

**Time and Date**

2.00 pm on Tuesday, 24th March, 2026

Place

Council Chamber - Council House

1. **Apologies**
2. **Minutes of the Meeting held on 24 February 2026** (Pages 5 - 24)
3. **Coventry Good Citizen Award**
To be presented by the Lord Mayor and Judge Montgomery KC, Honorary Recorder
4. **Correspondence and Announcements of the Lord Mayor**
5. **Petitions**
6. **Declarations of Interest**

Matters Left for Determination by the City Council/Recommendations for the City Council

7. **Best Start Family Hubs and Healthy Babies Programme Grant for April 2026 to March 2029** (Pages 25 - 40)
From Cabinet, 10 February 2026

It is anticipated that the following matters will be referred as a Recommendations. The reports are attached. The relevant Recommendations will be circulated separately.

8. **Private Sector Housing Enforcement Policy 2026-2031** (Pages 41 - 190)
From the Meeting of Cabinet, held on 17 March 2026
9. **Elected Members Training and Development Strategy 2026-30** (Pages 191 - 210)
From the Meeting of the Cabinet Member for Policing and Equalities held on 23 March 2026

10. **Proposed Amendments to the Constitution - Various** (Pages 211 - 230)
From the Meeting of the Cabinet Member for Policing and Equalities held on 23 March 2026
11. **Proposed Amendments to the Constitution - Contract and Finance Procedure Rules** (Pages 231 - 282)
From the Meeting of the Cabinet Member for Policing and Equalities held on 23 March 2026.

Items for Consideration

12. **Pay Policy Statement 2026** (Pages 283 - 300)
Report of the Director of People and Facilities
13. **Consultation Response - Local Transport Authorities and the Licensing of Taxis and Private Hire Vehicles** (Pages 301 - 314)
Report of the Director of Law, Governance, and Safer Communities

Other Matters

14. **Question Time** (Pages 315 - 318)
 - (a) Written Question – Booklet 1
 - (b) Oral Questions to Chairs of Scrutiny Boards/Chair of Scrutiny Co-ordination Committee
 - (c) Oral Questions to Chairs of other meetings
 - (d) Oral Questions to Representatives on Outside Bodies
 - (e) Oral Questions to Cabinet Members and Deputy Cabinet Members on any matter
15. **Statements (if any)**
16. **Debates**
 - (a) To be moved by Councillor T Sawdon and seconded by Councillor G Ridley

"Given the information now available following the BBC's FOI request, this Council urges the Secretary of State (Lisa Nandy), notwithstanding the ongoing enquiry by the Charity Commission, to set up a full inquiry held in public into the collapse of the City of Coventry Culture Trust."

- (b) To be moved by Councillor J Gardiner and seconded by Councillor M Lapsa

“Following the City Council’s research and investigations undertaken over eight years, this Council agrees to the principle of introducing selective licensing in Coventry to promote adequate standards of housing and property management in the private rented sector.

It will therefore take all necessary steps towards introducing appropriate special licensing schemes, aiming to cover a minimum of 16 wards in the city.

The forecast £35 million in licence fees over the minimum 5 year term of the schemes will fund proactive enforcement against landlords who fail to meet licensing standards. In this way the special licensing schemes will drive up standards of housing quality and property management, to the benefit of individuals and families who rely upon the private housing sector, to the benefit of their residential neighbours and to the betterment of the city’s housing stock which is a primary built asset of this city, needed to meet the core needs of city residents.”

- (c) To be moved by Councillor G Duggins and seconded by Councillor AS Khan

At this last meeting of the full Council of the 2025/26 municipal year, this Council notes the achievements that have been realised by consecutive Labour administrations in this City.

These administrations, through prudent and considered policies, have put the needs of Coventry residents first, despite 14 yrs of austerity embraced by the previous Tory Government.

We believe that policies that put our people first, no matter what their origins, their faith or no faith, their social class, their sexual orientation, or the colour of their skin, will continue to unite our diverse communities, and we look forward to many years of harmony and prosperity under a Labour Council and a Labour Government.

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

Monday, 16 March 2026

Note: The person to contact about the agenda and documents for this meeting is Carolyn Sinclair/Suzanne Bennett, Governance Services email: carolyn.sinclair@coventry.gov.uk/suzanne.bennett@coventry.gov.uk

Membership: Councillors F Abbott, S Agboola, N Akhtar, P Akhtar, M Ali, R Bailey (Deputy Chair), L Bigham, J Birdi, J Blundell, R Brown, K Caan, B Christopher, G Duggins, J Gardiner, S Gray, L Harvard, G Hayre, M Heaven, P Hetherington,

A Hopkins, J Innes, T Jandu, A Jobbar, S Jobbar, A Kaur, L Kelly, AS Khan, T Khan, R Lakha, R Lancaster (Chair), M Lapsa, J Lepoidevin, G Lewis, G Lloyd, P Male, K Maton, J McNicholas, C Miks, B Mosterman, M Mutton, S Nazir, J O'Boyle, E M Reeves, G Ridley, E Ruane, K Sandhu, T Sawdon, P Seaman, B Singh, R Singh, R Thay, CE Thomas, D Toulson and A Tucker

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Carolyn Sinclair/Suzanne Bennett, Governance Services

email:

carolyn.sinclair@coventry.gov.uk/suzanne.bennett@coventry.gov.uk

Coventry City Council

Minutes of the Meeting of Council held at 2.00 pm on Tuesday, 24 February 2026

Present:

Members: Councillor R Lancaster (Chair)

Councillor S Agboola	Councillor AS Khan
Councillor N Akhtar	Councillor R Lakha
Councillor P Akhtar	Councillor M Lapsa
Councillor M Ali	Councillor J Lepoidevin
Councillor R Bailey	Councillor G Lewis
Councillor L Bigham	Councillor G Lloyd
Councillor J Birdi	Councillor P Male
Councillor J Blundell	Councillor K Maton
Councillor R Brown	Councillor J McNicholas
Councillor K Caan	Councillor C Miks
Councillor B Christopher	Councillor B Mosterman
Councillor G Duggins	Councillor M Mutton
Councillor J Gardiner	Councillor S Nazir
Councillor S Gray	Councillor J O'Boyle
Councillor L Harvard	Councillor E M Reeves
Councillor G Hayre	Councillor G Ridley
Councillor M Heaven	Councillor K Sandhu
Councillor P Hetherton	Councillor P Seaman
Councillor A Hopkins	Councillor R Singh
Councillor J Innes	Councillor R Thay
Councillor T Jandu	Councillor CE Thomas
Councillor A Jobbar	Councillor D Toulson
Councillor S Jobbar	
Councillor A Kaur	
Councillor L Kelly	

Honorary Alderman J Clifford and H Fitzpatrick

Apologies: Councillor F Abbott, E Ruane and T Sawdon
Honorary Alderman M Hammon and D Skinner

Public Business

79. Minutes of the Meeting held on 13 January 2026

The Minutes of the Meeting held on 13 January 2026 were agreed and signed as a true record.

80. Correspondence and Announcements of the Lord Mayor

1. Recent Tragic Event in Foleshill

The Lord Mayor referred to the recent tragic event that took place in Foleshill and on behalf of the City Council, expressed deepest sympathy to all those affected.

2. Civic visit to Dresden

The Lord Mayor reported on her recent visit the City's twin city of Dresden on the 81st anniversary of the destruction of the City on 13 February 1945.

There had been a number of commemoration events, at the heart of which was the annual Human Chain. This was made by thousands of people joining hands to form a continuous ring around Dresden's inner city to remember the victims of National Socialism and war, hatred and destruction and affirm our commitment to peace and democracy.

It was a moving reminder that remembrance is a responsibility, not just a reflection on the past, to which our cities remained committed.

3. Andy Williams, Director of Regeneration and Economy

The Lord Mayor referred to the upcoming departure of Andy Williams, Director of Regeneration and Economy, who would be leaving the City Council on the 19 March after 22 years dedicated service to take up a new position at Birmingham City Council.

On behalf of the City Council, the Lord Mayor thanked Andy for all his hard work over the years and wished him every success in his new role.

81. Petitions

RESOLVED that the following petitions be referred to the appropriate City Council body:

- 1. Requesting urgent action for pedestrian and road safety on Stoneleigh Road, Gibbet Hill, Coventry – 494 signatures, presented by Councillor M Heaven.**
- 2. Request that Baginton Fields Nature Reserve be designated as a recognised Local Nature Reserve – 108 signatures, presented by Councillor B Mosterman.**
- 3. Objection to the proposed Change of Use at 3 The Hiron, Coventry – 133 signatures, presented by Councillor R Bailey.**
- 4. Request for immediate action to address speeding and unsafe parking on Abercorn Road – 143 signatures, presented by Councillor J Innes.**
- 5. Request for double-yellow lines at the junction of Kendal Rise and Winsford Avenue – 34 signatures, presented by Councillor P Akhtar.**
- 6. Request that the concerns of residents relating to the allotment land between Tennyson Road and Wyver Crescent – 65 signatures, presented by Councillor J McNicholas.**
- 7. Request to allocate land to build a community centre for the Romanian Orthodox Community in Coventry – 856 signatures, presented by Councillor CE Thomas.**

82. **Declarations of Interest**

There were no declarations of interest.

83. **Motion without Notice**

In accordance with the Constitution, a Motion without Notice was moved by Councillor M Mutton, seconded by Councillor D Toulson, and adopted that agenda item 6 (Council Tax Setting Report 2026-27) and item 7 (Budget Report 2026-27) be considered together.

It was noted that a recorded vote would be taken in respect of all decisions relating to matters the subject of Minutes 84 (Council Tax Setting Report 2026-27) and 85 (Budget Report 2026-27), including any amendments.

84. **Council Tax Setting Report 2026-27**

Further to Minute 67 of the Cabinet, the City Council considered a report of the Director of Finance and Resources (Section 151 Officer), that calculated the Council Tax level for 2026/27 and made appropriate recommendations to Council, consistent with the Budget Report 2026/27.

