

Coventry City Council
Minutes of the Meeting of Scrutiny Co-ordination Committee held at 11.00 am on
Wednesday, 21 August 2024

- Present: Councillor L Kelly) (Chair for the meeting)
- Members:
- Councillor B Christopher (Sub for Councillor M Ali)
Councillor J Innes (Sub for Councillor A Jobbar)
Councillor J Lepoidevin
Councillor G Lewis (Sub for Councillor G Lewis)
Councillor G Ridley
Councillor R Singh
Councillor CE Thomas
- Non-voting Member: Councillor S Gray
- Other Members:
- Councillor S Agboola, Deputy Cabinet Member for
Communities and Housing
Councillor P Akhtar, Deputy Cabinet Member for Policing and
Equalities
Councillor G Hayre
- Other Present:- Detective Sergeant Lewis and Inspector Moran, West
Midlands Police
- Employees (by Service
Area):
- Law and Governance: J Adams, S Bennett, D Blackburn, A Chowns, G Holmes,
L Nagle
- City Services and
Commercial: S Elliott, P Hibberd
- Apologies: Councillors M Ali, N Akhtar, A Jobbar, AS Khan, C Miks

Public Business

16. Chair

In the absence of Councillor N Akhtar, the meeting was Chaired by Councillor L Kelly.

17. Declarations of Interest

There were no disclosable pecuniary interests.

18. **Minutes**

The Minutes of the meeting held on 26 June, 2024 were agreed and signed as a true record.

There were no matters arising.

19. **Update on City Centre Public Spaces Protection Order (PSPO)**

The Committee considered a Briefing Note of the Director of Law and Governance which provided an update on the action taken in relation to the City Centre Public Spaces Order (PSPO) further to the Order being amended in November, 2023 to include restrictions to e-bikes and e-scooters in the City Centre.

At their meeting in November 2023, Cabinet considered a report on the amendment of the City Centre PSPO which included the requirement for e-bikes and e-scooter riders to dismount when entering the designated area in the City Centre. Cabinet approved the amendment to the Order, and authorised officers to bring the Order into effect from the 20th November 2023. At that meeting, Cabinet noted Scrutiny Co-ordination Committee's concerns regarding enforcement of the amendments to the PSPO in terms of police capacity and priority within the City Centre.

Since the authorisation of the Order, a range of measures have been taken to require e-bike and e-scooter riders to dismount when entering the designated area in the City Centre. This has included:

- An engagement and education campaign with the public, local businesses and e-bike/scooter riders;
- The erection of new signage surrounding the designated area;
- Training and authorising Business Improvement District (BID) officers;
- Completing Enforcement Patrols within the city centre; and
- Completing joint action days with the Police and other partner agencies.

The Briefing Note provided a detailed update on the following areas:-

- Education
- Signage - Images of the signs and a map of the locations were provided in Appendix A of the Briefing Note.
- Enforcement
- Results - The results were summarised in Appendix 2 of the Briefing Note.

The Committee noted that, overall, the engagement and enforcement campaign has had a positive impact on the use of e-bikes/scooters in the pedestrian area. The number of e-bikes travelling through the restricted area has reduced, and e-bike riders are actively using other routes such as Corporation Street to exit out of the City Centre. There are several steps that will be taken to improve the compliance of the City Centre PSPO as follows:

- Action days with partners in West Midlands Police and the BID will continue. This will also include partners from Immigration Services to check the work status of riders.
- Neighbourhood Enforcement Officers will continue to patrol in the City Centre, and Business Improvement District officers will continue to be trained to issue FPNs for e-bike offences.
- As part of Operation Eternity, funding will be used from the Home Office to employ an Environmental Case Officer for a 12 month period to focus on compliance of the City Centre PSPO. They will also be supported by a Business Compliance Officer, who will be focussing on educating businesses about the City Centre PSPO.

The Committee made comments, asked questions and sought assurances on a number of issues including:-

- Clarification in relation to the legality of e bikes and work undertaken by Trading Standards and the Business Compliance Team to educate delivery riders about purchasing e bikes which have been adapted and which are not legal.
- Work being undertaken by other Local Authorities (LA) in this regard. It was noted that Coventry has been contacted by other LAs for best practice advice.
- Lessons learnt during the implementation process, including the need to embed education.
- The extensive and robust consultation process prior to implementation was recognised and welcomed.
- How the Order is enforced on a practical level, noting that warnings are given for first offences.
- Clarification in relation to the legality of e scooters and the need for this issue to be tackled at a national level, including the provision of education and information. It was noted that locally, the Police undertaken work with schools on road safety issues and that e scooters are included in that work.
- Action taken by the Police in relation to bike riders travelling at night without lights.
- Work to be undertaken by the Business Compliance Team in relation to educating delivery riders on all aspects of safety, including using a bell.

RESOLVED that the Briefing Note be noted and the proposed next steps as outlined above be supported.

20. **Update on Consultation for City Wide Public Safety Protection Order (PSPO)**

The Committee considered a Briefing Note of the Director of Law and Governance, together with a detailed presentation at the meeting, which provided an overview of the public consultation exercise on the proposed City Wide PSPO relating to public consumption of alcohol and off-road bikes.

In July, 2024, Cabinet approved the consultation on a City-Wide Public Space Protection Order (PSPO) which would bring in powers to allow the police to take

action against the unauthorised use of 'off-road' motorbikes and other specific mechanically propelled vehicles in the city. The Order would also provide the police with powers to control the drinking of alcohol in public spaces, including the power to order persons consuming alcohol in public places to stop drinking and also permit them to confiscate or dispose of opened and unopened cans or bottles.

