

Coventry City Council
Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 27 August 2024

Present:

Members: Councillor G Duggins (Chair)
Councillor L Bigham
Councillor R Brown
Councillor AS Khan
Councillor J O'Boyle
Councillor K Sandhu
Councillor P Seaman
Councillor D Welsh

Non-Voting Deputy
Cabinet Members Councillor S Agboola
Councillor P Akhtar
Councillor S Nazir

Non-Voting Opposition
Members: Councillor S Gray
Councillor G Ridley

Other Members: Councillor N Akhtar
Councillor CE Thomas

Employees (by service area):

Chief Executives: J Nugent (Chief Executive), M Burrows

City Services and
Commercial: A Walster (Director), P Hibberd

Finance and Resources: B Hastie (Director), T Pinks

Law and Governance J Newman (Director), S Bennett, A Chowns

Property Services and
Development R Moon (Director)

Apologies: Councillors K Caan, P Hetherton and G Lloyd

Public Business

14. Minutes

The Minutes of the meeting held on 9 July 2024 were agreed and signed as a true record.

There were no matters arising.

15. **Declarations of Interest**

There were no disclosable pecuniary interests.

16. **Additional HMO Licensing Scheme Renewal 2025-2030**

Cabinet considered a report of the Director of Law and Governance which provided the results of a statutory consultation carried out in relation to the future of additional licensing in Coventry and which sought approval to designate the whole of the City as subject to additional licensing under section 56(1)(a) of the Housing Act 2004 in relation to the size and type of Houses in Multiple Occupation specified in the recommendations of this report for a period of 5 years commencing on the 4th May 2025.

The report indicated that HMOs are properties that are occupied by a least 3 people in two or more households who share at least one basic amenity i.e. a kitchen, bathroom or toilet. The definition of a HMO includes bedsits, shared houses, flats, lettings with their own facilities and some types of poorly converted self-contained flats.

The Housing Act 2004 provides a 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.

On the 4th May 2020 the Council introduced a citywide Additional Licensing Scheme which required all HMOs in Coventry to be licensed. The scheme runs for a period of 5 years and as such will cease on the 4th May 2025. Within the Act there is a legal requirement to review the scheme "from time to time". To fulfil this requirement a consultation exercise was undertaken between July and October 2023 to seek views from all stakeholders on the progress of the scheme so far.

The review showed that the licensing scheme has made good progress in improving standards in a large number of HMOs, for example, the Council has added around 11,598 conditions to licences that has resulted in approx. £1.6m being invested into improving conditions. This investment would not have happened without the scheme, but there are still a significant number of properties that remain unlicensed and there continues to be issues with non-compliance and poor management.

The Council has been proactive in its approach to enforcement of unlicensed HMOs and non-compliance, so much so that this was recognised by the National Residential Landlord Association (NRLA) in their paper - the Enforcement Lottery: civil penalty usage by local authorities, which acknowledged that Coventry ranked first for issuing the most civil penalties for HMO offences in England.

It is clear however, that more needs to be done as a significant proportion of HMOs in the Council's area are still being managed ineffectively, and unlicensed properties are still present. The focus of this scheme will therefore be to proactively target those unlicensed and non-compliant properties whilst ensuring that those properties that are already licensed continue to provide the standards required under the requirements of the licensing regulatory framework.

Cabinet considered a report on 13th February 2024 (Minute 69/23 refers) and approved recommendations to proceed with a statutory consultation on the designation of a further scheme from 4th May 2025 to the 4th May 2030. The city-wide consultation, details of which were outlined in the report, ran for 12 weeks from the 26th of February 2024 to the 17th of May 2024. The report outlined the results of this statutory consultation, details of which were appended to the report and sought a decision from Cabinet to consider the designation of the whole of Coventry as subject to additional HMO licensing for a further five years following the expiry of the existing scheme.

A further appendix to the report outlined the proposed timetable for implementation. The report indicated that, as any Additional Licensing Scheme can only run for a period of 5 years, this is in effect a new designation and as such the process is being implemented to ensure the continuous delivery of the first scheme. Once this designation comes into force it will also be subject to a statutory review and can only last a maximum of five years.

Cabinet noted that the Scrutiny Co-ordination Committee had considered the report at their meeting on 21st August 2024 and had supported the Recommendations.

RESOLVED that Cabinet, noting that Scrutiny Co-ordination Committee support the Recommendations following their consideration of this matter, recommends that the City Council:

- 1. Considers the results of the statutory consultation and approves the following:**
 - I. Designate the whole of Coventry City as subject to Additional Licensing under Section 56(1)(a) of the Housing Act 2004 for all Houses in Multiple Occupation (HMOs), irrespective of the number of storeys, that contain three or four occupiers;**
 - II. Designate the whole of Coventry City as subject to Additional Licensing under Section 56(1)(a) of the Housing Act 2004 for all HMOs as defined under Section 257 of that Act where those HMOs are mainly or wholly tenanted, including those with resident landlords, unless if it is either:**
 - a. a section 257 HMO consisting solely of twoflats where neither of the flats is situated above or below commercial premises; or**
 - b. a section 257 HMO where the flats share no internal or external common parts, and which are no more than two storeys high;**
 - III. That the designations in paragraphs I and II above come into force on 4th May 2025 for a period of 5 years;**
 - IV. Delegate authority to the Director of Law and Governance to sign the Coventry City Council Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2025 as attached at Appendix 2;**

