



Licensing and Regulatory Committee

Time and Date

9.30 am on Tuesday, 18th February, 2025

Place

Diamond Room 2 - Council House

Public Business**1. Apologies****2. Declarations of Interest****3. Minutes** (Pages 1 - 14)

To agree the minutes of the Committee meeting held on 19th of November 2024, the Sub-Committee (1) and Sub-Committee (2) (Hackney Carriage & Private Hire Taxi Licensing) meetings held on 17th December 2024 and 28th of January 2025, and the Sub-Committee hearing held on 20th January 2025.

4. Regulation, Communities and Environmental Enforcement Policy - Review (Pages 15 - 38)

Report of the Director of Law and Governance

5. Outstanding Issues

There are no outstanding issues.

6. Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved**Private Business**

Nil

Julie Newman, Director of Law and Governance, Council House, Coventry

Monday, 10 February 2025

Note: The person to contact about the agenda and documents for this meeting is Tom Robinson tom.robinson@coventry.gov.uk

Membership: Councillors F Abbott (Chair), J Birdi, B Christopher, S Gray, G Hayre, A Hopkins, J Innes, T Jandu, R Lakha, R Lancaster, J Lepoidevin, K Maton (Deputy

Chair), R Thay and CE Thomas

Public Access

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Tom Robinson
tom.robinson@coventry.gov.uk

Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Committee held at 9.30 am
on Tuesday, 19 November 2024

Present:

Members: Councillor F Abbott (Chair)
 Councillor J Birdi
 Councillor B Christopher
 Councillor S Gray
 Councillor G Hayre
 Councillor A Hopkins
 Councillor J Innes
 Councillor R Lakha
 Councillor R Lancaster
 Councillor J Lepoidevin
 Councillor R Thay

Employees (by Service
Area):

Law and Governance T Robinson, A Veness, A Wright

Streetscene and
Regulatory Services D Cahlin-Heath, R Masih

Apologies: Councillor T Jandu

Public Business

11. Declarations of Interest

There were no declarations of interest.

12. Minutes

The minutes of the Committee meeting held on 6th August 2024, the Sub-Committee (1) and Sub-Committee (2) (Hackney Carriage & Private Hire Taxi Licensing) meetings held on 6th August 2024 and 17th September 2024, and the Sub-Committee hearing held on 20th August 2024 were agreed and signed as a true record.

13. Gambling Act 2005 - Review of Gambling Policy Statement of Principles 2025 - 2028

The Committee considered a report of the Director of Law and Governance which updated Members on the outcome of the six-week consultation undertaken on the review of the Council's Gambling Policy Statement of Principles for the Gambling Act 2005 and to recommend for approval, a revised policy for the period 2025 – 2028.

The Gambling Act 2005 requires each Licensing Authority to prepare and publish a Gambling Policy Statement of Principles. The policy sets out how the licensing authority intends to approach its licensing responsibilities and how it intends to promote the three licensing objectives.

The current Gambling Policy came into effect on 3rd January 2022, to cover a period up to 31st January 2025. The policy must be renewed every three years and be subject to a full consultation process. Cabinet Member for Policing & Equalities on 1st August 2024 and Licensing & Regulatory Committee on 6th August 2024, considered a report on the draft revised Gambling Policy Statement of Principles and authorised the Director of Law & Governance to consult on its contents.

The report advises Members of the consultation that has taken place and outlines the comments received and amendments made to the Council's draft Gambling Policy.

There were no major changes to the policy except some minor wording amendments. The general principles of the Gambling Policy Statement of Principles remained the same and the document was still centred around the Gambling Act's three licensing objectives, namely:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Following public consultation, the revised draft Gambling Policy Statement of Principles was ready to be recommended for adoption to take effect from 31st January 2025 (Appendix A).

RESOLVED that, the Committee:

1) Considers the results of the consultation, and the proposed changes of the revised Gambling Policy Statement of Principles for the period 2025 – 2028.

2) Requests that the Cabinet Member for Policing & Equalities:

- **Explores ways to increase future consultation responses.**
- **Writes to the government to consider reducing gambling saturation in certain areas.**

14. Outstanding Issues Report

There were no outstanding issues.

15. Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved

There were no other items of public business.

(Meeting closed at 9.50 am)

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Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Sub Committee (1) (Hackney Carriage & Private Hire Taxi Licensing) held at 9.30 am on Tuesday, 17 December 2024

Present:

Members: Councillor F Abbott (Chair)
 Councillor J Birdi
 Councillor B Christopher
 Councillor A Hopkins
 Councillor R Lakha
 Councillor R Lancaster
 Councillor J Lepoidevin
 Councillor K Maton

Employees (by Service Area):

Law and Governance S Ahmed, T Robinson
 Regulatory Services D Cahlin-Heath, M Coggins

Public Business

14. Declarations of Interest

There were no declarations of interest.

15. Exclusion of Press and Public

RESOLVED that, under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business indicated below on the grounds that those items involve the likely disclosure of exempt information, as defined in Schedule 12A of that Act, in particular those paragraphs of Part 1 of the Schedule as indicated:

Minute No.	Subject	Relevant paragraphs of Part 1 of Schedule 12A
18	Applications for Grant/Suitability to hold Hackney Carriage & Private Hire Drivers' Licence	1 & 3

16. Outstanding Issues Report

There were no outstanding issues.

17. Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved

There were no other items of public business.

18. Applications for the Grant/Suitability to hold Hackney Carriage & Private Hire Drivers' Licences

RESOLVED that, having considered the circumstances set out in the report of the Director of Law and Governance now submitted,

(a) The application for the Grant of a Private Hire Driver's Licence be granted.

(Notes: i) Councillor K Maton did not vote on this application as they were not present at the start of the meeting. ii) The Applicant and his friend attended the meeting in support of his case).

(b) The Application for the Grant of a Private Hire Driver's Licence be refused.

(Notes: i) Councillor B Christopher did not vote on this application as they had left the meeting. ii) The Applicant attended the meeting in support of his case).

(c) The Application for the review of a Private Driver's Licence be granted with the recommendation that the applicant undertake further training.

(Notes: i) The consideration of this application was adjourned from the previous meeting of the Committee to allow the applicant and his union representatives an opportunity to attend the meeting. ii) The Applicant and his two union representatives attended the meeting in support of his case).

19. Any other items of private business which the Chair decides to take as matters of urgency because of the special circumstances involved

There were no other items of private business.

(Meeting closed at 12.55 pm)

Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Sub-Committee (2) (Hackney Carriage & Private Hire Taxi Licensing) held at 9.30 am on Tuesday, 28 January 2025

Present:

Members: Councillor F Abbott (Chair)
 Councillor S Gray
 Councillor G Hayre
 Councillor T Jandu
 Councillor K Maton
 Councillor R Thay
 Councillor CE Thomas

Employees (by Service Area):

Law and Governance S Ahmed, T Robinson
 Regulatory Services M Coggins, S Yarker

Public Business

7. Declarations of Interest

There were no declarations of interest.

