new high quality hotel developments delivered within the city centre.

There is an opportunity to facilitate the delivery of a new 'boutique' hotel for the city, to be open and operational before 2021, through a proposal to be delivered by Far Gosford Developments Limited who are prepared to invest a significant amount of funding to refurbish and redevelop the vacant former Coventry Evening Telegraph buildings on Corporation Street. The proposed hotel site is situated within a wider 2.6 acre regeneration opportunity of which the Council is the freeholder of the land ("the Land").

However, due to the significant costs involved in refurbishing such an iconic set of buildings and the relatively unproven market for higher end hotels within Coventry, the development of a hotel on its own is not financially viable. In order to facilitate the delivery of the hotel, there is an

opportunity to cross-subsidise its development through the disposal of adjacent sites at Chapel Street, Lamb Street and Bishop Street to deliver student accommodation. The land receipt the Council would ordinarily receive for these sites will then be used to contribute towards the capital cost of funding the hotel element of the wider scheme.

Whilst the Council is the freeholder of the Land, there are eleven long leasehold interests on the Land. Far Gosford Developments Limited have acquired the majority of these leasehold interests and to facilitate this regeneration scheme the Council is being asked to grant new 250 year head leases across the sites comprising the wider development (subject to the existing leases) and to widen the existing user clauses to allow for residential or student accommodation and a hotel to be developed. These lease arrangements will allow for Far Gosford Developments Limited to access the private and public development funding necessary for the scheme to go ahead.

As well as the reinvestment of its land receipts into the overall regeneration scheme, the Council will also forgo its existing rental income for the term of the unexpired leases (the leases have terms of between 38-89 years unexpired). Details of the revenue implications to the Council are set out in the private report. The Council has appointed independent commercial consultants to provide a Royal Institute of Chartered Surveyors 'red book' valuation of the sites within the overall scheme to ensure that the Council meets all its S123 obligation under the 1972 Local Government Act and receives 'best consideration' for its land. Their independent valuation has shown that any premium the Council could reasonably expect to receive for the sites delivering student housing is more than offset by the wider viability constraints provided by the hotel element of the scheme and as such best consideration has been obtained.

To safeguard the Council's position and the delivery of the overall development, Heads of Terms for a contract for sale and agreement for lease have been agreed which requires Far Gosford Developments Limited to deliver a quality hotel and to pay Performance Security Deposits into an escrow account where monies are only then released and returned to the developer once certain hotel delivery milestones are met. The requirement for Performance Security Deposits has been secured to ensure that should the boutique hotel not be delivered the Council is put in a position as if it had sold the other sites in isolation.

Recommendations:

Cabinet is recommended to:

- 1) Authorise the grant of new 250 year leases (subject to existing leases) to Far Gosford Developments Limited or to a nominated student accommodation provider for each of the 3 sites shown edged in blue, green and pink on the Site Plan in Appendix 1 for the development of a boutique hotel and student accommodation as a single scheme.
- 2) Approve the draft Heads of Terms for the grant of the leases (as set out in the private report).
- 3) Delegate authority to the Deputy Chief Executive (Place) following consultation with the Director of Finance and Corporate Services to undertake the necessary due diligence and to complete the necessary legal documentation required to enter into the new lease arrangements.
- 4) Delegate authority to the Deputy Chief Executive (Place) following consultation with the Cabinet Member for Jobs and Regeneration and the Cabinet Member for Strategic Finance and Resources, for any subsequent variation to the Heads of Terms.

- 5) Recommend that Council accept from Far Gosford Developments Limited the amount which represents the Open Market Value of Site 2 and 3 as Performance Security Deposits for the delivery of the hotel, such Performance Security Deposits to be released on satisfaction of the triggers as set out in the Heads of Terms.

Council is requested to:

- 1) Accept from Far Gosford Developments Limited the amount which represents the Open Market Value of Site 2 and 3 as Performance Security Deposits for the delivery of the hotel, such Performance Security Deposits to be released on satisfaction of the triggers as set out in the Heads of Terms.

