



Cabinet Member for Policing and Equalities

Time and Date

10.00 am on Tuesday, 18th June, 2019

Place

Committee Room 3 - Council House

Public Business

1. **Apologies**

2. **Declarations of Interest**

3. **Minutes** (Pages 3 - 6)

(a) To agree the minutes of the Cabinet Member for Policing and Equalities meeting held on 21st March, 2019

(b) Matters arising

4. **Petition - Objection to the proposals to hold a Fun Fair on Stoke Green**
(Pages 7 - 12)

Report of the Deputy Chief Executive (Place)

To consider the above petition, bearing 70 signatures which has been submitted by Councillor J McNicholas, a Lower Stoke Ward Councillor, who has been invited to the meeting for the consideration of this item along with the petition organisers.

(NOTE: Pursuant to Part 3e, Paragraph 19, of the City Council's Constitution, Councillor R Brown, the Chair of the Scrutiny Co-ordination Committee, (or his nominee) 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 the Funfair operator is intended to be on site at Stoke Green Park on the 24th June 19 to start setting up and it is important to give the operator adequate notice to make the necessary preparations in time for the proposed event.)

5. **Outstanding Issues** (Pages 13 - 16)

Report of the Deputy Chief Executive (Place)

6. **Any Other Business**

To consider any other items of business which the Cabinet Member decides to take as a matter of urgency because of the special circumstances involved.

Private Business

Nil

Martin Yardley, Executive Director, Place, Council House Coventry

Monday, 10 June 2019

Note: The person to contact about the agenda and documents for this meeting is Lara Knight Tel: 024 7697 2642 Email: lara.knight@coventry.gov.uk

Membership: Councillor AS Khan (Cabinet Member)

Non-voting Members: P Akhtar (Deputy Cabinet Member), A Andrews (Shadow Cabinet Member),

By Invitation: R Brown and J McNicholas

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

If you require a British Sign Language interpreter for this meeting
OR if you would like this information in another format or
language please contact us.

Lara Knight

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Coventry City Council
Minutes of the Meeting of Cabinet Member for Policing and Equalities held at
3.00 pm on Thursday, 21 March 2019

Present:

Members: Councillor AS Khan (Chair)
 Councillor P Akhtar (Deputy Cabinet Member)

Employees (by Directorate):

Place: D Blackburn, G Carter, N Castledine, A Chowns, U Patel

Apologies: Councillor E Ruane (invited for item 45 below)

Public Business

42. Declarations of Interest

There were no declarations of interest.

43. Minutes

The minutes of the meeting held on 10 January, 2019 were signed as a true record. There were no matters arising.

44. Proposal to Charge for Food Hygiene Rating Scheme Revisits

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which sought approval to charge Food Business Operators for Food Hygiene Rating Scheme revisits.

On 1 April 2012, the City Council launched the Food Hygiene Rating Scheme (FHRS) which gives information about the hygiene standards in food businesses included in the scheme. This helps consumers make an informed choice of where to eat out or shop based on the hygiene rating of the business. The scheme is administered by Local Authorities in England, Northern Ireland and Wales and in partnership with the Food Standards Agency (FSA). The scheme operates on the basis that each business is given a 'hygiene rating' between 0 (urgent improvement necessary) and 5 (very good) when it is inspected by a Food Safety Officer. The rating shows how closely the business is meeting the requirements of food hygiene law. By publishing ratings on a national website and by encouraging businesses to display a rating sticker, it was hoped that standards of food safety in businesses would be driven up as a result of consumers making an informed choice about where to eat and shop, essentially 'voting with their feet'.

To ensure fairness to businesses, local authorities must have a procedure in place for undertaking revisits at the request of the Food Business Operator (FBO) for re-assessing the food hygiene rating of their establishment. These revisits would be in addition to planned, risk rated interventions and did not form part of the Local

Authorities proactive intervention programme. The revisits were merely a tool for the FBO to improve the business rating.

Following a trial of charging for requested FHRS revisits in England, using existing powers in the Localism Act 2011, the FSA has now confirmed a change in policy allowing the use of these powers by Local Authorities in England to introduce cost recovery for requested revisits/re inspections.