The report recommended a 3.9% increase in the City's Council Tax. Some figures and information, shaded grey in the report, were necessarily provisional due to precepts not having been confirmed at the time of publication.

The report incorporated the impact of the Council's gross expenditure and the level of income it would receive through Business Rates, grants, and fees and charges. This resulted in a Council Tax requirement, as the amount that its expenditure exceeded all other sources of income.

The report included a calculation of the Band D Council Tax that would be needed to generate this Council Tax requirement, based on the City's approved Council Tax base. The 2026/27 Band D Council Tax that was calculated through this process had increased by £82.98 from the 2025/26 level.

Each year the Government determined the maximum Council Tax increases that local authorities could set without triggering a referendum. For 2026/27, Coventry City Council's Council Tax must be below 5%, as set out in the Secretary of State's principles for 2026/27, comprising a 2% precept for expenditure on adult social care and a maximum of 3% for other expenditure. The recommendations within the Budget Report 2026/27 were based on a proposed increase in Council Tax of 3.9%, incorporating a core Council Tax rise of 2.9% and a 1% Adult Social Care Precept.

At the time of writing the report the precept from the Police and Crime Commissioner and the precept from the Fire and Rescue Authority had not been confirmed. The provisional figures provided in the report were based on indicative figures. The figures detailed in the recommendations below were subsequently confirmed as the final figures, at the meeting.

It was noted that the recommendations followed the structure of resolutions drawn up by the Chartered Institute of Public Finance and Accountancy, to ensure that legal requirements were fully adhered to in setting the tax. As a consequence, the wording of the proposed resolutions was necessarily complex.

Three amendments were moved, seconded and lost in relation to this Minute and Minute 85 below, details of which are contained in the Appendices to the Minutes.

RESOLVED that the City Council:

1) Note the following Council Tax base amounts for the year 2026/27, as approved by Cabinet on 6 January 2026, in accordance with Regulations made under Section 31B of the Local Government Finance Act 1992 ("the Act"):

a) 91,413.3 being the amount calculated by the Council as its Council Tax base for the year for the whole Council area;

**b) Allesley 498.7
 Finham 1,587.2
 Keresley 744.4**

being the amounts calculated by the Council as its Council Tax base for the year for dwellings in those parts of its area to which one or more special items relate.

2) Agree that the following amounts be now calculated by the Council for the year 2026/27 in accordance with Sections 31A, 31B and 34 to 36 of the Act:

(a) £1,035,300,800 being the aggregate of the amounts that the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils (Gross Expenditure and reserves required to be raised for estimated future expenditure);

(b) £835,376,768 being the aggregate of the amounts that the Council estimates for the items set out in Section 31A(3) of the Act. (Gross Income including reserves to be used to meet the Gross Expenditure but excluding Council Tax income);

(c) £199,924,032 being the amount by which the aggregate at (2)(a) above exceeds the aggregate at (2)(b) above, calculated by the Council in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year;

(d) £2,186.40 (2)(c) = £199,924,032

(1)(a)

91,413.3

being the amount at (2)(c) above divided by the amount at (1)(a) above, calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year. (Average Council Tax at Band D for the City including Parish Precepts).

(e) £57,993

being the aggregate amount of all special items referred to in Section 34(1) of the Act. (Parish Precepts);

(f) £2,186.40

$$= (2)(d) - \frac{(2)(e)}{(1)(a)} = £2,186.40 - \frac{£57,993}{91,413.3}$$

being the amount at (2)(d) above, less the result given by dividing the amount at (2)(e) above by the amounts at (1)(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of the area to which no special item relates. (Council Tax at Band D for the City excluding Parish Precepts);

(g)

Coventry (unparished area)	£2,186.40
Allesley	£2,226.65
Finham	£2,199.94
Keresley	£2,208.48

being the amounts given by adding to the amount at (2)(f) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at (1)(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate. (Council Taxes at Band D for the City and Parish).

h)

Valuation Band	Parts to which no special item relates	Parish of Allesley	Parish of Finham	Parish of Keresley
	£	£	£	£
A	1,457.60	1,484.43	1,466.63	1,472.32
B	1,700.53	1,731.84	1,711.06	1,717.70

C	1,943.47	1,979.25	1,955.51	1,963.10
D	2,186.40	2,226.65	2,199.94	2,208.48
E	2,672.27	2,721.46	2,688.82	2,699.26
F	3,158.13	3,216.27	3,177.69	3,190.02
G	3,644.00	3,711.08	3,666.57	3,680.80
H	4,372.80	4,453.30	4,399.88	4,416.96

being the amounts given by multiplying the amounts at (2)(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwelling listed in different valuation bands

- 3) Note that for the year 2026/27 the Police and Crime Commissioner for the West Midlands and West Midlands Fire Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Act, for each of the categories of dwelling shown below:

Valuation Band	Police and Crime Commissioner for the West Midlands	West Midlands Fire Authority
	£	£
A	163.00	56.79
B	190.17	66.26
C	217.33	75.73
D	244.50	85.19
E	298.83	104.12
F	353.17	123.05
G	407.50	141.99
H	489.00	170.38

- 4) That having calculated the aggregate in each case of the amounts at (2)(h) and (3) above, in accordance with Sections 30 and 36 of the Act, Council hereby sets the following amounts as the amounts of Council Tax for the year 2026/27 for each part of its area and for each of the categories of dwellings shown below:

Valuation Band	Parts to which no special item relates	Parish of Allesley	Parish of Finham	Parish of Keresley
	£	£	£	£
A	1,677.39	1,704.22	1,686.42	1,692.11
B	1,956.96	1,988.27	1,967.49	1,974.13
C	2,236.53	2,272.31	2,248.57	2,256.16
D	2,516.09	2,556.34	2,529.63	2,538.17
E	3,075.22	3,124.41	3,091.77	3,102.21
F	3,634.35	3,692.49	3,653.91	3,666.24

G	4,193.49	4,260.57	4,216.06	4,230.29
H	5,032.18	5,112.68	5,059.26	5,076.34

5) Determines that its relevant basic amount of Council Tax for 2026/27 is not excessive in accordance with the principles set out in the Secretary of State’s report, under Sections 52ZC and 52ZD of the Act.

Note: The Councillors voting For and Against the Recommendations were as follows:

For		Against	Abstain
Councillors: S Agboola N Akhtar P Akhtar L Bigham R Brown K Caan B Christopher G Duggins S Gray L Harvard G Hayre P Hetherton A Hopkins J Innes A Jobbar S Jobbar A Kaur L Kelly AS Khan	Councillors: R Lakha G Lewis G Lloyd J McNicholas C Miks M Mutton S Nazir J O’Boyle E Reeves K Sandhu P Seaman R Singh R Thay CE Thomas D Toulson Lord Mayor	Councillors: R Bailey J Birdi J Gardiner T Jandu M Lapsa J Lepoidevin P Male B Mosterman G Ridley	
	Total: 35	Total: 9	Total: 0

For: 35
Against: 9
Abstain: 0

85. Budget Report 2026-27

Further to Minute 68 of the Cabinet, the City Council considered a report of the Director of Finance and Resources (Section 151 Officer) that followed on from the Pre-Budget Report approved by Cabinet on 16th December 2025 (Minute 44/25 referred) which has since been subject to a period of public consultation. The proposals within the report now formed the basis of the Council's final revenue and capital budget for 2026/27 incorporating the following details:

- Gross budgeted spend of £1,035.3m (£73.5m higher than 2025/26).
- Net budgeted spend of £422.9m (£126.0m higher than 2025/26) funded from Council Tax, Business Rates and Business Rates top-up of £56.5m due to the 2026/27 impact of the Fair funding redistribution.

- A Council Tax Requirement of £199.9m (£10.4m or 6% higher than 2025/26), reflecting a City Council Tax increase of 3.95% detailed in the separate Council Tax Setting report on today's agenda.
- A number of new expenditure pressures, policy investments and technical savings proposals.
- A Capital Strategy including a Capital Programme of £165.9m including expenditure funded by Prudential Borrowing of £33.9m.
- An updated Treasury Management Strategy, Capital Strategy, and a Commercial Investments Strategy.
- Amendments to the Council Tax Support Scheme.

The financial position in this Budget Report was based on the Final 2026/27 Local Government Finance Settlement published on 9th February 2026. This settlement was a result of the implementation of the Fair Funding systems, Council Tax equalisation and Business Rates reset. This settlement included a multi (three) year settlement which took the Authority through to the end of the current CSR (comprehensive spending review) period of March 2029.

This 3-year settlement enabled a much better medium-term view of the Council's finances from a resource perspective. The Government would reserve the right to review allocations each year, but indicative allocations would allow Councils to plan more effectively. Demographic pressures were still expected to continue to increase as cost-of-living issues continued to affect individuals' experience and expectations of when local authorities and Government would intervene to protect them. The next 3 years would continue therefore to create a very challenging environment in which the City Council would need to ensure Government funding together with local taxation decisions were sufficient to cover existing cost and emerging pressures including inflation.

In response the additional resources received by Coventry in the Final settlement and in conjunction with the consultation responses, final proposals within the Budget Report proposed a Council Tax increase of 3.95%. This incorporated a 2.95% Council Tax increase plus a further 1% Adult Social Care (ASC) Precept. The precept was to enable councils including Coventry to manage increases in the costs of care. In total, the rise in Council Tax bills would be the equivalent of around £1.48 a week for a typical Coventry household including the expected rises in the precepts for Police and Fire.

At the point of the pre-budget stage, reported to Cabinet in December 2025, the 2026/27 settlement and the impact of the Fair Funding review were not known. However, sector intelligence indicated that the local impact would be positive such that no new savings proposals would be required for 2026/27, and financial headroom could potentially be available such that some form of policy investment might be possible.

On this basis, Cabinet approved a consultation process which sought views on investment options across 7 key Strategic themes. Proposals within this 2026/27 Budget report have been categorised into these themes. Table 2 in Section 2.2 to the report summarised the resourcing position, expected pressures and technical savings, together with policy proposals for which approval was sought by Council.