- V. **Resolve to adopt the HMO Licensing Policy 2025 as attached at Appendix 3 and review fees periodically to ensure they remain reasonable and proportionate and address any issues relating to surpluses or deficits in accordance with case law and the EU Services Directive.**

17. **2024/25 First Quarter Financial Monitoring Report (to June 2024)**

Cabinet considered a report of the Director of Strategic Finance and Resources which advised Cabinet of the forecast outturn position for revenue and capital expenditure and the Council's treasury management activity as at the end of June 2024. The net revenue forecast position after management action is for spend in 2024/25 of £7.1m over budget. Whilst not a wholly comparable position, at the same point in 2023/24, there was also a projected overspend of £12.1m.

The report indicated that the Council continues to face budget pressures within both Adults and Children's social care, and Housing, and City Services. Other overspends are also being reported in Property Services and Business Investment & Culture. These financial pressures are being caused by a combination of legacy inflation impacts, continued service demand, complexity, market conditions, and income shortfalls due to the economic climate.

The Council's position above includes a significant number of one-off actions that have been applied to reduce the overspend. Recognising that the underlying position is significantly higher, further urgent action is being assessed to address the pressure to prevent the 2025/26 position increasing to unmanageable levels.

The Council's capital spending is projected to be £193.3m and includes major schemes progressing across the city. The size of the programme and the nature of the projects within it continue to be fundamental to the Council's role within the city. Although prevailing inflation rates look to be stabilizing, legacy inflationary pressures continue to affect capital projects. The assumption is that stand-alone projects that are already in-progress will be delivered as planned but that future projects that have not yet started will need to be re-evaluated to determine their deliverability within previously defined financial budgets.

The materiality of the emerging financial pressures, both revenue and capital, has renewed the imperative to maintain strict financial discipline and re-evaluate the Council's medium-term financial position. This will be a priority across all services as the Council develops its future budget plans in the coming months.

The revenue budgets and forecast positions analysed by service area were detailed in the report, together with details of movement in the capital budget. The report also outlined the Treasury Management position and the Commercial Investment Strategy.

RESOLVED that Cabinet:

- 1) **Approves the Council's first quarter revenue monitoring position and endorse the proposal for officers to seek and identify further ongoing service options to mitigate the position in conjunction with Cabinet Members as appropriate.**

- 2) **Approves the revised forecast capital outturn position for the year of £193.3m incorporating: £21.7m rescheduling from 2023/24 outturn, £8.1m net increase in spending relating to approved/technical changes and £6m of net programme acceleration of expenditure from future years.**

18. **Disposal of Land and Buildings, Burbages Lane, including Land and Buildings formally known as Rowleys Green Working Men's Club**

This item of business was deferred from the agenda.

19. **Outstanding Issues**

There were no outstanding issues.

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

There were no other items of urgent public business.

21. **Proposed Renewal of the City-Wide Public Space Protection Order - Dog Control 2024 - 2027**

Cabinet considered a report of the Director of City Services and Commercial which sought approval to renew the dog related Public Space Protection Order (PSPO) that was last approved in 2021. The renewal of the City-Wide PSPO was first introduced in 2016 and provides for the continued use of powers to address matters pertaining to the control and management of dogs in the city and with a particular focus within parks.

The Order is required to assist with the enforcement of dog fouling offences, but also to specify where dogs should be kept on leads, where dogs are prohibited, the maximum number of dogs that can be walked by one person and enabling officers to request that a dog be put on a lead if problems are ensuing.

The Order in its current format was devised following extensive consultation and collaboration with a number of stakeholders in the City. Further consultation has been undertaken with key partners on the proposed renewal of the Order and all of those who responded supported the renewal. Details of responses received were appended to the report.

The report indicated that the Order is currently working very well, is fit for purpose and enables people to enjoy parks and public spaces whilst providing clear guidance as to when it is and isn't appropriate to allow dogs to exercise off leads or when they need to be under the direct control of their owner. There is a high level of compliance with the Order, and this can be seen by reference to the relatively low levels of enforcement Council officers have had to use.

Cabinet noted that the Scrutiny Co-ordination Committee had considered the report at their meeting on 21st August 2024 and had supported the proposed renewal of the PSPO. Scrutiny Co-ordination Committee had recommended that Cabinet identifies ways to raise the public's awareness of how to report their concerns about dog behaviour, such as signage on site with QR codes.

RESOLVED that Cabinet:

- 1) Notes Scrutiny Co-ordination Committee's consideration of this matter and accepts their recommendation in relation to identifying ways to raise the public's awareness of how to report their concerns about dog behaviour.**
- 2) Approves the renewal of the Public Space Protection Order – Dog Control for a further three years effective from 28th August 2024.**

(Meeting closed at 2.25 pm)