The number of requests for revisits in Coventry averaged at 41 per year since the FHRS was introduced. It was anticipated that the number of requests for revisits would continue at this level or would rise if the display of ratings at the premise becomes a mandatory requirement. In addition, demand could increase further with food businesses competing for the influx of customers coming to Coventry to celebrate City of Culture.

The average time taken to complete a FHRS revisit is 4 hours. This includes undertaking the inspection, travel, administration etc. With this in mind, it was proposed to charge FBOs £190 per revisit in order to recover costs, commencing from 1st April, 2019.

RESOLVED that the Cabinet Member for Policing and Equalities gives approval for Coventry City Council to charge for Food Hygiene Rating Scheme (FHRS) revisits.

45. **Mandatory Houses in Multiple Occupation Licensing and Housing Inspection Fees and Charges**

The Cabinet Member for Policing and Equalities considered a report of the Deputy Chief Executive (Place) which sought approval to adopt revised fees and charges relating to Mandatory Houses in Multiple Occupation (HMO) licensing and housing inspections commencing April 2019.

In October 2018 the Government amended the definition of a Mandatory Licensable House in Multiple Occupation (HMO) by removing the rule relating to the property being of three storeys or more and as such requiring all HMOs occupied by 5 or more people to be licensed under the national mandatory licensing scheme.

The Council now estimates that, as a result of the extension of the mandatory licensing definition there will be an additional 1200 HMOs that will require licensing under the mandatory scheme. This has increased the total number of licensable HMOs to around 2400.

Current resources were in place to deliver the original scheme and approval has been sought to provide additional resources to deliver the estimated increase in outputs. A recruitment process was currently underway to secure additional resources and the fees and charges to fund these posts have been reviewed resulting in the need for fees to be amended as per the report.

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. In developing

the fee structure, the Council had to have 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).

As a result of the Hemming case in particular, the Council is required to request payments in two stages – Stage 1 to cover the costs associated with determining the initial application and Stage 2 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. Table 1 within the report outlined the proposed fees and charges for the next financial year commencing 1st April 2019 which would be reviewed annually.

The Council also provides a number of inspection services for landlords who are proposing to use their property as a HMO and to provide their property to the Council for homelessness purposes. The Council currently delivers these services free of charge and it was proposed that costs are recovered through fees to provide these services, which would reduce the burden on the Council's budget and the public purse.

RESOLVED that, the Cabinet Member for Policing and Equalities:

- 1. Considered and approves the fees and charges relating to Mandatory Houses in Multiple Occupation (HMO) Licensing and housing inspections as set out in the report.**
- 2. Authorises the Head of Planning and Regulatory Services to implement the fees and charges structure commencing from 1 April 2019 and to review and amend the fees and charges (as appropriate) each financial year thereafter.**

46. Outstanding Issues

The Cabinet Member considered a report of the Deputy Chief Executive (Place) that contained a list of outstanding issue items that would be submitted to future meetings and summarised the current position in respect of each item.

RESOLVED that the Cabinet Member for Policing and Equalities notes the outstanding issue item listed in the report.

47. Any Other Business

There were no other items of business.

(Meeting closed at 3.25 pm)

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18th June 2019

Name of Cabinet Member:

Cabinet Member for Policing and Equalities Councillor A Khan

Director Approving Submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

Wyken

Title: Petition – Objection to proposals to hold a Fun Fair on Stoke Green Park

Is this a key decision? : No

Executive Summary:

This report responds to a petition containing 70 signatures which was submitted to Coventry City Council and objects to proposals to hold a fun fair on Stoke Green Park.

The petition reads:

“Proposed fun fair to be held in Stoke Green Park. Objections: Conservation area, newly planted trees, old trees an existing safety issue not adequately fenced off against crowds, 9.30 cut off not for young children, parking already an issue, heavy vehicles churning up grass, littering already a problem. We feel a fun fair would exacerbate the stated existing problems and that there are far more suitable sites within the city”

Reductions in the budgets set aside for the management and maintenance of the city’s parks and open spaces have increased emphasis on maximising the income generating potential from parks and open spaces and reliance on securing external funding.