The detail of these proposals was set out in Appendix 2 to the report. The proposals provided the Council with a balanced budget for 2026/27 as well as headroom to make strategic policy decisions that would support and enhance the city in future years. The Council's current medium term bottom line incorporated a combination of future inflationary and service pressures and the fall-out of some specific grant resources. Some of the future pressure and income assumptions were estimated at this stage.

The Council's Medium Term Financial Strategy (MTFS) included as Appendix 1 to the report, set out the financial planning foundations that supported the setting of the Council's revenue and capital budgets, including the policy assumptions and financial management framework that underpinned the strategy. The purpose of the MTFS was to describe the environment within which the Council operated and bring together resource and cost projections to explain how the Council planned to use resources and manage costs pressures whilst focussed on its key strategic priorities over the medium term.

The recommended Capital Programme proposals were a key part of the Council's approach and amounted to £165.9m in 2026/27. The proposals reflected the Council's ambitions for the city and included: extensive highways infrastructure works including specific schemes relating to continued delivery of the City Region Sustainable Transport Settlement (CRSTS) Programme that included London Road corridor transport packages, the construction and operation of The Coventry Very Light Rail 800m long twin-track 'City Centre Demonstrator (CCD)' from the main Coventry Rail Station to the Coventry University Technology Park; the continuation of City Centre Cultural Gateway; continued implementation of the City Centre South redevelopment; and the completion of Woodlands School. Over the next 5 years the Capital Programme was estimated at a total of £437m as part of on-going investment delivered by and through the City Council.

The report also detailed the annual Treasury Management Strategy, incorporating the Minimum Revenue Provision Policy and the Commercial Investment Strategy. These covered the management of the Council's treasury and wider commercial investments, cash balances and borrowing requirements. These strategies and other relevant sections of the report reflected the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Treasury Management Code and Prudential Code for Capital Finance, as well as statutory guidance on Minimum Revenue Provision (MRP) and Investments.

Three amendments were moved, seconded and lost in relation to this Minute and Minute 84 above, details of which are contained in the Appendices to the Minutes.

RESOLVED that Council:

- 1) Approves the Medium-Term Financial Strategy in Appendix 1 to the report, as the basis of its medium-term financial planning process.**
- 2) Approves the Budget proposals in Appendix 2 to the report, after due consideration of the consultation responses set out in Appendix 7 to the report and the Equality Impact Assessment set out in Appendix 10 to 31 to the report.**

- 3) Approves the total gross 2026/27 revenue budget of £1,035.3m in Table 1 of the report and Appendix 3 to the report, established in line with a 3.9% City Council Tax increase and the Council Tax Requirement recommended in the Council Tax Setting Report 2026/27.
- 4) Notes the Director of Finance and Resources (Section 151 Officer) comments confirming the adequacy of reserves and robustness of the budget in Section 5.1.4 and 5.1.5 of the report.
- 5) Approves the Capital Strategy incorporating the Capital Programme of £165.9m for 2026/27 and the forward commitments arising from this programme totalling £437m between 2026/27 to 2030/31 detailed in Section 2.3 of the report and Appendix 4 to the report.
- 6) Approves the addition to the Capital Programme of a new Capital Scheme for the delivery of Temporary Accommodation and Resettlement properties at a total cost of £9.2m. Funded from the acceptance of the capital grant of £4.9m from the Ministry of Housing, Communities and Local Government (MHCLG) specifically for the delivery of the Local Authority Housing Fund tranche 4 (LAHF) Scheme; £1.2m funded from capital receipts; and £3.1m revenue funding as part of the proposed policy priorities in this report: Increasing Family Temporary Accommodation provisions in Appendix 2 (lines 38 and 39) to the report and detailed in Section 2.3.4 of the report.
- 7) Approves the award of a £2.3m capital grant from the Temporary Accommodation Programme (Recommendation 6) above) to a Registered Social Landlord (RSL) to deliver 19 properties for resettlement and delegate authority to the Director of Care, Health and Housing, following consultation with the Director of Finance and Resources and the Cabinet Member for Housing and Communities, to undertake such action as is deemed necessary to bring into effect this recommendation as referenced in Section 2.3.4 of the report.
- 8) Approves the Council's Treasury Management Strategy and Minimum Revenue Provision Statement for 2026/27 in Section 2.4 of the report and the Prudential Indicators and limits described and detailed in Appendix 6 to the report, the Commercial Investment Strategy for 2026/27 in Section 2.5 of the report and Appendix 5 to the report, and the Commercial Investment Indicators detailed in Appendix 6 to the report.
- 9) Approves amendments to the Council Tax Support Scheme following the 6-week consultation period, as detailed in Section 2.6 of the report and Appendix 9 to the report, and in accordance with The Local Government Finance Act 1992 (as substituted by the 2012 Act).

The Councillors voting for and against the Recommendations as detailed in the report were as follows:

For		Against	Abstain
<u>Councillor</u>	<u>Councillor</u>	<u>Councillor</u>	
S Agboola	R Lakha	R Bailey	
N Akhtar	G Lewis	J Birdi	
P Akhtar	G Lloyd	J Gardiner	
L Bigham	J McNicholas	T Jandu	
R Brown	C Miks	M Lapsa	
K Caan	M Mutton	J Lepoidevin	
B Christopher	S Nazir	P Male	
G Duggins	J O'Boyle	B Mosterman	
S Gray	E Reeves	G Ridley	
L Harvard	K Sandhu		
G Hayre	P Seaman		
P Hetherton	R Singh		
A Hopkins	R Thay		
J Innes	C E Thomas		
A Jobbar	D Toulson		
S Jobbar	Lord Mayor		
A Kaur			
L Kelly			
AS Khan			
	Total: 35	Total: 9	Total: 0

For: 35
Against: 9
Abstain: 0

Note:

In relation to Minutes 84 and 85 above, the following amendments were moved, seconded and lost. Details of the amendments together with the named votes for those amendments can be found in the Appendices to these Minutes:

- 1) Appendix 1 - Moved by Councillor P Male, seconded by Councillor G Ridley.
- 2) Appendix 2 - Moved by Councillor S Gray, seconded by Councillor E Reeves.
- 3) Appendix 3 Moved by Councillor J Gardiner, seconded by Councillor M Lapsa.

86. **Statements**

There were no Statements.

(Meeting closed at 6.30 pm)

Conservative Group Budget Proposals**Council Meeting - 24th February 2026 - AMENDMENT****Budget Report 2026/27 - Amendment****Resources**

Further 0.95% Council Tax reduction	£1,710,000
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New Spending Proposals

Pavements	£200,000
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Defect Repairs	£250,000
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Fly Tipping (drones)	£65,000
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Charities	£50,000
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St George's Day	£10,000
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TOTAL	<u>£2,285,000</u>
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Proposed Policy investment in Budget report not taken

Food Waste Behaviour Change	(£300,000)
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Godiva Festival	(£400,000)
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Community Grow Sites	(£100,000)
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Minor Asset Management	(£320,000)
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Red Route enforcement	(£250,000)
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Subtotal	<u>(£1,370,000)</u>
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PTO

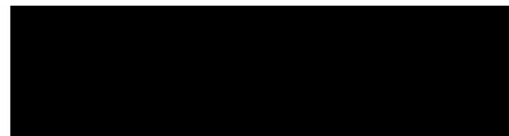
Savings proposed

TU Facilities Time	(£100,000)
Remove 4/5 posts from Communications team	(£230,000)
Remove Policy contingency	(£75,000)
Remove 2 Director posts	(£340,000)
Reduce corporate subscriptions	(£50,000)
Cabinet Members/Deputies reduction	(£55,000)
Cease Your Coventry publication	(£65,000)

Sub Total (£915,000)

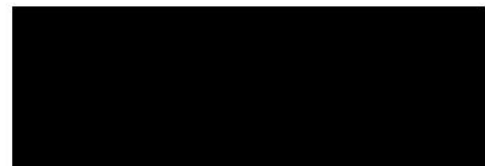
TOTAL **(£2,285,000)**

To be moved by:-



Councillor Male

To be seconded by:-



Councillor Ridley

Amendment 1 (Conservative Group)

The Councillors voting for and against the amendment were as follows:

For

Councillor:

R Bailey
J Birdi
J Blundell
M Heaven
T Jandu
J Lepoidevin
P Male
B Mosterman
G Ridley

Total: 9

For: 9
Against: 39
Abstain: 0

Against

Councillor:

S Agboola
N Akhtar
P Akhtar
M Ali
L Bigham
R Brown
K Caan
B Christopher
G Duggins
J Gardiner
S Gray
L Harvard
G Hayre
P Hetherton
A Hopkins
J Innes
A Jobbar
S Jobbar
A Kaur
L Kelly
AS Khan

Total: 39

Abstain

Councillor:

R Lakha
M Lapsa
G Lewis
G Lloyd
K Maton
J McNicholas
C Miks
M Mutton
S Nazir
J O'Boyle
E Reeves
K Sandhu
P Seaman
R Singh
R Thay
C E Thomas
D Toulson
Lord Mayor

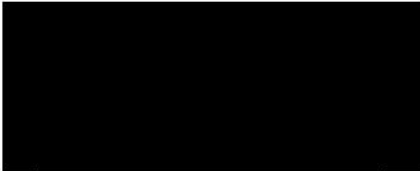
Total: 0

Green and Independent Alliance Group Budget Proposals

Council Meeting - 24th February 2026 - AMENDMENT

Budget Report 2026/27 - Amendment

Allocate £10,028 of the funds for Anti-Social Behaviour to restore a weekend or evening opening session at both Coundon and Holbrooks Libraries.