8. Exclusion of Press and Public

RESOLVED that, under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business indicated below on the grounds that those items involve the likely disclosure of exempt information, as defined in Schedule 12A of that Act, in particular those paragraphs of Part 1 of the Schedule as indicated:

Minute No.	Subject	Relevant paragraphs of Part 1 of Schedule 12A
11	Applications for Grant/Suitability to hold Hackney Carriage & Private Hire Drivers' Licence	1 & 3

9. Outstanding Issues Report

There were no outstanding issues.

10. Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved

There were no other items of public business.

11. Applications for the Grant/Suitability to hold Hackney Carriage & Private Hire Drivers' Licences

RESOLVED that, having considered the circumstances set out in the report of the Director of Law and Governance now submitted,

(a) The application for the Grant of a Private Hire Driver's Licence be refused.

(Notes: i) Councillor CE Thomas did not vote on this application as they were not present at the start of the meeting. ii) The Applicant attended the meeting in support of his case).

(b) The application for the Renewal of a Hackney Carriage Driver's Licence be granted.

(Note: The Applicant attended the meeting in support of his case).

(c) The application for the Review of Hackney Carriage and Private Hire Driver's Licences be revoked.

(Notes: i) The Applicant was not present at the meeting but gave their permission for the decision to be heard in their absence. ii) The Sub-Committee voted in favour of hearing the application without the Applicant being present).

12. Any other items of private business which the Chair decides to take as matters of urgency because of the special circumstances involved

There were no other items of private business.

(Meeting closed at 11.00 am)

Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Sub-Committee (Hearing)
held at 10.00 am on Monday, 20 January 2025

Present:

Members: Councillor F Abbott (Chair)
 Councillor J Lepoidevin
 Councillor CE Thomas

Other Members: Councillor K Maton

Employees (by Service
Area):

Law and Governance F Cartwright, T Robinson, M Salmon, A Veness, A Wright

Streetscene and
Regulatory Services D Blackburn, R Masih

In Attendance: Applicant's Representative
(Interested Parties) Councillor J Gardiner (Objector)
 Objector

Public Business

24. **Appointment of Chair**

RESOLVED that Councillor F Abbott be appointed as Chair for the hearing.

25. **Apologies**

There were no apologies for absence.

26. **Declarations of Interest**

There were no declarations of interest.

27. **Application for a Premises Licence Application under the Licensing Act 2003**

The Sub-Committee considered an application for a Premises Licence in respect of Jai Sai Convenience Store, 38 Redesdale Avenue, Coventry, CV6 1BT. The application requested the Sale of Alcohol (Off Sales) from Monday to Sunday from 0900hrs to 2300hrs.

Six representations had been received from Other Persons, including Councillor J Gardiner a Sherbourne Ward Councillor, objecting to the grant of the application on the basis that to do so would undermine the licensing objectives of Prevention of Crime and Disorder, Prevention of Public Nuisance and Protection of Public Safety.

None of the Responsible Authorities had objected.

The Sub-Committee's statutory duty was to consider the application and any representations and to take such steps as contained in the Licensing Act 2003 as it considered appropriate for the promotion of the licensing objectives.

The Licensing Officer gave a brief summary of the application and confirmed that all licensing formalities had been complied with.

The Applicant's Representative was invited to present his case on behalf of the Applicant. He confirmed that he had read the written representations and did not consider there would be any noise nuisance caused to local residents. He stated that the premises would be a shop that lends itself to those who wish to pick up an item or two quickly before leaving again.

The Representative stated that the Applicant wished to work with local residents to ensure there was no nuisance being caused and that the Applicant was willing to bring the terminal hour forward for licensable activity to 2200hrs. The Applicant was also happy to discuss building some sort of barrier between the premises and the adjoining property to reduce any potential noise emanating from customers attending later at night.

In response to questions from the Sub Committee, the Representative further confirmed that the Applicant would be willing to provide an additional waste bin for customers to use outside of the premises and manage any dropped litter by ensuring staff conduct regular litter picking outside during the day.

The Sub Committee queried the operating schedule which seemed more suited to a larger licensed premises such as a public house, and asked what was meant by creating family friendly areas. The Representative stated there would be seating available within the shop for children who come in with a parent/carer. In terms of concerns surrounding anti-social behaviour, the Representative stated that this would be dealt with responsibly to protect the reputation of the business, and Police would be called if any unruly behaviour from patrons was witnessed. He also confirmed that staff would be trained in conducting age checks for age restricted items such as alcohol and cigarettes.

Cllr Gardiner was invited to present her case as well as those of two of her constituents. The Sub Committee highlighted at the outset that no issues surrounding parking or planning law implications would be taken into account by the Sub Committee in reaching their decision, and that all representations should focus solely on the licensing objectives.

In terms of the representations that the Sub Committee were able to take into account, Cllr Gardiner began by explaining that the premises was currently a Tax Consultants but prior to this was a retail premises that sold car parts. The premises itself sits at the end of a run of terrace houses in a quiet residential area, where noise will easily travel. She stated that it is currently closed on a Sunday and to change this arrangement would severely impact local residents.

Cllr Gardiner stated that long licensing hours would dramatically increase the risk of anti-social behaviour, with young people attending the premises to stock up with

alcohol on the way to their next venue. She noted that nearby supermarket Morrisons closes at 2300hrs Monday to Saturday and at 1600hrs on a Sunday, and questioned why the premises would need hours with a wider scope.

In addition to potential noise nuisance from customers, Cllr Gardiner highlighted the potential for noise nuisance from deliveries to the premises, cars arriving and leaving, slamming doors aggravating pets who may react by barking and clanking bottles. She stated that whilst she acknowledged that the premises could open as a shop regardless of the outcome of the licence application, the commercial incentive would be reduced if the Sub Committee refused to grant the licence.

Cllr Gardiner then presented a petition to the Sub Committee.

A further Objector was then invited to present his case and acknowledged that much of his concerns surrounded the impact this would have on an already difficult parking situation, which the Sub Committee again confirmed they could not take into account. Aside from this, the Objector expressed that the area did not require another outlet of this nature and would create direct competition to other businesses.

The Objector echoed the concerns raised by Cllr Gardiner with regard to vehicle doors slamming and the revving of engines causing noise nuisance, as well as the potential for increased dropped litter.

Finally, Cllr Gardiner presented the case of another Objector which raised concerns about the impact on parking and how this will decrease highway safety. He considered that the area was already furnished with enough shops of this kind.

The Sub Committee confirmed that they had read and considered the additional statement provided by a further Objector, whose young son sleeps in a bedroom a very short distance from the premises. He raised concerns over the impact the premises will have on his child's sleep should the licence be granted.

The Sub Committee asked Cllr Gardiner and the Objector whether any of the nearby premises they mentioned in their representations had ever caused any nuisance to local residents, which they confirmed they had not, other than some litter from a supermarket at the top of Evenlode Crescent. Licensing Officers also confirmed that there had been no complaints received in respect of nearby premises. The Sub Committee therefore asked why they believed this premises would be a cause for concern. Cllr Gardiner stated that residents did not want to take the risk, or for their residential amenity to be reduced by encouraging commercial activity.

The Sub Committee asked the Applicant's Representative whether he had any further comments based on the representations he had heard. He stated that he had listened with care and that the Applicant would make all possible compromises to ensure local residents would not be disturbed.