List of Appendices included:

Appendix 1 – Site Plan

Other useful background papers:

N/A

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

Yes – 15th January 2019

Title: Land and buildings between Corporation St, Upper Well St, Lamb Street, Chapel Street and Bishop Street, Coventry, CV1 4AD - Lease re-gear

1. Context (or background)

- 1.1 In 2012 the Coventry Evening Telegraph ceased trading from its landmark premises at 157 Corporation Street (defined as Site 1 in the Heads of Terms (contained within the private part of the report) and edged in blue in the site plan attached at appendix 1) and between 2017 and the Summer of 2018 the building has been used for temporary event and exhibition space. The building is held on a lease by Far Gosford Developments Limited (FGDL) with 40 years unexpired term.
- 1.2 Details of the ground rent currently paid to the Council for this lease are contained within the private part of the report.
- 1.3 The Council is also the freeholder of the ‘west site’ (defined as Site 2 in the Heads of Terms (contained within the private part of the report) and edged in pink in the site plan attached at appendix 1) and ‘east site’ (defined as Site 3 in the Heads of Terms (contained within the private part of the report) and edged in green in the site plan attached at appendix 1) sites which are currently used for a range of commercial uses. With the exception of the Hertz rental car site, all the head leases within these sites are owned by FGDL and have between 38 to 89 years to run.
- 1.4 Details of the ground rent currently paid to the Council for these leases are contained within the private part of the report.
- 1.5 FGDL is a private development company whose directors have previously delivered key regeneration schemes in Coventry, including the creative quarter at Far Gosford Street, the mixed use Phoenix Initiative which delivered 85 new homes, new restaurants and BBC studio space and the award-winning Electric Wharf which created 114 live / work units.
- 1.6 The proposed scheme, which has planning permission, will regenerate an architecturally important building and create 80,000 sqft of commercial and event space, deliver 1270 new high quality student units and create 90 FTE jobs in the completed development as well as many more during construction. As well as delivering a new, top quality boutique hotel, the first in the city, the scheme will also include a restaurant and bar and space for events, conferences, exhibitions and performances.
- 1.7 The delivery of high quality hotel developments in the city centre is a priority for the Council due to the huge influx of visitors during City of Culture 2021, the role they play in boosting the city’s image and inward investment potential, the need to provide suitable accommodation to service the city’s growing economy and the lack of ‘upmarket’ hotels currently operating within the city centre.
- 1.8 Whilst analysis has shown that there is a shortfall of high quality bed space in the city centre, the market for this type of hotel development is currently relatively unproven so there is uncertainty around the strength of demand that would secure the necessary investment to bring the scheme forward. This coupled with the costs and risk of redeveloping existing buildings (including high abnormal costs relating to asbestos and the capping of the basement) means that the overall scheme requires a partnership approach between FGDL and public bodies to bring a viable scheme forward. The West Midlands Combined Authority (WMCA) have approved grant and loan funding to support the scheme and the Heads of Terms for the new leases (please refer to the private part of the report) establish how the City Council and FGDL will facilitate (through receipts that would

otherwise have been received from the 'east' and 'west' student sites if they were sold in isolation) the delivery of the comprehensive scheme which will also include the construction and operation of a new hotel in readiness for the City of Culture 2021.

2. Options and recommended proposal

- 2.1 Option 1. To not agree to the granting of the new leases on the terms set out in the Heads of Terms.
- 2.2 The Council is the freehold owner of the land which is the subject of this report. The leases currently only allow for the properties to be used for commercial type uses. The Council could decide not to grant the new 250 year leases that FGDL are seeking. Under this option, the Council would carry on receiving the ground rent for the current leases, but the wider regeneration scheme delivering a new hotel and 80,000 sqft of commercial and event space, 90 permanent jobs and over 1200 new student units would not be capable of being delivered.
- 2.3 Given the Council's economic development ambitions for the city and its people and the importance of boosting the visitor economy during, and after, the UK City of Culture 2021 programme, not delivering a hotel of this quality would run contrary to the Council's objectives for the city centre. For these reasons, this option is not recommended.
- 2.4 Option 2. Agree to the granting of the new leases on the terms set out in the Heads of Terms (preferred option)
- 2.5 To facilitate the refurbishment and redevelopment of the existing Coventry Evening Telegraph buildings and provide a high quality hotel (of at least 88 rooms) alongside a restaurant, bar and space for events, conferences, exhibitions and performances there is a request to grant new 250 year head leases where the user clauses are widened to allow for a hotel development on Site 1 and student accommodation or residential accommodation on Sites 2 and 3. The leases will include restrictive covenants to ensure that the Council has absolute discretion in agreeing to any change of use for the first 20 years for the hotel and first 25 years for the student / residential sites.
- 2.6 The 250 year leasehold interests are required for the developer to be able to secure the necessary investment funding into the development scheme (the current leases have between 38-89 years left to run). An independent red book valuation undertaken by Cushman and Wakefield has demonstrated that the overall development faces significant viability pressures due to the costs of delivering the hotel element of the scheme. Given this financial position and the fact that the scheme is to come forward as a single development, the Council is satisfied that all capital receipts realised by the student housing development on Sites 2 and 3 will be used to fund the hotel works.
- 2.7 In return for widening the user clause and extending the lease term the developer is contractually committing to deliver a new hotel through a high quality refurbishment of the Coventry Evening Telegraph buildings. To protect the Council's position and ensure the delivery of the hotel, FGDL will provide Performance Security Deposits when the leases are completed for the sites which will come forward for student housing (Sites 2 and 3). The Council will only be required to release these funds back to FGDL to fund and to be used solely towards the completion of the development if FGDL can provide satisfactory evidence that they have met certain criteria in relation to the delivery of the hotel.
- 2.8 FGDL are also committed to ensuring that a high quality operator is responsible for running the hotel. Bespoke Hotels, the UK's largest independent hotel group who operate over 200