Proposed by: Cllr Stephen Gray



Seconded by: Cllr Esther Reeves

Amendment 2 (Green and Independent Alliance Group)

The Councillors voting for and against **the amendment** were as follows:

For

Councillor:

S Gray
G Lewis
E Reeves

Against

Councillor:

S Agboola
N Akhtar
P Akhtar
M Ali
R Bailey
L Bigham
J Birdi
J Blundell
R Brown
K Caan
B Christopher
G Duggins
J Gardiner
L Harvard
G Hayre
M Heaven
P Hetherton
A Hopkins
J Innes
T Jandu
A Jobbar
S Jobbar
A Kaur
L Kelly
AS Khan

Councillor:

R Lakha
M Lapsa
J Lepoidevin
G Lloyd
P Male
K Maton
J McNicholas
C Miks
M Mutton
B Mosterman
S Nazir
J O'Boyle
G Ridley
K Sandhu
P Seaman
R Singh
R Thay
C E Thomas
D Toulson

Abstain

Lord Mayor

Total: 3

Total: 44

Total: 1

For: 3
Against: 44
Abstain: 1

Reform Group Budget Proposals

Council Meeting - 24th February 2026 - AMENDMENT

Budget Report 2026/27 - Amendment

Resources

Council Tax reduction to 3.2% £1,350,000

New Spending Proposals

Further Enhanced Cleansing Services £640,000

Graffiti Focus – Train/facilitate Community groups to
clean up Graffiti £100,000

Fly Tipping – Free cost of x 5 bulky goods collections to
problem postcodes for those without cars or unemployed £100,000

Mobile enforcement Cameras for Fly Tipping/Red route £300,000

Care Leaver Council Tax – tapered relief from 21-23 £94,000

Further investment in car parks and city centre lighting £58,000

Improved Cultural offer £20,000

Introduction of Tourism Card £50,000

Further increased defect repairs £750,000

Dropped kerb seed funding £50,000

Green Spaces, Parks and verges £300,000

Free Evening Car Parking Friday-Sunday £260,000

TOTAL **£4,072,000**

Proposed Policy investment in Budget report not taken

Godiva Festival	(£400,000)
Increasing number of 5/6 bed family large Temporary Accommodation	(£250,000)
Free to play facilities improvement scheme War Memorial Park	(£440,000)
Bringing the Tip to you	(£552,000)
City Centre red route enforcement	(£250,000)
Average Speed enforcement	(£153,000)
Care Leaver Council Tax exemption	(£380,000)
Subtotal	<u>(£2,425,000)</u>

Reduced Policy Investment proposed in Budget report

Increasing family temporary accommodation – Reduction from 20 to 10 properties	(£279,000)
Food Waste behaviour change – Reduce investment	(£100,000)
Build Your Future (Eco-Force Crew) Coventry – Reduce Investment	(£100,000)
New approach to tackle Anti-social behaviour – Reduce Investment	(£45,000)
Support for Foster Care Households – Reduce Investment	(£100,000)
Subtotal	(£624,000)

Savings proposed

TU Facilities Time	(£100,000)
Remove 2 posts from Communications team	(£100,000)
Reduce Cultural Services Funding	(£56,000)
Reduce corporate subscriptions	(£50,000)
No longer follow net zero as a guiding principle for Its own sake – Reduce climate change team budget	(£175,000)
Reduce DEI focus	(£55,000)
Shared Services with other LA's/Outsourcing	(£350,000)
Enhanced use of AI for Translation Services	(£107,000)
Coventry Funeral Services saving	(£30,000)
Sub Total	<u>(£1,023,000)</u>
TOTAL	<u>(£4,072,000)</u>

To be moved by:-



Councillor Gardiner

To be seconded by:-



Councillor Lapsa

Amendment 3 (Reform UK Group)

The Councillors voting for and against **the amendment** were as follows:

For

Councillor:
G Gardiner
M Lapsa

Against

Councillor:
S Agboola
N Akhtar
P Akhtar
R Bailey
L Bigham
J Birdi
J Blundell
R Brown
K Caan
B Christopher
G Duggins
S Gray
L Harvard
G Hayre
M Heaven
P Hetherton
A Hopkins
J Innes
T Jandu
A Jobbar
S Jobbar
A Kaur
L Kelly
AS Khan

Abstain

Councillor:
R Lakha
J Lepoidevin
G Lewis
G Lloyd
P Male
K Maton
J McNicholas
C Miks
M Mutton
B Mosterman
S Nazir
J O'Boyle
E Reeves
G Ridley
K Sandhu
P Seaman
R Singh
R Thay
C E Thomas
D Toulson
Lord Mayor

Total: 2

Total: 45

Total: 0

For: 2
Against: 45
Abstain: 0

Council – 24 March 2026

**Recommendation from Cabinet
10th February 2026**

Coventry City Council
Minutes of the Meeting of Cabinet held at 2.00 pm on
Tuesday, 10 February 2026

Present:

Members:

Councillor G Duggins (Chair)
Councillor A S Khan (Deputy Chair)
Councillor N Akhtar
Councillor L Bigham
Councillor R Brown
Councillor P Hetherington
Councillor J O'Boyle
Councillor K Sandhu
Councillor P Seaman

Non-Voting Deputy
Cabinet Members:

Councillor S Agboola
Councillor P Akhtar
Councillor B Christopher
Councillor G Hayre

Non-Voting Opposition
Members:

Councillor J Gardiner
Councillor P Male
Councillor E Reeves

Other Non-Voting
Members:

Councillor R Lakha
Councillor G Lloyd

Employees (by Directorate):

Chief Executive

J Nugent (Chief Executive)

Children's Services and
Education

C Heeley, J Moffatt

Finance and Resources

B Hastie (Director of Finance and Resources (Section 151
Officer))

Law and Governance

J Newman (Director of Law and Governance), M Salmon

Policy and Communications	Nigel Hart
Regeneration and Economy	D Nuttall, S Virman
Apologies:	Councillor F Abbott Councillor A Jobbar Councillor L Kelly Councillor J McNicholas Councillor S Nazir Councillor G Ridley Councillor D Toulson

RECOMMENDATION

Public Business

58. Declarations of Interest

There were no disclosable pecuniary interests.

61. Best Start Family Hubs and Healthy Babies Programme Grant for April 2026 to March 2029

Cabinet considered a report of the Director of Children’s Services and Education that sought approval of the receipt of the Best Start Family Hubs and Healthy Babies Programme Grant for April 2026 to March 2029 and associated spend.

The Council currently operated 8 Family Hubs to deliver place-based integrated offers to families across the city, including the offer from the buildings, through an outreach community model and a new digital offer.

Coventry City Council was selected as one of 75 Local Authorities to join the national Family Hub and Start for Life Programme, covering the period April 2022 to March 2025 (first 1001 days), including financial investment to strengthen its offer to babies, children and families, building on its previous achievements. The Programme was then extended for a further year, covering April 2025 to March 2026.

The Programme had already received £6m of grant funding from the Department of Health and Social Care (DHSC) and the Department for Education (DfE) across the 4 years 2022/23 to 2025/26 to deliver the Programme objectives. Coventry was also formally recognized as a trailblazer in this approach, one of only 13 sites across England, and had received many national ministerial and governmental visits and had contributed to national evaluations.

The Programme had been governed by a Family Hub Programme Board, supporting the work of 7 workstreams to ensure that all the national minimum expectation, and most of the “go furthers”, of the framework were delivered within

the Coventry Family hub offer, in line with the MOU associated with this grant. An annual review report was provided, as well as regular updates, to the Cabinet Member for Children and Young people, the Health and Wellbeing Board, and other forums on request.

Further funding had now been allocated to Coventry for financial years 2026/27 to 2028/29, with a provisional allocation of £6,117,000, subject to the Council meeting the current Programme expectations up to March 2026 and the signing of a new Memorandum of Understanding to formalise the agreement to meet the new Programme expectations. Cabinet was requested to accept receipt of the grant into the local authority and associated spend in order to deliver the Family Hub offer in line with the Programme Guidance.

Cabinet agreed to recommend that Council:

- 1) Accepts the grant funding and agrees planned associated spend for the purposes outlined in the report in respect of the Best Start Family Hubs and Healthy Babies Programme for the financial years 2026/27, 2027/28, and 2028/29.
- 2) Delegates authority to the Director of Children's Services and Education, following consultation with the Director of Finance and Resources (S151 Officer) and the Director of Law and Governance, to enter into the necessary legal agreements to accept the funding.
- 3) Delegates the authority to the Director of Children's Services and Education to grant funding to third parties in line with Programme expectations.
- 4) Continues to agree that future reports on this grant and the Best Start Family Hub Programme are received by the Cabinet Member with responsibility for Children's Services.

RESOLVED that Council is recommended to:

- 1) Accept the grant funding and agrees planned associated spend for the purposes outlined in the report in respect of the Best Start Family Hubs and Healthy Babies Programme for the financial years 2026/27, 2027/28, and 2028/29.**
- 2) Delegate authority to the Director of Children's Services and Education, following consultation with the Director of Finance and Resources (S151 Officer) and the Director of Law and Governance, to enter into the necessary legal agreements to accept the funding.**
- 3) Delegate the authority to the Director of Children's Services and Education to grant funding to third parties in line with Programme expectations.**
- 4) Continue to agree that future reports on this grant and the Best Start Family Hub Programme are received by the Cabinet Member with responsibility for Children's Services.**

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Cabinet
Council

10th February 2026
24th March 2026

Name of Cabinet Member:

Cabinet Member for Children and Young People – Councillor P Seaman

Director approving submission of the report:

Director of Children’s and Education Services

Wards affected:

All

Title: Best Start Family Hubs and Healthy Babies Programme Grant for April 2026 to March 2029

Is this a key decision?

Yes - the proposals involve financial implications in excess of £1m per annum and are likely to have a significant impact on residents or businesses in two or more electoral wards in the City

Executive summary:

The Council currently operates 8 Family Hubs to deliver place-based integrated offers to families across the city, including the offer from the buildings, through an outreach community model and a new digital offer.

Coventry City Council was selected as one of 75 Local Authorities to join the national Family Hub and Start for Life Programme, covering the period April 2022 to March 2025 (first 1001 days), including financial investment to strengthen its offer to babies, children and families building on its previous achievements. The Programme was then extended for a further year, covering April 2025 to March 2026.