Cllr Gardiner confirmed, when asked by the Sub Committee, that she would be happy to facilitate a meeting between local residents and the Applicant so that discussions could take place.

All parties then summed up their cases.

In reaching its decision, the Sub Committee considered the application on its own merits, having regard to both national guidance and the Council's own policy.

In accordance with the High Court's decision in *R (on application of Daniel Thwaites plc) v Wirral Magistrates' Court and Others (2008) EWHC 838 (Admin)* the Sub Committee attached the appropriate weight to the fact that none of the Responsible Authorities, who are to be considered experts in their individual fields, had objected to the application.

In particular, the Sub Committee considered paragraph 9.15 of the Licensing Act 2003 Statutory Guidance which states that it is reasonable to expect the local authority exercising environmental health functions to make representations where there are concerns about noise nuisance, and the Police to make representations where concerns exist surrounding crime and disorder.

The Sub Committee fully considered all of the helpful submissions provided by the Objectors as well as the witness statements (both written and oral) and noted the petition signatories. The Sub Committee noted that a large proportion of the submissions surrounded parking issues in the vicinity of the premises, and matters pertaining to planning law for which the Sub Committee were sympathetic and understood the residents' concerns. As was explained to the Objectors at the outset, planning matters fall under a separate regime and must therefore not be taken into account for the purposes of determining a licence application. As such, these representations were disregarded.

The Sub Committee were grateful to the Applicant for agreeing to prioritise management of litter and therefore consider the Applicant's offered conditions should be added to the licence to ensure the promotion of the Licensing Objective of prevention of public nuisance:-

1. An additional litter bin must be placed outside the premises for the use of customers, to be regularly emptied by staff;
2. Staff must undertake litter picking outside the premises at regular intervals, at least twice a day, to ensure the area remains clean and free of litter.

The Sub Committee noted the Objector's concerns that the area is already appropriately furnished with similar licensed outlets and therefore a further one is not required. Coventry City Council does not have a Cumulative Impact Policy and therefore there is no mechanism whereby the Sub Committee could or would legitimately refuse a Premises Licence for this reason.

Having listened to all the evidence, the Sub Committee considered that the Applicant had demonstrated a willingness to take steps to prevent, so far as was possible, problems arising at or from the premises that may undermine the Licensing Objectives.

Having heard the representations on behalf of the Applicant, the Sub Committee was satisfied that the Applicant takes his responsibilities in respect of the Licensing Objectives seriously, and that the concerns of local residents had been

taken into account and this would continue to be the case. The Sub Committee were particularly grateful that the Applicant had offered to have a meeting and keep open communication with the local community to ensure they were able to provide a service in a cooperative way.

The Sub Committee hoped that local residents were aware that the procedure should they witness nuisance arising from the premises was to make an immediate report to the Council's Environmental Health department. The Applicant should also be aware that if the premises prove to operate in any way that does not promote the Licensing Objectives, then the appropriate way for this to be addressed would be via a review of the licence.

RESOLVED that the application for a Premises Licence be granted in respect of Jai Sai Convenience Store, 38 Redesdale Avenue, Coventry, CV6 1BT, subject to the following:

- 1. The reduced terminal hour as offered on behalf of the Applicant, of 2200hrs Monday to Sunday.**
- 2. The following additional conditions:**
 - An additional litter bin must be placed outside the premises for the use of customers, to be regularly emptied by staff;**
 - Staff must undertake litter picking outside the premises at regular intervals, at least twice a day, to ensure the area remains clean and free of litter.**

28. Any Other Business

There were no other items of business.

(Meeting closed at 12.10 pm)

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Public report

Licensing & Regulatory Committee
Cabinet Member for Policing and Equalities

18 February 2025
27 February 2025

Name of Cabinet Member:

Cabinet Member for Policing and Equalities - Councillor A S Khan

Director approving submission of the report:

Director of Law and Governance

Ward(s) affected:

All

Title:

Regulation, Communities and Environmental Enforcement Policy – Review

Is this a key decision?

No – although the proposals affect more than two electoral wards, the impact is not expected to be significant.

Executive Summary:

This report seeks approval to adopt the updated Regulation, Communities and Environmental Enforcement Policy.

Recommendations:

The Licensing & Regulatory Committee is recommended to:

1. Consider the revised Regulation, Communities and Environmental Enforcement Policy and notify the Cabinet Member for Policing and Equalities of its comments.

The Cabinet Member for Policing and Equalities is recommended to:

1. Consider the revised Regulation, Communities and Environmental Enforcement Policy and any comments received from the Licensing & Regulatory Committee.
2. Approve the adoption of the Regulation, Communities and Environmental Enforcement Policy attached as Appendix 1 to this report.
3. Delegate authority to the Strategic Lead Regulation and Communities to conduct a three yearly review of the Policy or a review at such times as guidance or legislation requires

List of Appendices included:

The following appendices are attached to the report:

Appendix 1: Regulation, Communities and Environmental Enforcement Policy.

Appendix 2: Equalities Impact Assessment.

Background papers:

None.

Other Useful documents

Regulators Code

<https://assets.publishing.service.gov.uk/media/5f4e14e2e90e071c745ff2df/14-705-regulators-code.pdf>

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:
Regulation, Communities and Environmental Enforcement Policy - Review**

1. Context (or background)

- 1.1 The Regulators Code ('the Code') was laid before Parliament in accordance with section 23 of the Legislative and Regulatory Reform Act 2006 ('the Act'). Regulators whose functions are specified under the Act, must have regard to the Code when developing policies and operational procedures that guide their regulatory activity.
- 1.2 Functions specified by order under the provisions of the Act, include those functions carried out by Regulation, Communities and Environmental Teams.
- 1.3 The Code provides a set of principles for regulators to consider:
- a. Regulators should carry out their activities in a way that supports those they regulate to comply and grow.
 - b. Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views.
 - c. Regulators should base their regulatory activity on risk.
 - d. Regulators should share information about compliance and risk.
 - e. Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply.
 - f. Regulators should ensure that their approach to regulatory activities is transparent.
- 1.4 Section 6 of the Code sets out the expectation that Local Authorities will ensure their approach to enforcement is transparent. The Regulation, Communities and Environmental Enforcement Policy helps to fulfil this expectation.
- 1.5 The current Enforcement Policy is published on the Council's web site. however, it needs to be reviewed. This review has now been completed and a copy of the proposed Policy is attached as Appendix 1.
- 1.6 The proposed Policy is an overarching document written to set out the Regulation, Communities and Environmental teams' general approach to good enforcement. Several teams within the wider service area have specific team Enforcement Policies which sit underneath this one and should be referred to in addition to the overarching Policy. Where a team specific Enforcement Policy is not in place, the overarching Policy is sufficient to meet the requirements of the Code.

2. Options considered and recommended proposal

2.1 The Licensing and Regulatory Committee is recommended to:

- 2.1.1 Consider the revised Regulation, Communities and Environmental Enforcement Policy and notify the Cabinet Member for Policing and Equalities of its comments

2.2 The Cabinet Member for Policing and Equalities is recommended to:

- 2.2.1 Consider the revised Regulation, Communities and Environmental Enforcement Policy and any comments received from the Licensing & Regulatory Committee.