hotels worldwide, have entered into a management agreement with FGDL to run the hotel. It is a condition that prior to the grant of any lease between the City Council and FGDL that the Council is able to review this management agreement before the lease for the hotel site is entered into.

3. Results of consultation undertaken

- 3.1 Formal public consultation on the development proposals was undertaken as part of the formal planning application process during the Summer and Autumn of 2018.

4. Timetable for implementing this decision

- 4.1 Subject to Cabinet and Council approval, officers will work with FGDL to complete the necessary agreements as soon as possible to enable the delivery of the hotel before 2021.

5. Comments from the Director of Finance and Corporate Services

5.1 Financial implications

- 5.1.1 The commercially sensitive financial implications of this transaction are contained within the private report.

5.2 Legal implications

Property Implications

- 5.2.1 The Council has a fiduciary duty to secure value for money and when disposing of land must ensure that it obtains best consideration, being the market value of the land as defined by the Royal Institute of Chartered Surveyors. As stated within the report, an independent valuation of the three sites has been obtained which demonstrates that the overall development which is being delivered as a single scheme faces significant viability pressures due to the cost of delivering the hotel.

- 5.2.2 Based on the above, it is the Council's view that the unrestricted value of the student accommodation sites (Sites 2 and 3) would be eroded by the cost of delivering the hotel development. Thus, when the delivery of the development is considered as a single scheme the Council is satisfied that the obligation contained in S123 Local Government Act 1972 is met in this instance.

- 5.2.3 The S123 legal responsibility is also safeguarded by the imposition of the Performance Security Deposits to be paid to the Council which will ensure that in the event that the milestones set out in the Heads of Terms for the hotel development are not met, the Council will retain these deposits and be put in a position as if it had sold Sites 2 and 3 in isolation.

State Aid Implications

- 5.2.4 A disposal of land and/or the return of the Performance Security Deposits are capable of amounting to state aid. State aid applies where public funds can be said to subsidise an undertaking in some way. Any benefits deemed to be state aid would normally crystallise at the point the aid is granted. Legal Services will undertake a full state aid analysis prior to the agreements being entered into to ensure that any risks are properly mitigated.

6. Other implications

6.1 How will this contribute to achievement of the Council's Plan?

6.2 The delivery of the scheme outlined in this report will deliver a range of economic development (including 90 new jobs) and inward investment objectives that will help to realise the Council's ambitions for a more vibrant and economically prosperous and sustainable city centre. It will also support the delivery of the Council's Tourism Strategy 2019-2023 through helping to improve the quality of accommodation in the city and improving the perception of Coventry as a destination for visitors and tourists.

6.3 How is risk being managed?

6.4 The key risks relate to ensuring the hotel element of the proposed development scheme is delivered in a timely manner. These risks will be managed through the legal obligations within the agreement for lease and will be maintained through the restrictions imposed in terms of the lease.

6.5 What is the impact on the organisation?

6.6 The impact to the organisation will be minimal as it doesn't affect any service which the Council provides. It will generate work for officers within the Place Directorate in concluding the negotiations and processing the lease documentation.

6.7 Equalities / EIA

6.8 An Equality Impact Assessment has not been undertaken as the proposal concerns the disposal of land for redevelopment and no Council service or group will be impacted.

6.9 Implications for (or impact on) the environment

6.10 The refurbishment and reuse of the existing Coventry Evening Telegraph building minimises the impact on the built environment. The overall development will be in accordance with the Council's planning policies for sustainable development.