This Programme has already received £6m of grant funding from the Department of Health and Social Care (DHSC) and the Department for Education (DfE) across the 4 years 2022/23 to 2025/26 to deliver the Programme objectives. Coventry was also formally recognized as a trailblazer in this approach, one of only 13 sites across England, and has received many national ministerial and governmental visits and has contributed to national evaluations.

The Programme has been governed by a Family Hub Programme Board, supporting the work of 7 workstreams to ensure that all the national minimum expectation, and most of the “go further”, of the framework are delivered within the Coventry Family hub offer, in line with the MOU associated with this grant. An annual review report is provided, as well as regular updates, to the Cabinet Members for Children and Young people, the Health and Wellbeing Board, and other forums on request.

Further funding has now been allocated to Coventry for financial years 2026/27 to 2028/29, with a provisional allocation of £6,117,000, subject to the Council meeting the current Programme expectations up to March 2026 and the signing of a new Memorandum of Understanding to formalise the agreement to meet the new Programme expectations. Cabinet is requested to accept receipt of the grant into the local authority and associated spend, in order to deliver the Family Hub Offer in line with the Programme Guidance.

Recommendations:

Cabinet recommends that Council:

- 1) Accept the grant funding and agree planned associated spend for the purposes outlined in this report in respect of the Best Start Family Hubs and Healthy Babies Programme for the financial years 2026/27, 2027/28 and 2028/29.
- 2) Delegate authority to the Director of Children’s and Education Service, following consultation with the Director of Finance and Resources (S151 Officer) and the Director of Law and Governance, to enter into the necessary legal agreements to accept the funding.
- 3) Delegate the authority to the Director of Children’s and Education Service to grant funding to third parties in line with Programme expectations.
- 4) Continue to agree that future reports on this grant and the Best Start Family Hub Programme are received by the Cabinet Member with responsibility for Children’s Services.

Council is recommended to:

- 1) Accept the grant funding and agree planned associated spend for the purposes outlined in this report in respect of the Best Start Family Hubs and Healthy Babies Programme for the financial years 2026/27, 2027/28 and 2028/29.
- 2) Delegate authority to the Director of Children’s and Education Service, following consultation with the Director of Finance and Resources (S151 Officer) and the Director of Law and Governance, to enter into the necessary legal agreements to accept the funding.
- 3) Delegate the authority to the Director of Children’s and Education Service to grant funding to third parties in line with Programme expectations.
- 4) Continue to agree that future reports on this grant and the Best Start Family Hub Programme are received by the Cabinet Member with responsibility for Children’s Services.

List of Appendices included:

None

Background papers:

None

Other useful documents

[Family Hub and Start for Life Programme Report – Cabinet 18th March 2025](#)

[Coventry Family Hub Programme Impact report – March 2025](#)

[Giving every child the best start in life](#)

<https://www.gov.uk/government/publications/10-year-health-plan-for-england-fit-for-the-future>

Has it or will it be considered by Scrutiny?

No - However an item on this matter will be submitted to the Education and Childrens Services Scrutiny Board (2) on 26th March 2026

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

No

Will this report go to Council?

Yes – 24th March 2026

Report title: Best Start Family Hubs and Healthy Babies Programme Grant for April 2026 to March 2029

1. Context and background

- 1.1. Coventry has pioneered the development and delivery of a Family Hub offer since 2018, and there are currently 8 Family Hubs delivering services to children, young people and their families through place based integrated working by a range of services, with an increasing number of community delivery and a 24/7 digital offer.
- 1.2. Coventry has been influential in the development of national and regional policy and practice regarding the development and delivery of Family Hubs to deliver early help to children, young people and families through place-based integration of services and working with our communities and residents to ensure that their needs are met, and their strengths and assets are utilised to help others
- 1.3. Through the Best Start in Life Strategy, HM Government have committed to making sure that every child has the best start in life and recognise that the foundations for lifelong success, health and learning are laid in early childhood. To ensure that every child has the best possible start in life, families must be supported in providing the nurturing care that children need to thrive. This support should be embedded at the heart of our communities and bring together health, education and community services to make it easier for families to access early joined up support.
- 1.4. As part of our commitments as a Marmot city to target resources to children and their families experiencing inequalities, the Family hub whilst providing universal offer to all children, also provides targeted interventions and services to children in most need, including children living in poverty. All services and groups hosted in the Family hubs are free of charge and a range of services and initiatives take place including all hubs being open as warm spaces with refreshments available for all, access to computers, data banks and access to free travel schemes. We also offer free haircuts during each school holiday, through a collaboration with a local trainer provider, and free clothing rails, food and toiletry pantries, are in each of the hub sites. There are also energy and income advice services within the hubs and drop-in sessions for families to learn how they can increase their income and save money on essentials such as food and heating. Family Hub staff also regularly work within the local Food hubs and social supermarkets promoting the offer and also support families to access their childcare and early years entitlements.
- 1.5. In July 2025 the Department for Education published “Giving Every Child the Best Start in Life” strategy that brings together early years and family services to improve child development and is backed by a funding investment over a 3-year period. This will see the progression and enhancement of Best Start Family Hubs that will continue to provide a welcoming inclusive environment that will be open to all and will prioritise support for families with babies and young children recognising the critical window for cognitive, physical and emotional development with ambitious targets as part of the governmental pledge that 75% of children aged 5 achieve a Good Level of Development (GLD) by 2028.

1.6. As part of the Best Start Family Hubs and Healthy Babies Programme, Coventry has been set ambitious local targets by DfE to increase children’s Good Level of Development (GLD) at the end of the 2027/28 academic year, including:

- a) The proportion of children in Coventry City Council achieving a Good Level of Development is at least 72.3%.
- b) Disadvantaged children have benefitted at least equally from this improvement; that is, that the proportion of children eligible for Free School Meals (FSM) achieve a Good Level of Development is at least 58.3%

1.7. Best Start Family Hubs and Healthy Babies Programme is jointly funded by the Department for Education and Department for Health and Social Care and Coventry have a 3-year provisional allocation of £6,117,000. There are clear expectations regarding how the funding should be utilised to deliver the required services, although there will be a level of flexibility across the work strands. The only exception to this flexibility is for our capital allocation, which should only be used on capital expenditure.

Table 1: Distribution of funding allocation across the relevant programme strands for financial years 2026/2027, 2027/2028 and 2028/2029

Strand	%	2026 – 27 allocation	2027 – 28 allocation	2028 – 29 allocation
Best Start Family Hubs Delivery grant - programme	22%	£516,000	£421,900	£433,300
Best Start Family Hubs delivery grant - capital	5%	£103,200	£105,200	£107,300
Parenting support	19%	£370,100	£374,800	£391,200
Home learning environment support	14%	£279,400	£282,800	£295,300
Perinatal mental health and parent - infant relationships	26%	£526,800	£526,800	£526,800
Infant feeding support	13%	£258,700	£258,700	£258,700
Healthy babies offers and parent and carer panels	1%	£26,600	£26,600	£26,600
Total		£2,080,800	£1,996,900	£2,039,200

N.B The allocation for 2026/27, 2027/28 and 2028/29 has been rounded to the nearest 100 pounds. The sum of the allocations across strands may not total the maximum funding allocation due to this rounding.

2. Options considered and recommended proposal

2.1 That Coventry continues to receive funding from the Department for Education and Department for Health and Social Care to deliver its services in accordance with the Best Start Family Hub and Healthy Babies National Programme enabling the continued universal place based early help offer to children, young people and families.

- 2.2 The next phase of the programme has nationally been re-branded to Best Start Family Hubs with new naming conventions and requirements. To support a coherent and recognisable national offer all Local Authorities are expected to adopt consistent branding and naming practices for Best Start Family Hubs. This consistency helps families to identify and trust the support provided. As a result, rebranding will be required locally to reflect this new naming.
- 2.3 By March 2026, Coventry is required to publish its Best Start Local Plan, that will demonstrate how the funding will be used to achieve the programme objectives, and will be aligned to the Neighbourhood Health Plan where improving child development and health outcomes will be a fundamental focus of the provision of the Best Start Family Hub and Healthy Babies service delivery. This will also be in alignment with the development of Family Help within the Families First Partnership Programme.
- 2.4 Under the current Family Hub and Start for Life offer we have 8 Family Hubs. As part of the new Best Start in Life guidance, we are required to increase the number of Best Start Family Hubs. It is our intention to work collaboratively with the Voluntary and Community Service sector, Schools and Health to further expand the Best Start Family hub network. This will increase opportunities for families to access services across a wider range of locations. An example is the new Best Start Hub located at the city of Coventry Health Centre, hosted by Maternity services, UHCW and within the estate of CWPT.
- 2.5 Coventry commits to continued work with the National Centre for Family Hubs and Best Start for Life Unit to sharing and developing best practice, implementing central government branding requirements, and agrees to continue to take part in the national evaluation of Best Start Family Hubs and Healthy Babies Programme.
- 2.6 In the current phase of delivery, a Family Hub digital offer has been established through the creation of the single front door to services to support families, www.coventryfamilies.co.uk. It is our intention to develop this further to increase ease of access to a wider range of families and to enhance the range and scope of our digital solutions.
- 2.7 In order for the programme to be a success it is vital that there is continued Strategic commitment and support from across the partnership and the Family Hub programme board should include Senior executives and leads across the Local Authority, the Integrated Care Board, elected members, and senior strategic leaders within the local services providers that are relevant to the programme including the local health, education, and social care systems, and the Voluntary, Community and Faith based Sector.
- 2.8 Further work will be developed with business and commercial partners as part of the Child Friend Cov initiative.
- 2.9 Within the programme guidance there are clear expectations around new requirements to meet the need of children and young people with SEND. In order to meet these needs funding will be allocated to support this area of work, including a new SEND practitioner role.

2.10 In line with the Programme requirements a named accountable officer for Best Start in life needs to be identified. It is recommended that the Operational Lead for Early Help carries out this function, in close collaboration with Senior Adviser Birth – 5, Early Years Quality Improvement and Standards Lead.