- 2.2.2 Approve the adoption of the Regulation, Communities and Environmental Enforcement Policy attached as Appendix 1 to this report.
- 2.2.3 Delegate authority to the Strategic Lead Regulation and Communities to conduct a three yearly review of the Policy or a review at such times as guidance or legislation requires.

4. Results of consultation undertaken

- 4.1 No consultation is required to be undertaken as the Policy is an ‘informing’ Policy that covers statutory outcomes.

5. Timetable for implementing this decision

- 5.1 If approved the Policy will become effective on 10th March 2025.

6. Comments from Director of Finance and Resources and Director of Law and Governance

- 6.1 Financial implications

There are no financial implications involved in the revision of the Policy.

- 6.2 Legal implications

Section 6 of the Regulators Code sets out the expectation that Local Authorities will ensure their approach to enforcement is transparent and the revised Policy meets this requirement. If the Policy is not updated and reviewed, any enforcement action taken by the Regulation, Communities and Environmental teams, may be subject to challenge which may jeopardise the successful outcome of such enforcement.

7. Other implications

- 7.1 How will this contribute to the One Coventry Plan?

<https://www.coventry.gov.uk/strategies-plans-policies/one-coventry-plan>

Regulation, Communities and Environmental teams undertake a key function within the organisation to provide support, influence and challenge to drive forward the One Coventry Plan. The One Coventry Plan is a shared vision and strategy for the city that aims to make Coventry a better place to live, work and visit. Regulation, Communities and Environmental teams help to deliver the plan by ensuring compliance with the law, protecting the public and the environment, promoting fair and safe trade, and enabling economic growth and social inclusion.

- 7.2 How is risk being managed?

Decisions of the Regulation, Communities and Environmental teams are open to challenge by way of a Judicial Review. The revised Enforcement Policy seeks to mitigate the likelihood of a successful Judicial Review being brought against the Council.

7.3 What is the impact on the organisation?

None.

7.4 Equalities / EIA

An Equalities Impact Assessment (EIA) has been undertaken (Appendix 2 of the report). It is considered that the revised Enforcement Policy will have a positive impact for one or more protected groups and will have a positive impact on customers, including those customers whom we enforce against.

The overriding objective of the Regulation, Communities and Environmental teams is to protect and have a positive impact on the health and safety of those who live and work in the city and most especially, to protect those who are more vulnerable and at risk. This includes taking sensible and proportionate action where necessary to ensure those we regulate comply with legislative requirements and their statutory duties.

The Policy makes it clear what enforcement action can be undertaken by officers and makes it clear what support is available to those who are subject to enforcement, to enable them to understand and engage in the process.

7.5 Implications for (or impact on) climate change and the environment

None.

7.6 Implications for partner organisations?

None.

Report author(s):

Nicola Castledine
Food and Safety Manager

Service Area:

Regulation, Communities and Environmental teams

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Enquiries should be directed to the above person.

Contributor/approver name	Title	Service Area	Date doc sent out	Date response received or approved
Contributors:				
Suzanne Bennett	Governance Services Co-ordinator	Law and Governance	26/11/2024	26/11/2024
Davina Blackburn	Strategic Lead Regulation and Communities	Regulation and Communities	20/11/2024	20/11/2024
Names of approvers for submission: (officers and members)				
Finance: Richard Shirley	Lead Accountant	Finance	26/11/2024	27/11/2024
Legal: Amy Wright	Solicitor	Regulatory Team	20/11/2024	20/11/2024
Director: Julie Newman	City Solicitor and Monitoring Officer	Law and Governance	27/11/2024	06/01/2025
Members: Councillor Abdul Khan	Cabinet Member for Policing and Equalities	-	07/01/2025	16/01/2025

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

Appendix 1 – Proposed Enforcement Policy

Coventry City Council – Regulation, Communities and Environmental Enforcement Policy

This Policy outlines the overarching enforcement principles of the Regulation, Communities and Environmental Teams.

For details of specific enforcement principles adopted by the following teams, reference must also be made to the below:

Housing Enforcement Team [Private Sector Housing Enforcement Policy](#)

Sports Ground Safety Team [Sports Ground Enforcement Policy](#)

Licensing Team [Statement of Licensing Policy](#) and [Gambling Policy](#)

Taxi Licensing [Taxi Licensing Policy](#)

All other Regulation, Communities and Environmental Teams will abide by the guiding principles of enforcement laid out in this Policy.

A. Principles of Good Regulation

The Legislative and Regulatory Reform Act 2006, Part 2, requires Local Authorities to have regard to the 'Principles of Good Regulation' when exercising a specified regulatory function. For Coventry City Council, the specified functions include those carried out by Regulation, Communities and Environmental Teams.

Coventry City Council will exercise its regulatory activities in a way which is:

- a) Proportionate – the Regulators' Code promotes proportionate regulatory activity, which includes taking appropriate action where non-compliance is identified. The 'Public Interest Stage' contained in the Code for Crown Prosecutors:

http://www.cps.gov.uk/publications/code_for_crown_prosecutors/

will always be considered when determining whether it is right to prosecute. Our activities will reflect the impact of the offending on those living in, working in and visiting the area and enforcement action taken will relate to the seriousness of the offence;

- b) Accountable – our activities will be open to public scrutiny, with clear and accessible policies, and fair and efficient complaints procedures;
- c) Consistent – our advice to those we regulate will be robust and reliable and we will respect advice provided by others. Where circumstances are similar, we will endeavour to act in a consistent manner;
- d) Transparent – we will ensure that those we regulate are able to understand what is expected of them and what they can anticipate in return; and
- e) Targeted – we will focus our resources on higher risk enterprises and activities, reflecting local need, national priorities and intelligence.

B. Regulators' Code

The Regulators' Code is central to the Governments' better regulation principles. Its aim is to embed a risk based, proportionate and targeted approach to regulatory inspection and enforcement.

Coventry City Council has had regard to the [Regulators' Code](#) in the preparation of this Policy. In certain instances, we may conclude that a provision in the Code is either not relevant, is

outweighed by another provision or does not legally apply to some aspects of regulatory activity. We will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence and be documented.

C. The Code for Crown Prosecutors

When deciding whether to prosecute or offer a Simple Caution as an alternative to prosecution, the Council will have regard to the provisions of the Code for Crown Prosecutors as issued by the Director of Public Prosecutions.

The Code for Crown Prosecutors is a public document that sets out the general principles to follow when decisions are made in respect of prosecuting cases or offering Simple Cautions. The Code sets out two tests that must be satisfied, commonly referred to as the 'Evidential Test' and the 'Public Interest Test':

- a) Evidential Test - is there enough evidence against the defendant?

When deciding whether there is enough evidence to prosecute or offer a Simple Caution, the Council will consider what evidence can be used in court, is reliable and credible. The Council will also consider if there is any material which might undermine the case or assist the defence. The Council must be satisfied there is enough evidence to provide a "realistic prospect of conviction" against each alleged offender for each offence.