Under the Anti-Social Behaviour Crime and Policing Act 2014, Local Authorities are required to undertake a statutory consultation. They must consult with the Local Chief of Police, the Police Crime Commissioner, owners and occupiers of land within the affected area where reasonably practicable, and appropriate community representatives. A City wide 4-week consultation commenced on the 19 July 2024 and closed on Monday 19 August 2024.

The Briefing Note outlined a range of measures have been used to publicise the consultation process and encourage people to make their views known including:-

- An online survey on Coventry City Council – “Let’s Talk” pages
- Press releases to promote the consultation
- A Social Media campaign to promote the consultation
- Emails to elected members and community groups publicising the consultation
- Council Staff conducting surveys with members of the public – where?

In addition the Council has consulted directly with key statutory and non-statutory partners, these included:

- West Midlands Police
- Citizen Housing
- West Midlands Police and Crime Commissioner
- Business Improvement District (BID)
- Parks and Greenspaces (Coventry City Council)
- Public Health (Coventry City Council)

The presentation outlined the results of the consultation, which showed a high level of support for the proposed PSPO.

The Committee made comments, asked questions and sought assurances on a number of issues including:-

- Circumstances regarding the expiration of the previous PSPO. Assurances were provided in relation to steps being undertaken to ensure that this doesn't happen again.
- Police action and powers available in relation to Anti Social Behaviour (ASB) in Broadgate
- A breakdown of the consultation responses received
- Others powers available City-wide in relation to ASB. It was noted that the proposed PSPO was another tool in a kit of powers available for the Police and Council to take action.

It was noted that a report would be submitted to Cabinet on 1 October, 2024 outlining the outcome of the consultation and proposing a course of action and that

that report would be considered by the Committee at their meeting on 25 September, 2024.

RESOLVED that the outcome of the consultation be noted and the proposed course of action supported.

21. **Additional HMO Licensing Scheme 2025 - 2030.**

The Committee 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 Cabinet 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 4 May 2025. The report would be considered by Cabinet at their meeting on 27 August, 2024.

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 4 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 4 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 the 13 February 2024 (Minute 69/23 refers) and approved recommendations to proceed with a statutory consultation on the designation of a further scheme from the 4 May 2025 to the 4 May 2030. The city-wide consultation, details of which were outlined in the report, ran for 12 weeks from the 26 of February 2024 to the 17 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 a 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.

The Committee made comments, asked questions and sought assurances on a number of issues including:-

- The different powers under the Article 4 Direction and the Additional Licensing Scheme and work undertaken with Planning colleagues.
- A summary of the definition of an HMO
- That the licensing process required a period of time for checks to be made before issuing a licence and if that extended beyond 20 weeks then tacit approval is given but that there was confidence this timescale could be met.
- Whether ward level data was available on current licenses as well as enforcement actions.
- Clarification that the landlord was responsible for large items of furniture that was left outside at the end of a tenancy, however, refuse management was the responsibility of the tenants.
- The work that officers had done to engage students in the consultation, as well as work with the universities to raise awareness with students of their rights under the licensing scheme. This included engagement in open day activities, as well as sharing information with the student unions.
- The estimated numbers of HMO's in the city compared to the number of licenses issued and ways to improve data collection and analysis.
- The change in focus from working with good landlords to raise awareness of the scheme, to identifying those landlords that are avoiding licensing and to pro-actively work towards bringing properties into compliance.
- The focus of work shouldn't just be with students are there are other transient populations which will be affected.

The Committee requested further information/action on:

- The link to the register of licensed HMO's and whether this information could be provided on a ward map.
- Information on enforcement activity, to be provided at a ward level
- That action be taken to engage students in future consultations.
- That the Communities and Neighbourhoods Scrutiny Board (4) be kept updated on this issue.
- That officers provide information on Coventry's performance nationally with regard to enforcement and additional licensing.

RESOLVED that Scrutiny Co-ordination Committee support the proposals contained in the report.

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

The Committee considered a report of the Director of City Services and Commercial which sought Cabinet 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 report would be considered by Cabinet at their meeting on 27 August, 2024.

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.

The Committee made comments, asked questions and sought assurances on a number of issues including:-

- The fact that enforcement powers are held by Council officers not the police.
- That officers are able to issue immediate fines if they see dog fouling which is zero tolerance. The dogs on lead requirements are often initiated by a warning before a ticket is issued.

- The use of surveillance information, including that from the public and whether CCTV could be a deterrent.
- All parks are covered by the Order, the five premier parks have designated areas, which is why the maps for those parks are included in the report.
- That responsibility for dogs' behaviour and adherence to the orders are the responsibility of the dog owners.
- How members of the public can raise concerns regarding dog behaviour.

RESOLVED that the Scrutiny Co-ordination Committee supports the proposals as set out in the report and recommends that Cabinet :-

- 1) Approves the renewal of the Public Space Protection Order – Dog Control for a further three years and to make this Order effective on 28th August 2024**
- 2) 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.**

23. Scrutiny Co-ordination Committee Work Programme and Outstanding Issues - 2024-25

The Committee considered and noted their Work Programme and Outstanding Issues for 2024/25.

24. Any Other Items of Urgent Public Business

There were no other items of urgent public business.

(Meeting closed at 1.20pm)