3. Results of consultation undertaken

3.1. The establishment of a Parent Carer Panel is a statutory requirement of the programme, and the Coventry Parent Voice Network is now an active network of over 428 parents providing feedback on the Start for Life and Family Hub offer to design, deliver and improve support and services. The Parent Voice Network has thoroughly gathered a comprehensive range of information and data to inform our services and enhance our services for families in Coventry. This process has involved extensive community engagement, structured surveys, and direct collaboration with the Department for Education.

4. Timetable for implementing this decision

4.1. The new grant funding period will begin 1st April 2026 following the submission of the Best Start in Life Local plan, due to be submitted in March 2026. Decisions regarding continuation, cessation or new activities funded by the current grant are currently being taken, informed by the evidence of the outcomes and impact of each programme of work. The new programme guide is anticipated to be made available before April 2026, which will inform the commissioning of current and new programmes of work with families.

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

5.1. Financial Implications

5.1.1 The existing Family Hub model in Coventry is funded by a combination of core and grant funding, including the Children and Families Grant and contributions from Public Health. From 2026/27, this element of the Children and Families Grant will be consolidated into a new Children, Families and Youth Grant.

5.1.2 This programme would attract additional grant funding of £6,117,000 across three financial years (2026/27 to 2028/29).

5.1.3 The Government expectation is that overall Local Authority spending on evidence-based interventions (EBIs), service delivery and universal family support will increase over the funding period, to reflect that this investment is additional to existing expenditure. The grant determination letter explicitly states that this funding should not substitute or displace existing resource for family services including early intervention and prevention and should be used to expand and deepen existing offers where they are already in place.

5.1.4 Funding beyond the 2026/27 to 2028/29 period will be subject to future Government spending review processes. Local Authorities are recommended to be considering long-term sustainability, including join up with statutory services, as they develop a local offer.

5.1.5 Our expectation is that there will be grant reporting requirements. These will be confirmed once final grant documentation has been received. Payment of funding allocations is subject to meeting the expectations of the programme. The Government reserves the right to withhold or reduce funding if Local Authorities do not meet these expectations.

5.1.6 A full and detailed project budget will be drawn up as part of the delivery plan, against which project spend will be monitored. All required spend will be funded through the grant awarded and no match funding will be required.

5.1.7 Careful consideration will need to be given to the action to be taken at the end of the grant regime, as this is time limited funding. If the grant ceases after the three years, then activity and provision will need to reduce back to levels that can be met within the existing budget envelope. However, the three-year timeframe provides an opportunity to review and measure the impact of changes to service users during the project, and to incorporate best practice into the existing family hubs model when reviewing provision and delivery.

5.2. Legal Implications

The work of Family Hubs and the proposals outlined in this report supports the Council's duty to safeguard and promote the welfare of children within their area who are in need. The duty is a general duty to provide a range and level of services to Children in Need in the LAs area and not to a specific child.

Prior to entering into the grant agreement Legal Services will review and provide the necessary advice on the legal agreement/s required to be signed to accept the funding.

6. Other implications

6.1. How will this contribute to the One Coventry Plan?

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

The Best Start Family Hub and Healthy Babies Programme supports the One Coventry Corporate Plan's vision to improve the quality of life for Coventry people by:

- Improving educational outcomes
- Supporting children and families living in poverty
- Making communities safer
- Improving health and wellbeing
- Protecting our most vulnerable people - Keeping children and adults safe from harm, providing early intervention for families who need it; Enabling people to exercise choice and control in their daily lives; Improving services for people experiencing domestic violence and Preventing homelessness and helping people who do become homeless
- Reducing health inequalities – giving our children the best start in life and helping support people facing multiple and complex needs.

The integration of services to support children, young people and their families is a way of delivering the Council's properties through active communities and empowering citizens and working together with partners across the voluntary, public

and private sectors to:

- Enable residents to self-serve by maximizing the use of new technology
- Pool and share resources
- Solve local problems through “in place” co-design and collaboration

A multiagency Family Hub programme is in place and 6 multi-agency priority groups have also been established, who will focus on ensuring access to the Family Hub Offer is targeted to underrepresented groups:

- Families with children with SEND,
- Fathers
- Families from Global Majority,
- Families living in Temporary Accommodation,
- Children not accessing education or Early Years Entitlement,
- Families living in Poverty

6.2. How is risk being managed?

The possibility of a failure to identify providers to deliver on each aspect of the funded Programme is minimised as there are already Family Hubs in place with a range of agencies and service providers committed to the programme, and a wider early help partnership offer to draw from.

The risks associated with possible failure to deliver on the key priorities of the Programme and the requirements of the grant are mitigated using expert personnel who are highly experienced in developing and delivering national Programmes, and who will be supported and advised by personnel from the Best Start Family Hubs & Healthy Babies Programme Team DfE and DHSC.

Progress will continue to be monitored through robust governance arrangements with regular reports being received and provided.

6.3. What is the impact on the organisation?

Delivering effective prevention and early help for children and their families to secure positive outcomes is a significant priority for many functions of the City Council, including Children’s Services, Safeguarding, Education, Migration, Employment and Skills and Public Health. The work of our Family Hub programme in alignment to the National Programme specification will further improve the delivery of integrated early help and prevention services and enable impact against health inequalities outlined by the Marmot partnership.

In order to continue to deliver a successful offer to children and families in line with the Programme expectations it is intended to extend the fixed term contracts for Family hub practitioner posts and to create new roles in order to meet the new requirements.

6.4. Equalities / EIA?

An Equalities Impact Assessment was undertaken in 2018 at the commencement of the Coventry Family Hub Programme. The Best Start Family Hubs and Healthy Babies Programme provides city-wide support to children, young people and families

and will enhance the work to reduce inequalities and outcomes for children, young people, and their families in need of early help. Over the next 3 years the Programme will build on the success of the Family Hub and Start for Life Programme and continue to prioritise engagement with vulnerable communities, including children with special educational needs and disabilities, refugee and asylum-seeking families, families experiencing homelessness, working with fathers and supporting families living in poverty.

6.5. Implications for (or impact on) climate change and the environment?

There are no implications

6.6. Implications for partner organisations?

A wide range of partner agencies (statutory, commissioned, and voluntary and community sector) take an active role in the Early Help Strategic Partnership (EHSP) and the Family Hub network. The Best Start Family Hubs and Healthy Babies Programme Board, which includes senior officers from Children's Services, Public Health and the Integrated Care Board, provides the governance for this oversight of this work, and a One Coventry approach is taken by this partnership.

Report author:

Jane Moffat

Operational Lead – Early Help, Help and Protection, Children's Services

Directorate:

Children's and Education Services

Tel and email contact:

Tel: 02476 979299

Email: jane.moffat@coventry.gov.uk

Enquiries should be directed to the above person

Contributor/ approver name	Title	Directorate	Date doc sent out	Date response received or approved
Contributors:				
Michelle Salmon	Governance Services Officer	Law and Governance	11/01/2026	12/01/2026
Jodie Coote and Sarah Kinsell	Accountants, Financial Management	Finance and Resources	11/01/2026	12/01/2026
Names of approvers for submission: (officers and members)				
Ewan Dewar	Head of Service Finance	Finance and Resources	12/01/2026	20/01/2026
Julie Newman	Director of Law and Governance	-	13/01/2026	16/01/2026
Sukriti Sen	Director of Children's and Education Services	-	11/01/2026	13/01/2026
Councillor P Seaman	Cabinet Member for Children and Young People	-	14/01/2026	16/01/2026

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Public report Cabinet

Cabinet
Council

17th March 2026
24th March 2026

Cabinet Member Portfolio:

Cabinet Member of Policing and Equalities
Cabinet Member for Housing and Communities

Director approving submission of the report:

Director of Law, Governance and Safer Communities.

Ward(s) affected:

All

Title:

Private Sector Housing Enforcement Policy 2026-2031

Is this a key decision?

No

Executive summary:

On the 27th of October 2025 the Renters Rights Act (hereafter the Act) received royal assent with the aim of improving the experience of private renting.

The Act introduces a new suite of powers for the Council that will come into force on the 1st May 2026 underpinned by new powers designed to be effective, consistent and proportionate enforcement framework.

The Government has also extended councils' powers to collect and retain revenue for future enforcement work from financial penalties against landlords who flout the rules.

In order for the Council to use these powers it must have published a policy setting out how it will implement these powers in relation to properties in the Private Rented Sector (PRS). This report therefore seeks approval of the attached "Private Sector Housing Enforcement Policy 2026 -2031".

The Policy is being presented to Cabinet and Council. If approval is given, the Policy will take effect from the 1st of May 2026.

Recommendations:

Cabinet is recommended to:

- (1) Consider the requirements of the Renters Rights Act 2025 and approve the proposed Coventry Private Sector Housing Enforcement Policy 2026 -2031.
- (2) Authorise the Director of Finance and Resources (Section 151) to accept any future monies associated with New Burdens funding and income from the PRS Database once these have been confirmed by Government.
- (3) Authorise the Director of Law, Governance and Safer communities to amend the scheme of delegations to include any new powers and duties arising as a result of the Renters Rights Act 2025.
- (4) Request that the policy be reviewed by full Council for approval.

Council is recommended to:

- (1) Consider the requirements of the Renters Rights Act 2025 and approve the proposed Coventry Private Sector Housing Enforcement Policy 2026-2031.

List of Appendices included:

The following appendices are attached to the report:

Appendix 1 – Private Sector Housing Enforcement Policy 2026-2031

Appendix 2 – Equality Impact Assessment

Background papers:

None

Other useful documents

Renters Rights Act 2025

Housing Act 2004

Housing and Planning Act 2016

Has it or will it be considered by Scrutiny?

No

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

No

Will this report go to Council?