- b) Public Interest Test - is it in the public interest for the case to be brought to court?

Coventry City Council will balance factors for and against prosecution and Simple Cautions, carefully and fairly, considering each case on its merits. Before deciding that prosecution or Simple Caution is appropriate the Council will consider the matters detailed in the Code which, in the opinion of the Council, are relevant and will have regard to the public interest.

D. Regulatory Enforcement and Sanctions Act 2008 ('the RES Act')

The Regulatory Enforcement and Sanctions Act 2008, as amended, established the Primary Authority scheme. Coventry City Council will comply with the requirements of the Act when we are considering taking enforcement action against any business or organisation that has a Primary Authority and will have regard to guidance issued by the Secretary of State in relation to Primary Authority.

E. Conduct of Investigations

All investigations will be carried out under the following legislation and in accordance with statutory powers and controls and any associated guidance or codes of practice, in so far as they relate to Coventry City Council:

- The Police and Criminal Evidence Act 1984.
- The Criminal Procedure and Investigations Act 1996.
- The Regulation of Investigatory Powers Act 2000.
- The Criminal Justice and Police Act 2001.
- The Human Rights Act 1998.
- The Protection of Freedoms Act 2012 (Code of Practice for Powers of Entry and Description of Relevant Persons) Order 2015.
- General Data Protection Regulation (GDPR).
- Data Protection Act 2018.
- Consumer Rights Act 2015.
- Any other legislation which may be enforced.

The Council's authorised officers will also comply with the requirements of the legislation under which they are acting, and with any associated guidance or codes of practice.

Subject to the needs of an investigation, and where appropriate, officers will notify the individuals or business that they are subject to investigation as soon as is reasonably practicable. The Council will endeavour to make timely decisions about the progress of the investigation and decisions on the most appropriate action. The person or business subject to any investigation will be informed of the outcome.

Breaches of legislation found in premises owned or run by Coventry City Council will be treated in accordance with this Policy as would a breach in other businesses. In addition, details of the breach will be brought to the attention of the appropriate Head of Service and/or Director.

Where action and sanctions are considered in relation to juveniles i.e. anyone under the age of 18 years old, the Council will:

- Take appropriate and fair action;
- Liaise with the relevant youth offending body; and
- Comply with the relevant Government guidance.

Enforcement information is likely to be predominantly communicated through digital channels. Although most people are now digitally connected, some people may not have the confidence or ability to access digital information. Where this is the case, officers will provide hard copies of documents on request and give verbal advice in person or over the phone, if requested to do so.

Upon request and where available, information will be made in accessible formats and meetings will be held in accessible locations. Where enforcement action against a pregnant or nursing mother is considered necessary, we will upon request, provide reasonable and practical support e.g. arranging appointments to suit the parent.

We will ensure that information and communications are written in plain English, and where available, and upon request, resources will be provided in other languages.

F. Sanctions

Compliance Advice, Guidance and Support

The Council will issue compliance advice, guidance and support as a first response in the case of many breaches of legislation that are identified.

Advice is provided, sometimes in the form of a warning letter, to assist individuals and businesses in rectifying breaches as quickly and efficiently as possible, avoiding the need for further enforcement action. A warning letter will set out what should be done to rectify the breach and to prevent re-occurrence. We will always make it clear what is a legal requirement and what is best practice. If a similar breach is identified in the future, this letter will be persuasive in considering the most appropriate enforcement action to take on that occasion. Such a letter cannot be cited in court as a previous conviction, but it may be presented in evidence.

Coventry City Council recognises that where a business has entered into a partnership with a Primary Authority, the Primary Authority will provide compliance advice and support, and the Council will take such advice into account when considering the most appropriate enforcement action for it to take. It may discuss any need for compliance advice and support with the Primary Authority.

Where more formal enforcement action, such as a Simple Caution or prosecution, is taken, the Council recognises that there is likely to be an ongoing need for compliance advice and support, to prevent further breaches.

Voluntary Undertakings

Unless there is a duty on Coventry City Council to take formal action, the Council may accept voluntary undertakings that breaches will be rectified and/or recurrences prevented. The Council will take any failure to honour voluntary undertakings very seriously and enforcement action is likely to result.

Statutory (Legal) Notices

In respect of many breaches the Council has powers to issue statutory notices. These include but are not limited to: 'Abatement Notices,' 'Prohibition Notices,' 'Emergency Prohibition Notices', and 'Improvement Notices'. Such notices are legally binding. Failure to comply with a statutory notice is a criminal offence and may lead to prosecution or as an alternative a financial penalty, and/or, where appropriate, the carrying out of work in default, the costs of which may be recovered at a later date.

A statutory notice will clearly set out actions which must be taken and the timescale within which they must be taken. It is likely to require that any breach is rectified and/or prevented from recurring. It may also prohibit specified activities until the breach has been rectified and/or safeguards have been put in place to prevent future breaches. Where a statutory notice is issued, an explanation of the appeals process will be provided to the recipient. Some notices issued in respect of premises may be affixed to the premises and/or registered as local land charges.

Seizure and Forfeiture

Certain legislation enables authorised officers to seize goods, equipment or documents that may be required as evidence for potential future court proceedings. This may include, for example, unsafe food, unsafe products or any goods. When officers seize goods, equipment or documents, an appropriate receipt will be given to the person from whom the items are taken.

Financial Penalties

The Council has powers to issue Civil Penalties and Fixed Penalty Notices (FPN) in respect of some breaches. A penalty is an opportunity for an individual to discharge liability. It is not a criminal conviction and does not appear on an individual's criminal record. If a penalty is not paid, the Council may commence criminal proceedings or take other enforcement action in respect of the breach.

If a penalty is paid in respect of a breach, the Council may not take any further enforcement action in respect of that breach, however, this is dependent on the legislation being enforced and alleged offenders will be advised of this at the time of issue.

Payment of a penalty does not provide immunity from prosecution in respect of similar or recurrent breaches.

If financial penalties are available, it is at the discretion of the Council to opt to issue one. In some circumstances, in particular where breaches are serious or recurrent, it may be that prosecution is considered more appropriate than the issue of a penalty.

Injunctive Actions, Enforcement Orders etc.

In some circumstances the Council may seek a direction from the court (in the form of an Order or an Injunction) that a breach is rectified and/or prevented from recurring. The court may also direct that specified activities be suspended until the breach has been rectified and/or safeguards have been put in place to prevent future breaches.

In certain circumstances Community Protection Notices (CPNs) or Criminal Behaviour Orders (CBOs) can be issued and obtained in respect of anti-social behaviour (ASB).

Where the non-compliance under investigation amounts to ASB such as persistent targeting of an individual or a group of individuals in a particular area, or activity that is deemed detrimental to quality of life, a CPN or CBO may be sought or issued to stop the activity.

which may lead to imprisonment.

The Council is required to seek enforcement Orders after issuing some enforcement notices, providing the court with an opportunity to confirm the restrictions imposed by the notice. Otherwise, the Council will usually only seek a court Order if it has serious concerns about compliance.