As part of the Park Service Commercialisation Project the Operator Tommy Wilson Funfairs has been asked to explore using additional sites in Coventry. Stoke Green Park has been identified as a suitable site and it is proposed that the Funfair is held on from June 24th for set up and leave site by noon on July 1st 2019.

Operating hours would be restricted, and operational guidelines applied to control noise levels. Site access changes will be made to minimise any potential traffic flow issues and the operator will be required to remove litter etc generated by the event.

It is not anticipated that the event will result in parking issues in the surrounding area as indicated from similar funfairs held in other locations. Parking arrangements have not been put in place for any event held at Stoke Green Park including the Bands in Parks Event and this has not caused any issues.

Recommendations:

The Cabinet Member for Policing and Equalities is recommended to:

1. Note that that budgetary reduction have increased the emphasis on the Parks Service to generate and maximise income from its parks and greenspaces.
2. Agree that Tommy Wilsons Funfair be allowed to take place at Stoke Green Park on from June 24th for set up and leave site by noon on July 1st 2019

List of Appendices included:

N/A

Other useful background papers:

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?

No

Report title: **Petition - Objection to proposals to hold a Fun Fair on Stoke Green Park**

1. Context (or background)

- 1.1 Reductions in Government spending has seen a corresponding reduction in the budgets set aside for the management and maintenance of the city's parks and open spaces. In 2016 the parks budget was reduced by £1m this represented 25% of the overall budget. This had a real impact on our ability to maintain standards, improve and develop the parks.
- 1.2 There is now an increasing emphasis on maximising the income generating potential from parks and open spaces and reliance on securing external funding. Income generated will contribute towards maintaining existing standards and preventing further decline. It may also enable an improved standard of maintenance to be achieved and the development of parks in meeting community needs and providing an ongoing and valuable contribution to the health and wellbeing of that community.
- 1.3 A draft commercial strategy has been developed which seeks to increase footfall within parks and increase income. This was shared with all friends of groups and volunteers at the Coventry Green Space and Heritage Forum in Autumn last year. Although the strategy did not mention fairs specifically groups were made aware that several commercial opportunities for the service were being explored.
- 1.4 Fairs are an extremely popular event attracting may thousands of people into the city's parks and open spaces each year.
- 1.5 As part of the Park Service Commercialisation Project we have asked a well-known and experienced supplier, Tommy Wilson Funfairs, to explore using additional sites in Coventry. It is proposed that the operator will be on site from June 24th for set up and will leave site by noon on July 1st 2019.
- 1.6 This operator has previously used Morris Common, Longford Park and Edgwick Park with very positive results.
- 1.7 There are booking conditions to all park site bookings that mean any damage caused must be repaired or paid for. The only damage that has ever occurred with the fair is some ground damage when conditions became unfavourable, which the fair staff repaired themselves at no cost to the council. There has never been an issue with litter generated from the event being left on site.
- 1.8 There is no evidence that this operator has caused damage to the tree stock during previous events however a method statement to ensure trees are not damaged will be requested from the operator during their movements whilst on site.
- 1.9 Officers within the Parks Service have visited sites with the operator and looked at making access easier at Stoke Green by installing a new removable bollard to allow fair traffic to enter more easily and safely off Stoke Green Road to the south of the site.
- 1.10 The fair will be located away from the new avenue nearer the play area end of the site and distance of the fair to houses is comparable with other successful sites. The Fair provider is willing to meet with residents and agree final area and location.
- 1.11 Although some noise is inevitable, the funfair have strict operating guidelines and will be operating between 5pm-09:30pm on weekdays, 1pm-09:30pm Sat and 1pm-7pm Sun. No

complaints have been received from the operator's events held at Edgwick or Longford over the past 18 years.

- 1.12 Other sites which have been booked as trial venues are Barras Heath (moved from Morris Common due to new cricket infrastructure) and Radford recreation ground.
- 1.13 Historically parking arrangements have not been made for any events held at Stoke Green, including visitors to 'Bands in Parks' and no issues have been reported. It is projected that the majority of the Fair audience will walk locally or be young people dropped off and collected.