Yes – 24th March 2026

Report title: Private Sector Housing Enforcement Policy 2026-2031

1. Context (or background)

- 1.1. The Renters' Rights Act received Royal Assent on Monday the 27th of October 2025. It provides a commitment to transform the experience of private renting and give renters much greater security and stability so they can stay in their homes for longer, build lives in their communities, and avoid the risk of homelessness.
- 1.2. On the 13th of November 2025 the Government introduced its roadmap which provides an overview of the phases of implementation for the various provisions under the Act.
- 1.3. Phase 1, which commenced on the 27th of December 2025, provided the Council with new powers to investigate whether landlords or letting agents in the PRS have breached specific housing laws. The 'Investigatory powers guidance for Renters' Rights Act 2025' sets out which powers can be used and authorised officers must ensure the powers are applied appropriately. They may be used to support investigations when officers suspect certain legal breaches have occurred and include:
 - Entering business premises to seize documents
 - Requesting information from people or organisations
 - Entering residential properties (with special authorisation).
- 1.4. The remainder of Phase 1 of the Act will come into force from the 1st of May 2026, and will introduce the following:
 - The abolishment of section 21 'no fault' evictions in the PRS. The abolition of section 21 and tenancy reforms during Phase 1 will not apply initially to the social rented sector. This will happen during Phase 2 (late 2026).
 - Assured Periodic Tenancies in the PRS – the vast majority of new tenancies and existing tenancies in the PRS will become Assured Periodic Tenancies. This means tenants will be able to stay in their property for as long as they want, or until a landlord serves a valid Section 8 Notice. Tenants will be able to end their tenancy by giving two months' notice.
 - Reform possession grounds in the PRS so they are fair for both parties – landlords will only be able to evict tenants when they have a valid reason. Possession grounds will be extended to make it easier for landlords to evict tenants who commit anti-social behaviour, or who are in serious persistent rent arrears.
 - Limit rent increases to once a year in the PRS – landlords will have to follow the revised Section 13 procedure and provide the tenant with a Notice detailing the proposed rent increase at least two months before it is due to take effect.
 - Ban rental bidding and rent in advance – landlords and letting agents will not be able to ask for, encourage, or accept an offer that is higher than the advertised rent. Landlords and agents will also not be able to request more than one month's rent in advance.

- Make it illegal to discriminate against renters who have children or receive benefits – landlords and letting agents will not be able to do anything to make a tenant less likely to rent a property (or prevent them from renting it) because they have children or receive benefits. This includes withholding information about a property (including its availability), stopping someone from viewing it, or refusing to grant a tenancy.
- Require landlords in the PRS to consider tenant requests to rent with a pet – landlords will have an initial 28 days to consider their tenant’s request, and they will have to provide valid reasons if they refuse it.
- Strengthen both local council enforcement and rent repayment orders - civil penalties will be expanded, and there will be a new requirement for local councils to report on enforcement activity. Rent Repayment Orders will be extended to superior landlords, the maximum penalty will be doubled, and repeat offenders required to pay the maximum amount.
- New investigatory powers giving local councils a stronger ability to inspect properties, demand documents, and access third-party data to crack down on rogue landlords and enforce housing standards more effectively.

- 1.5. Phase 2 of the Act will be introduced in two key stages from late 2026.
- 1.6. Stage 1 of Phase 2 will see a regional roll out of the Database for Landlords. Signing up to the PRS Database will be mandatory for all PRS landlords and they will be required to pay an annual fee which will be confirmed closer to launch. Regulations will mandate landlord registration, payment of a fee and the provision of key information by landlords.
- 1.7. Stage 2 of Phase 2 will include further roll out of the Database and the introduction of the Ombudsman service. Public access and data sharing will be enabled following the launch of landlord registration.
- 1.8. The Ombudsman will provide a redress service for PRS tenants when things go wrong. It will also support landlords with tools, guidance and training on handling complaints from tenants early. The Ombudsman scheme will be mandatory for PRS landlords. Landlords will be required to fund the service through a fair and proportionate charging model, confirmed closer to launch. The development of the Ombudsman will happen in stages:
 - Stage 1 will happen at least 12-18 months before implementation. The Secretary of State will choose a scheme administrator to run the new service, which will then need time to scale up.
 - Stage 2 will require landlords to be members of the new service – this is expected to be in 2028, when the Secretary of State is confident the service is ready for delivery.
- 1.9. Phase 3 will see the introduction of a new Decent Homes Standard (DHS) which will apply to all privately rented properties for the first time. The new DHS will apply from 2035 in both the social and private rented sectors, at which point regulation and enforcement against these standards in relation to the PRS will sit with the Council.

1.10. As an overview, the new DHS will require:

Criterion A – A home must be free of ‘category 1’ hazards, as assessed under the Housing Health and Safety Rating System (HHSRS).

Criterion B – A home must be in a reasonable state of repair.

Criterion C – A home must provide core facilities and services.

Criterion D – A home must provide a reasonable degree of thermal comfort. This includes ensuring homes meet Minimum Energy Efficiency Standards EPC C.

Criterion E – A home should be free of damp and mould.

1.11. In addition to the introduction of the DHS the Government will also extend Awaab’s Law to apply to privately rented properties.

1.12. In order for the Council to proceed with implementing the powers provided under the Renters Rights Act it must first have published a policy. If approved these powers will take effect in line with the commencement dates set out by Government and the Act.

1.13. **The Private Sector Housing Enforcement Policy 2026-2031**

1.13.1. The Private Sector Housing Enforcement Policy provided in Appendix 1 sets out the Council’s strengthened approach to enforcing housing standards across the PRS and Social Housing (SH). It incorporates updated legislation, particularly the Renters’ Rights Act 2025, and aims to ensure all rented homes meet statutory minimum standards to protect residents’ health and wellbeing and can be summarised as follows:

Clear Legal Framework

The policy aligns enforcement activity with a wide range of legislation including the Housing Acts, Housing & Planning Act 2016, Renters’ Rights Act 2025, and multiple safety regulations.

Proportionate Enforcement Approach

Encourages early informal engagement with landlords.

Escalates to formal action where landlords fail to act, where risks to health exist, or where behaviour is deliberate or repeated.

Tools include civil penalties (up to £40,000), simple cautions, prosecution, and management orders.

Civil Penalties Framework

A detailed, structured penalties matrix outlines:

- Starting points for offences;
- Factors influencing penalty levels (severity, culpability, harm, aggravating/mitigating factors); and
- Representations process and appeals.

This ensures consistency and transparency in enforcement.

Safeguarding & Vulnerability

The policy includes specific measures for hoarding and severely dilapidated homes, recognising the needs of vulnerable residents and enabling multi-agency responses.

Clear Expectations for Landlords & Tenants

Landlords and agents must demonstrate legal competence, proper management, and timely repairs.

Tenants must initially raise concerns directly and act in a “tenant-like manner”.

Monitoring & Review

Annual review aligned with legislative updates.

Commitment to staff training, public communication, and promoting landlord accreditation schemes.

2. Options considered and recommended proposal

2.1. There are two options to consider:

- a) **Do nothing** - This option is not recommended because this option would prevent the Council from enforcing its statutory duties under the Renters Rights Act 2025.
- b) **Approve the policy – This is the preferred option.** Without this the Council cannot use the new powers. Therefore, Cabinet is requested to approve the Private Sector Housing Enforcement Policy 2026-2031 and the approach to dealing with the implementation of the new powers as detailed in the report. This will ensure legal compliance with the Renters Rights Act 2025.

3. Results of Consultation

- 3.1. The Renters Rights Act as set out in the policy has been subject to national consultation by the MHCLG and the results of this have been taken into consideration by Government when developing the new legislation and associated guidance provided to Local Authorities for implementing these new powers. There is no statutory requirement to consult further on the measures set out in the policy.
- 3.2. Landlord and Agents have been notified of the pending changes being introduced through the Council’s Landlord Accreditation Scheme, Landlord Newsletter and in emails. Further communications will be rolled out periodically to all stakeholders to ensure they understand the new powers and the implications.
- 3.3. The Council is also currently working with external advice services, such as the CAB and Coventry Law Centre to ensure renters are aware of the changes being introduced by the Act.
- 3.4. A series of briefing notes have been provided to Cabinet Members, and an overview of the Renters Rights Act was presented to the Communities and Neighbourhoods Scrutiny Board (4) on the 19th of December 2025. In addition, an all-Member seminar was carried out on the 9th of February 2026.

4. Timetable for implementing this decision

- 4.1. The policy must be approved and published to allow the Council to implement the new powers. If approved, it is proposed that the policy takes immediate effect, which will enable the Council to use the investigatory powers introduced on the 27th of December 2025 and be prepared to use the remaining powers which have a fixed implementation date of the 1st of May 2026.
- 4.2. During this period between publishing the new policy and the 1st of May 2026 the Council will need to maintain the use of existing powers prior to the introduction of the Renters Rights Act 2025 and as such the Council will carry out any such enforcement in accordance with the existing Policy on Enforcing Standards in Private Sector Housing 2020.
- 4.3. Any enforcement cases commenced on or after the 1st of May 2026 will be done so in line with this new policy – the Private Sector Housing Enforcement Policy 2026-2031.
- 4.4. The Private Sector Housing Enforcement Policy will be reviewed and amended (if necessary) before the end of 2031.

5. Comments from the Chief Operating Officer (Section 151 Officer) and the Director of Law, Governance and Safer Communities.

5.1. Financial Implications

- 5.1.1. The Ministry of Housing, Communities and Local Government (MHCLG) has indicated it will provide a total of £18.2 million of New Burdens funding in 2025/2026 to help local authorities in England cover familiarisation costs and prepare for their new enforcement responsibilities; make necessary changes to IT systems for new data collection requirements; and recruit and deploy additional staff resource for PRS enforcement.
- 5.1.2. Funding allocations for local authorities are determined according to the number of private rented sector properties in each area, utilising data from the 2021 census. The Council has received its Grant Determination letter under Section 31 of the Local Government Act 2003, confirming an award of £126k for this period. Although this funding is unlikely to fully meet all costs associated with delivering the requirements, the Service had already accounted for these expenses in its budget planning. As a result, any shortfall will be absorbed and managed within the existing financial resources.
- 5.1.3. The Government is expected to confirm additional New Burdens funding for the financial year 2026/27, with an announcement anticipated in early 2026, ahead of the commencement of Phase 1 of the Renters' Rights Act. This ongoing commitment to New Burdens funding aims to support local authorities in meeting the evolving demands associated with private rented sector (PRS) enforcement.
- 5.1.4. In future years, the Government remains committed to establishing a sustainable funding system for PRS enforcement. This approach will be underpinned by

revenues generated from PRS Database fees, ensuring that enforcement activities are adequately resourced over the long term.