Simple Caution

Coventry City Council has the power to issue Simple Cautions (previously known as 'formal cautions') as an alternative to prosecution for some less serious offences, where a person admits an offence and consents to the Simple Caution. Where a Simple Caution is offered and declined, the Council is likely to proceed with a prosecution.

A record will be kept of the Caution, and it may influence a decision to institute proceedings should a person be found to be infringing the law in the future. The Caution may be cited as an aggravating feature should an individual subsequently be found guilty of an offence in a court of law.

If a Simple Caution is issued to an individual (rather than a corporation) it may have consequences if that individual seeks certain types of employment.

Prosecution

Where the circumstances warrant it and the alternative actions detailed previously in this Policy are considered inappropriate, then prosecution may result. Any decision to prosecute will consider the criteria set down in the Code for Crown Prosecutors and will be made in consultation with the Council's legal services.

The criteria to be considered will include, but is not limited to, where relevant:

- a) The nature of the alleged offence;
- b) Where appropriate, the previous history of the party concerned;
- c) Whether there is a realistic prospect of conviction;
- d) The availability and quality of evidence and of any witnesses and their willingness to cooperate; and
- e) The public benefit from prosecution and the significance of the case.

The Council may prosecute without prior warning or recourse to alternative sanctions where the circumstances warrant it and the evidence to support the case is available.

Prosecution will only be considered where the Council is satisfied that it has sufficient evidence to provide a realistic prospect of conviction against the defendant(s). Due consideration will be given to the availability and compliance with any relevant statutory defence.

Before deciding that prosecution is appropriate, the Council will consider all relevant circumstances carefully and will have regard to the public interest and, where appropriate, the views of any victim, injured party or other relevant person or impact on the community.

A successful prosecution may result in a criminal record. The court may impose a fine, a community order with requirements or, in respect of particularly serious breaches, a prison sentence. The court may order the forfeiture and destruction of non-compliant goods and/or the confiscation of any assets or profits which have resulted from the breach. Prosecution may also lead, in some circumstances, to the disqualification of individuals from acting as company directors.

Refusal/Suspension/Revocation of Licences

The Council issue a number of licences and permits and also have a role to play in ensuring that

appropriate standards are met in relation to licences issued by other agencies. Most licences include conditions which require the licence holder to take steps to ensure that, for example, a business is properly run. Breach of these conditions may lead to a review of the licence which may result in its revocation or amendment. A review of a licence may be considered in addition to or as an alternative to any other action. When considering future licence applications, the Council may take previous breaches and enforcement action into account.

Proceeds of Crime Applications

The Council, either in co-operation with the Police or another Local Authority, may make an application under the Proceeds of Crime Act 2002 to restrain and/or confiscate the assets of an offender. The purpose of any such proceedings is to recover the financial benefit that the offender has obtained from their criminal conduct. Proceedings are conducted according to the civil standard of proof.

Public Spaces Protection Orders

Public Spaces Protection Orders (PSPO) are used, following consultation, to prohibit certain activities within identified public spaces or to require specified things to be done by persons carrying on specified activities in that area.

These Orders are introduced if:

- a) Activities carried on in a public space within the authority's area have had a detrimental effect on the quality of life in the locality; and
- b) It is likely that activities will be carried on in a public place within that area and that they will have such an effect.

A PSPO provides for restrictions to be placed on behaviour that apply to everyone in that locality (with the possible use of exemptions). Breach of a PSPO without reasonable excuse is an offence.

G. Complaints and Appeals

Where any enforcement action is conducted under legislation which contains a specific appeals procedure, an individual will be advised of that procedure at the required time.

Should there be any concerns or complaints about the actions of any authorised officers of the Council, then these should be made in the first instance to the manager of the service or team in question.

If the matter is not resolved at this stage, a formal complaint can be made by accessing our comments, compliments and complaints procedure below or by asking the manager of the service to escalate the matter on your behalf:

<https://www.coventry.gov.uk/contact-council/comments-compliments-complaints/2>

H. Equal Opportunities

The Council places equality at the heart of everything we do to meet the needs of those with protected characteristics. The Council is fully committed to ensuring fair and equal services are provided to all. To help ensure this, an Equality Impact Assessment (EIA) has been completed for this Policy.

I. Monitoring and Review

All proposed enforcement actions shall be assessed against this Policy by the investigating officers concerned in conjunction with the line or the service manager and the Council's Legal Services Team, where appropriate.

This Policy will be reviewed every 3 years or at such times as guidance or legislation requires.



Appendix 2 - Equality Impact Assessment

EIA-565149325 - Regulation and Communities Enforcement Policy - Review

Details

Title	Regulation and Communities Enforcement Policy - Review
Author	Nicola Castledine (Food and Safety Manager)
Head of service	Davina Blackburn (Strategic Lead - Regulation and Communities)
Cabinet member	Councillor A S Khan (Policing and Equalities)

Context and background

EIA carried out on Review of policy or strategy

Background

The Regulation and Communities Enforcement Policy ('the policy') outlines the overarching enforcement principles of the Regulation and Communities service area. The policy needs a review to ensure it takes account of new guidance, legislation and incorporates changes to the service area.

The Regulation and Communities service undertakes a range of enforcement activities across a number of teams including Food and Safety, Licensing, Business Compliance, Taxi Licensing, Street Enforcement, Property Licensing, Housing Enforcement, Community Safety, Emergency Services /CCTV and Building Control.

The service enforces a wide range of legislation and has a duty to protect the public and ensure compliance where it enforces and regulates.

The policy details the regulatory teams covered by it and as a broad spectrum of work areas is covered by the policy, it may be supplemented by additional policies in some areas of work.

The enforcement activities of the service can affect businesses, consumers and the general public in a number of ways, either in supporting them into compliance or by ensuring that appropriate action is taken when people or businesses are found not to be compliant.

The policy sets out the expectations for those affected by regulatory activity and aims to help them understand what they should expect from the service's enforcement activities, as well as ensuring a fair, consistent and transparent process for everyone.

Regulation and Communities aims to apply the principles of good regulation as laid down in the Legislative and Regulatory Reform Act 2006. These principles are that:

- Regulatory activities should be carried out in a way which is transparent, accountable, proportionate and consistent and
- regulatory activities should be targeted only at cases where it is needed.

Furthermore, the service seeks to ensure that the Regulators Code is central to all enforcement decisions. The Code's aim is to embed a risk based, proportionate and targeted approach to regulatory inspection and enforcement.

A range of potential enforcement activities is set out in the policy, which ranges from advice, guidance and support to prosecutions and revocation of licences.

The policy also outlines the rights and responsibilities of the regulated persons and businesses, as well as the options for complaints and appeals.

In the future, the policy will be reviewed every three years or at such times as legislation requires it, to ensure it reflects current legislation, best practice and public expectations.