2. Options considered and recommended proposal

- 2.1 The option not to allow the Funfair to be held at Stoke Green Park has been considered however this has been rejected. The Parks Service operational budget was reduced by £1m from 2016 and it is important that the service explores opportunities to generate and increase income in accordance with the draft commercial strategy and on which service budgetary income targets have been set.
- 2.2 It is considered that Stoke Green Park is an appropriate location to hold a suitably sized Funfair as offered by Tommy Wilson Funfairs and the option to allow the event to go ahead is recommended.
- 2.3 That the event goes ahead as recommended with certain conditions as may be determined by the Cabinet Member.

3. Results of consultation undertaken

No consultation has taken place on this issue

4. Timetable for implementing this decision

- 4.1 Subject to approval the funfair will take place from June 24th for set up and leave site by noon on July 1st 2019.

5. Comments from the Director of Finance and Customer Services

5.1 Financial implications

There are no financial implications arising from the recommendations at the present time although income generated by the event will contribute to meeting commercial income targets.

5.2 Legal implications

No legal implications associated with this matter.

6. Other implications

6.1 How will this contribute to achievement of the Council's Plan?

Parks and green spaces are highly valued by the citizens of Coventry and contribute greatly to improving the quality of life to those that live and work in the City, help address health inequalities and provides valuable wildlife habitats. Deterring misuse by proactive capital work prevents even more costly repairs in the future.

6.2 How is risk being managed?

Risk will be managed through the existing Place directorate risk profile.

6.3 What is the impact on the organisation?

Events substantially increase footfall within parks and open spaces and contribute greatly to the generation of income

6.4 Equalities / EIA Implications for (or impact on) the environment

No equality impact assessments have been undertaken.

6.5 Implications for (or impact on) the environment

No direct impact

6.6 Implications for partner organisations?

None

Report author(s):

Name and job title: **Graham Hood, Head of Streetpride and Greenspace**

Directorate: **Place**

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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:				
Cath Crosby	Lead Accountant	Resources	6 th June 19	6 th June 19
Gill Carter	Solicitor Team Leader (Regulatory)	Resources	6 th June 19	7 th June 19
Michelle Rose	Governance Services co-ordinator	Place	6 th June 19	6 th June 19
Names of approvers for submission: (officers and Members)				

Andrew Walster	Assistant Director (Streetscene and Regulatory Services)	Place	7 th June 19	7 th June 19
Councillor Abdul Khan	Cabinet Member for (Policy and Equalities)	-	7 th June 19	7 th June 19

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Cabinet Member for Policing and Equalities

18th June, 2019

Name of Cabinet Member:

Cabinet Member for Policing and Equalities – Councillor A S Khan

Director Approving Submission of the Report

Deputy Chief Executive (Place)

Ward(s) affected:

None

Title:

Outstanding Issues Report

Is this a key decision?

No

Executive Summary:

In May 2004 the City Council adopted an Outstanding Minutes System, linked to the Forward Plan, to ensure that follow up reports can be monitored and reported to Members. The attached appendix sets out a table detailing the issues on which further reports have been requested by the Cabinet Member for Policing and Equalities so he is aware of them and can monitor progress.

Recommendations:

The Cabinet Member for Policing and Equalities is requested to consider the list of outstanding issues and to ask the Member of the Management Board or appropriate officer to explain the current position on those which should have been discharged at this meeting or an earlier meeting.

List of Appendices included:

Table of Outstanding Issues.

Other useful background papers:

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 author(s): Michelle Rose

Name and job title: Governance Services Officer

Directorate: Place

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Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Other members	Not applicable			
Names of approvers: (officers and members)				
Finance: Name	Not applicable			
Legal: Name	Not applicable			

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	Subject	Date for Further Consideration	Responsible Officer	Proposed Amendment to Date for Consideration	Reason for Request to Delay Submission of Report
1	<p>Drone Policy and Police Drone Permission</p> <p>Review Policy and bring back a report</p> <p>CM(PE) 10th January, 2019 (Minute 39/18 refers)</p>		<p>Executive Director of Place</p> <p>Gill Carter</p>		

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