6.11 Implications for partner organisations?

6.12 There are no implications for any partner organisations.

Report author(s):

Adam Hunt
Senior Development Executive

Directorate:

Place

Tel and email contact:

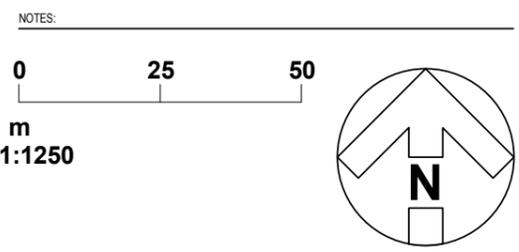
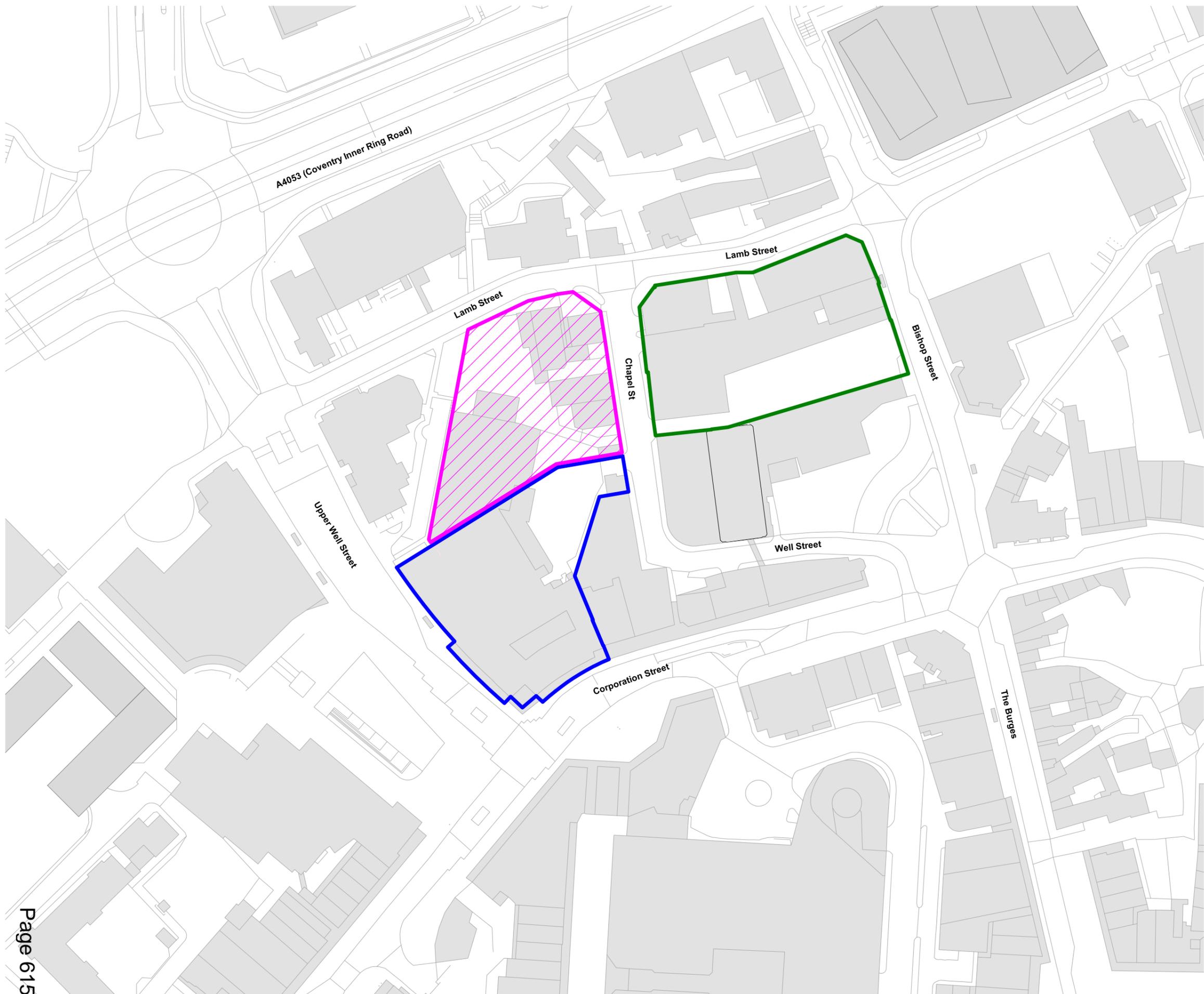
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 FIRST ISSUE

LEGAL

PLOT DATE 04/06/2018 11:33:05

CLIENT: _____

Coventry Telegraph Site

PROJECT: _____

Proposed Site Boundary Plan

DRAWING: _____ SCALE: 1 : 1250 @ A3 CREATION DATE: FEB 2018
 DRAWN BY: -

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