Stakeholders	<p>Directly impacted - alleged offenders and those who have contravened legislation enforced by the service area. This may be individuals, partnerships, limited companies or body corporates. Indirectly impacted - legal professionals who seek to defend alleged offenders from enforcement action.</p> <p>Potentially impacted - customers or those who utilise the business / services of those alleged offenders e.g a food business may not be able to carry on trading if they are prosecuted for poor food hygiene.</p> <p>Help to make it work - Strategic Lead Regulation and Communities, all Regulation and Communities Managers, all Regulation and Communities Enforcement Officers, Legal Services Regulatory Team.</p> <p>Who knows the subject - Strategic Lead Regulation and Communities, all Regulation and Communities Managers, all Regulation and Communities Enforcement Officers, Legal Services Regulatory Team.</p> <p>Who will have an interest - Strategic Lead Regulation and Communities, all Regulation and Communities Managers, all Regulation and Communities Enforcement Officers, Legal Services Regulatory Team, alleged offenders and those who have contravened legislation enforced by the service area and legal professionals who seek to defend alleged offenders from enforcement action.</p>
Responsibility	<p>Strategic Lead Regulation and Communities, all Regulation and Communities Managers and all Regulation and Communities Officers.</p>

Consideration of impact

Coventry’s population size has increased by 8.9%, from around 317,000 in 2011 to 345,300 in 2021. Historically, Coventry has been one of the youngest cities in the UK, with a fast-growing population of young adults aged 18-29 and a median age of 32 years compared to the UK average of 40. In the coming years, this is expected to change rapidly, with the 65+ age group expected to become the fastest-growing demographic over the next 15 years. As of 2020, people aged 75+ represent just 6% of the city’s population, compared to the UK average of 9%; but by 2043, the proportion of people aged 75+ is expected to grow to nearly 8%. Over the past decade, the city has become increasingly ethnically diverse, with just under half of its school-aged population from an ethnic minority background in 2021; up from around one-third of the city’s population from an ethnic minority background at the 2011 census. The 2021 Census identified that 29.9% of the population were not born in England.

Baseline data and information

Following Brexit and COVID-19 pandemic related lockdowns, the economic outlook for the city remains challenging and uncertain. In 2021, there were 10,210 enterprises in the city with a certain amount of 'churn' taking place. In 2020 1,575 new enterprises were 'born' and 1,355 enterprises 'died'.

There are significant pockets of multiple deprivation in the city with 18.5% of the city's neighbourhoods amongst the 10% most deprived areas in England. In total the city is the 46th most deprived local authority area out of 326 across England.

In undertaking this EIA, research has been undertaken to establish what, if any, national equalities data is collected by regulatory services teams nationally, and none can be found.

Here in Coventry, historically, local enforcement data has not been collected by teams, however, it is recognised that this is no longer acceptable. In February 2023, the Property Licensing and Housing Enforcement team developed and started using an Equality and Diversity Online Survey to provide to customers, including those whom we take enforcement action against, to help us build a profile of the people using our service. In October 2023, this was rolled out more widely and is now used across the service area.

The collected data will enable us to:

- Establish who is subject to enforcement action and identify if there are any trends in terms of protected characteristics.
- Understand the needs of those we enforce against and whether there is any disadvantage faced by people with the different protected characteristics.
- Adapt our enforcement procedures to ensure that those we enforce against are not discriminated against.
- Benchmark our enforcement action against other local authorities to establish areas for improvement.

The 2011 Census identified that 86.1% of the population spoke English as their main language, 2.3% spoke Panjabi, 2% spoke Polish, 0.83% spoke Gujarati, 0.82% Urdu and 0.6% spoke Arabic as their main language.

Protected groups

Age 0-18

Positive impact - The overriding objective of the service is to protect and have a positive impact on the health and safety of those who live and work in the city and most especially, to protect those who are more vulnerable and at risk, including young people. This includes taking sensible and proportionate action where necessary to ensure those we regulate comply with legislative requirements and their statutory duties.

Where action and sanctions are considered in relation to juveniles i.e. anyone under the age of 18 years old, the policy makes it clear that the Council will:

- Take appropriate and fair action and**
- liaise with the relevant youth offending body and**
- comply with the relevant Government guidance.**

Age 19-64

Positive impact - See above regarding the overriding objective of the service.

It is anticipated that most of the enforcement action undertaken by the service will be in relation to this age group as this group constitutes the majority of the working population. The policy makes it clear what enforcement action can be undertaken by Officers and makes it clear what support is available to those whom are subject to enforcement, to enable them to understand and engage in the process.

Age 65+

Positive impact - See above regarding the overriding objective of the service.

Enforcement information is likely to be predominantly communicated through digital channels. Although most age groups are now digitally connected, some older people may not have the confidence or ability to access digital information.

Officers will therefore provide hard copies of documents on request and give verbal advice in person or over the phone, where action and sanctions are considered in relation to people aged 65+.

Positive impact - See above regarding the overriding objective of the service.

We will ensure that information is accessible for people with hearing and visual impairments. Information will therefore be made available in accessible formats on request.

We need to ensure that meetings are held in accessible locations if required.

There is a risk that disabled people, including those with a learning disability may be at risk of coercion or exploitation leading to enforcement.

Disability The Code for Crown Prosecutors requires us to consider the level of culpability of the alleged offender before commencing enforcement action. The higher the level of culpability, the more likely it is that enforcement action is required.

An alleged offender is likely to have lower culpability if they have been compelled, coerced or exploited or if they were affected by significant mental or physical ill health or disability at the time of the alleged offence.

However, before a decision is made to commence enforcement action, regard will be had to the seriousness of the offence, whether the alleged offender is likely to re-offend and the need to safeguard the public.

**Gender
reassignment**

No impact - No issues identified.

**Marriage and civil
partnership**

No impact - No issues identified.

**Pregnancy and
maternity**

Positive impact - See above regarding the overriding objective of the service.

Where enforcement action against a pregnant or nursing mother is considered necessary, the service will upon request, provide reasonable and practical support e.g. access to breast feeding and changing facilities during meetings, arranging appointments to suit the parent.

Race

Positive impact - It is considered likely that as Coventry has become increasingly ethnically diverse, that the ethnicity and languages spoken by those who are subject to enforcement action by the Regulation and Communities service area, may potentially be barriers to understanding the detail of the revised enforcement policy and to understanding the communication of enforcement action.

We will, therefore, ensure that information and communications are written in plain English and where available, and upon request, resources are provided in other languages.

Religion and belief	No impact - No issues identified.
Sex	No impact - No issues identified.
Sexual orientation	No impact - No issues identified.

Health inequalities (HI)

Coventry is a 'Marmot City' and the council and other statutory organisations work together to reduce health inequalities.

The work of the Regulation and Communities service area, contributes to the following Marmot Principles:

Ensure a healthy standard of living for all.

The Marmot Review highlighted that having insufficient money to lead a healthy life creates significant health inequalities, leads to poorer health outcomes, and impacts life expectancy for some people.

The service contributes to a number of programmes of work and activities that support the 'ensure a healthy standard of living for all recommendation' which aim to:

- i. Improve the energy efficiency of housing stock.**
- ii. Improve the food environment with a connected system that allows access to food.**

Create fair employment and good work for all.

The Marmot Review summarised the importance of addressing inequalities in work and employment as follows 'Being in good employment is protective of health. Conversely, unemployment contributes to poor health. Getting people into work is therefore of critical importance for reducing health inequalities.'

The service contributes to a number of programmes of work and activities that support the 'create fair employment and good work for all recommendation' which aim to:

- i. Work with businesses to improve the quality of jobs, creating health promoting workplaces that support the health and wellbeing of employees.**

Create and develop healthy and sustainable places and communities.

Living in healthy places is protective of good health. Where we live, and how we travel in our communities, impacts our physical health,

well-being and connectedness. We need to mitigate against the sources of pollution and promote the quality of the urban environment by enhancing liveable spaces. Housing is fundamental to the wellbeing of people, their families, and their communities. Safe, secure, and suitable housing provides a stable base on which people can build their lives and build successful communities. Community assets are important to health directly and indirectly: directly through the services and opportunities they offer that support physical and mental health, and indirectly through a sense of control and empowerment, levels of community cohesion and social interaction, all of which support good health.

The service contributes to a number of programmes of work and activities that support the 'create and develop healthy and sustainable places and communities recommendation' which aim to:

- i. Empower and enable community solutions.
- ii. Providing practical support to strengthen the community sector.
- iii. Create good quality green spaces that are accessible locally.
- iv. Maximise opportunities to improve the safety, security, and quality of housing across the social gradient.

How HI will be reduced

Strengthen the role and impact of ill health prevention.

The Marmot Review summarised the importance the impact of addressing inequalities in health in later life and investing in the early years to preventing ill health later in life.

The service contributes to a number of programmes of work and activities that support the 'strengthen the role and impact of ill health prevention recommendation' which aim to:

- i. Promote healthy behaviours and lifestyles across the system to maximise impact and tackle barriers to healthy lifestyle, including mental wellbeing, diet, exercise, smoking and drugs and alcohol.
- ii. Promote domestic abuse programmes offering a range of interventions and programmes for the 'whole family' including victims, children and young people and perpetrators and perpetrators.

Pursue environmental sustainability and health equity.

Many of the actions to reduce greenhouse gas emissions will also improve health and reduce existing health inequalities. However, there is a potential for interventions and the recent increases in energy costs to widen inequalities. There must be an equity focus as well as a harm reduction and mitigation focus on interventions and strategies to reduce the effects of climate change.

The service contributes to a number of programmes of work and activities that support the 'pursue environmental sustainability and health equity recommendation' which aim to:

- i. Maximise opportunities to improve the safety, security, quality, ventilation, and energy efficiency of housing to an EPC (Energy Performance Certificates) rating of C or above wherever possible

across the social gradient.

Decisions made by the council have the potential to impact significantly on the lives of Coventry residents, and often any negative impact is felt most by those in the lowest socio-economic groups, therefore contributing to increasing inequalities. It is therefore important that negative impact is recognised and mitigated where possible.

The Enforcement Policy sets out how the service approaches and undertakes enforcement activity in Coventry. The overriding objective of the service is to protect and have a positive impact on the health and safety of those who live and work in the city and most especially, to protect those who are more vulnerable and at risk, including young people. This includes taking sensible and proportionate action where necessary to ensure those we regulate comply with legislative requirements and their statutory duties.

With limited resources, the work of the service has to be carefully targeted according to public health risk, with poor performers receiving closer, more regular scrutiny than broadly compliant ones. All proposed enforcement action must be proportionate, transparent and targeted where it is needed.

Taking enforcement action against those who do not comply with their statutory obligations, helps to "level the playing field" for those who live and work in the city.

**Evidence showing
how HI will be
reduced**

The work of each team in the Regulation and Communities, is planned at the start of each year, is monitored and adjusted accordingly.

Each quarter, performance statistics are compiled and reported upon; both at divisional and One Coventry Leadership Team level. This includes the monitoring of project outcomes, inspection data, details of complaints investigated etc and crucially, statistics on enforcement action are collated e.g. number of prosecutions initiated, statutory notices served, Simple Cautions issued, and civil penalties issued.

Each team in the service completes regular statutory returns to the Government Agency responsible for overseeing that area of work e.g. Gambling Commission, Food Standards Agency, Health and Safety Executive, to ensure the local authority is held accountable for service provision.

An equality and inclusion survey has recently been introduced to find out more about the people who use the services of Regulation and Communities and to find out how we can be more inclusive. Data from the survey will help shape service provision going forwards.

Groups of people who face HI

People using poor performing businesses in the city are likely to face the biggest health inequalities e.g. those living in sub-standard privately rented housing are likely to be negatively impacted by the conditions in which they live. Likewise, those purchasing food from sub-standard shops and restaurants, are more likely to become ill from eating poorly prepared food than those who purchase food from good premises.

How to improve HI for groups identified

Through targeted and proportionate enforcement action, poor performing businesses / individuals / traders etc, will be brought up to standard and held accountable for their actions / inactions.

Digital inequalities (DI)

The service does not assume that those we enforce against have digital access and skills. Officers utilise a variety of methods to engage with those who are subject to enforcement action and this ranges from digital methods to using the postal service to face to face meetings and visiting service users at their place of work or home.

Proactive interventions are undertaken depending on risk; with risk being evaluated by officers. This means duty holders do not need to access services themselves.

Access to response services can be made either digitally, by telephone or by visiting the council's Contact Centre.

Impact to DI

In order to continually improve our services, Regulation and Communities is due to launch a new Customer Services Charter imminently that has been developed specifically for the service area. This Charter outlines the standards and expectations that we aim to deliver to our customers, both internal and external. It also defines the values and principles that guide our work and the behaviours that we expect from our staff.

The new Customer Services Charter reflects our commitment to provide high-quality, responsive, and consistent services that meet the needs and expectations of our customers.

Importantly the Charter is not just a document, but a way of working that we need to embed in our culture and practice. It is a tool that will help us to improve our performance, enhance our reputation, and increase our customer satisfaction and loyalty. Managers have a key role in leading and supporting their teams to work towards and comply with the new Charter. Managers will ensure that officers are aware of the Charter, understand its implications, and apply it in their daily work.

Managers will monitor and evaluate their team's performance against the Charter standards and provide feedback and recognition.

Opportunities to reduce DI

These are no currently identified digital inequalities, however, the service area does recognise that by surveying our customers and seeking feedback, digital inequalities may be identified and as a service we are committed to working on these going forwards.

Inequality	Action	Owner	Timescale
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Monitor and evaluation	<ul style="list-style-type: none"> • Continue to monitor and review the EIA and its outcomes on a regular basis, and update the policies, procedures, and guidance documents of the service area accordingly. • Continue to consult and engage with the staff and managers of Regulation and Communities, as well as other stakeholders, such as service users, community groups, and external partners, and seek their views and feedback on the delivery and improvement of the Regulation and Communities Enforcement Policy. • Continue to collect and analyse data and evidence on the profile, needs, and experiences of different groups of people in relation to the service area, and use it to inform planning and decision-making in the future. • Continue to provide information, advice, and guidance on regulation in accessible formats and other languages, where reasonable and upon request. • Continue to promote equality and foster good relations between different groups of people, and celebrate the diversity and inclusion of the community, through the work of the service.
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Impact on Council staff

Will there be an impact?	No
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Completion statement

Potential equality impact	Positive impact has been identified for one or more protected groups
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