- 5.1.5. The Service will continue to manage delivery costs within the framework of the additional funding provided. Should there be any funding shortfall, these costs will be reviewed and managed accordingly.
- 5.1.6. The Council has also received approx. £125k funding from West Midlands Combined Authority to appoint 2 new apprenticeship posts for a period of two years to assist in the enforcement of the Act. These apprentice posts have been developed to enable the service to “grow their own” which provides a sustainable option for future resources.

5.2. Legal Implications

- 5.2.1. Section 107 of the Renters Rights Act 2025 places a statutory duty on every local housing authority to enforce the landlord legislation within its area.
- 5.2.2. This is new in the Renters’ Rights Act, as prior to this the Council only had a “power” to enforce landlord legislation within its area. Enforcement will therefore change from discretionary to mandatory, substantially increasing the Councils’ obligations. Adoption and publication of the Private Sector Housing Enforcement Policy 2026-2031 is therefore necessary to discharge the authority’s duty.
- 5.2.3. The Private Sector Housing Enforcement Policy attached at Appendix 1 sets out the Council’s approach to fulfilling this duty in a way that will ensure consistency and transparency.

6. Other implications

6.1. How will this contribute to the One Coventry Plan?

The One Coventry Plan 2022 - 2030 takes forward the main themes agreed by the Council in recent years. It reaffirms the Council’s ambition of “Working together to improve our city and the lives of those who live, work and study here”.

This ambition is driven through three corporate priorities which directly address the needs of the city:

- Improving outcomes and tackling inequalities within our communities
- Improving the economic prosperity of the city and regions
- Tackling the causes and consequences of climate change

The primary driver for all the work carried out by the Safer Housing and Communities service is to support and protect tenants, residents and communities.

The Safer Housing and Communities service work together to:

- Prevent offending
- Managing and changing the behaviour of offenders

- Reduce crime
- Minimising the risk of harm to vulnerable people
- Support victims
- Protect communities
- Protect locations from crime and make housing safer.

The Safer Housing and Communities service supports the priorities of the Regulatory Services Operational Plan.

6.2. **How is risk being managed?**

In accordance with the Renters Rights Act 2025, the Council is obligated to enforce the landlord legislation in its area. This policy will ensure a coordinated and consistent approach to enforcement.

The policy will inform decisions taken by Safer Housing and Communities service that will have an impact on the interests of private landlords, agents and tenants. The policy follows the principles of enforcement set out in the Council's overarching Regulation, Communities and Environmental Enforcement Policy 2024 and therefore reflects the need to respect the relevant rights given by the Human Rights Act.

Decisions of the Safer Housing and Communities service are open to challenge through the First Tier Property Tribunal and in certain cases the Magistrates Court and beyond. The policy is designed to ensure the Council's compliance with legislation and statutory guidance, minimising the risk of legal challenge.

6.3. **What is the impact on the organisation?**

The Safer Housing and Communities service was the subject of a restructure in 2025 to respond to the proposed changes in service needs and to ensure the appropriate skills, expertise and capacity exists within the service to deliver against future objectives.

With the introduction of the Renters Rights Act 2025 there is a greater emphasis on the Council to comply with the legal duty to enforce the legislation and there are further plans by Government to roll out additional powers.

Although the Safer Housing and Communities service has restructured to plan ahead as the legislation is introduced there may be potential human resource and financial implications.

These will be monitored and reviewed regularly, and where possible mitigated through the use of New Burdens funding and income from civil penalties, which are specifically ringfenced for functions in the private rented sector. The current duties will be carried out using existing resources.

6.4. Equalities / EIA?

The report makes links to the Council's Equalities and Diversity Policies. An Equality Impact Assessment has been completed and is attached at Appendix 2 of the report.

6.5. Implications for (or impact on) climate change and the environment?

The Safer Housing and Communities service tackle place-based issues and through its enforcement activities it supports improving this objective.

6.6. Implications for partner organisations?

The Safer Housing and Communities service will work collaboratively with Coventry City Council its partner organisations to ensure the policy is implemented consistently.

Report author(s):

Name Adrian Chowns
Head of Safer Housing and Communities

Service Area:

Safer Housing and Communities
Regulatory Services
Law, Governance and Safer Communities

Tel and email contact:

Tel: **024 7697 6851**

Email: adrian.chowns@coventry.gov.uk

Enquiries should be directed to the above person

Contributor/approver name	Title	Service Area	Date doc sent out	Date response received or approved
Contributors:				
Davina Blackburn	Strategic Lead - Regulation & Communities	Regulatory Services.	29/01/2026	02/02/2026
Lara Knight	Governance Services Coordinator	Law, Governance, and Safer Communities.	17/02/2026	17/02/2026
Names of approvers for submission: (officers and members)				

Finance: Richard Shirley	Lead Accountant	Finance and Resources.	02/02/2026	05/02/2026
Legal: Amy Wright	Solicitor	Law, Governance, and Safer Communities.	02/02/2026	11/02/2026
Director: Julie Newman	Director of Law, Governance and Safer Communities	Law, Governance, and Safer Communities.	11/02/2026	16/02/2026
Director: Barry Hastie	Director of Finance and Resources	Finance and Resources	11/02/2026	16/02/2026
Members: G Duggins	Cabinet Member for Policy and Leadership		03/03/2026	09/03/2026

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Private Sector Housing Enforcement Policy 2026-2031



Coventry City Council

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Foreword

“Having a robust and effective policy for enforcing standards in privately rented properties and social housing is fundamental to our city’s wellbeing. By strengthening our approach, we are not only improving living conditions for residents but also ensuring higher standards of property management. This benefits tenants by providing safer, healthier homes, while landlords gain from greater clarity and a more positive reputation in the community.”

Leader of Coventry City Council

Councillor George Duggins.

A handwritten signature in black ink that reads "George Duggins". The signature is written in a cursive style with a large, stylized 'G' and 'D'.

Executive Summary

This policy outlines Coventry City Council's position on dealing with issues in the Private Rented Sector (PRS) and Social Housing (SH) with details of the legislation and guidance on which its approach is based.

The policy supports a clear commitment to safeguarding housing conditions and the prevention of wider environmental issues by ensuring that all privately rented properties and social housing in Coventry meet the statutory minimum standards.

The purpose of the review has been to incorporate new legislation, particularly the Renters' Right Act 2025.

Description of Amendment(s)

Supersedes the Council's Policy on Enforcing Standards in Private Sector Housing following the inclusion of provisions introduced under the Renters' Rights Act 2025 and amendments affecting other relevant legislation.

This policy will impact on

Tenants, Landlords and businesses involved in the letting and management of properties in the Private and Social Rented Sectors in Coventry.

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1 Introduction

Coventry City Council considers the protection of public health paramount and is therefore committed to ensuring that all privately rented properties and social housing in Coventry meets minimum standards.

The Council commits to working with owners, private and social landlords, letting agents and tenants to safeguard housing conditions and prevent wider environmental issues arising from rented homes in Coventry.

The Council will support statutory compliance by:

1. Facilitating the administration and enforcement of both the mandatory and discretionary additional licensing schemes for prescribed Houses in Multiple Occupation (HMOs).
2. Undertaking inspections and audits.
3. Providing advice and education to landlords and agents, helping them to reduce issues and raise housing standards, and,
4. Serving statutory notices against landlords who fail to comply with their legal requirements.

Coventry City Council recognises and affirms the importance of achieving and maintaining consistency in its approach to making decisions that concern regulatory enforcement action, including prosecution.

In deciding upon enforcement options, each case will be investigated and judged on its own merits.

Any enforcement taken will be proportionate to the risk presented and decided upon in accordance with:

1. Official statutory guidance provided by Government.
2. Better Regulation Delivery Office - [Regulators' Code](#)
3. Coventry City Council's Enforcement Policy [Coventry City Council – Regulation, Communities and Environmental Enforcement Policy – Coventry City Council](#), and,
4. The Code of Crown Prosecutors evidential and public interest tests [The Code for Crown Prosecutors | The Crown Prosecution Service](#).

The Council will also have due regard for relevant non statutory guidance provided by Government and relevant Council procedures, unless inappropriate in the circumstances.

The [Regulators' Code](#) was introduced in 2014 and gives direction on how enforcement bodies must approach the enforcement of the laws to which it applies.

- This requires a supportive, informal approach first, with legal action normally only following if such an approach hasn't been effective.
- The Renters' Rights Act is predicated on an 'enforcement first approach' – see [Guidance](#)

The list of laws to which the Regulators' Code applies are in schedules to the [The Legislative and Regulatory Reform \(Regulatory Functions\) Order 2007](#)

- The housing legislation to which it **does apply** is:
 - [Parts 8, 9 and 10](#) of the Housing Act 1985 – (Area Improvement, Slum Clearance, Overcrowding)
 - [Part 8](#) of the Housing Act 1996 – (Miscellaneous and general provisions)
 - [Parts 2 to 5](#) of the Housing Act 2004 – (HMO and other licensing, management orders)
- It **does not** apply to:
 - The Renters' Rights Act 2025 itself
 - The 'landlord legislation' listed in S107(5) of that Act
 - [Part 1 of the Housing Act 2004](#) – (Housing conditions and HHSRS)

The Council takes the enforcement of conditions in the Private Rented Sector (PRS) and Social Housing (SH) extremely seriously. Where it is considered to be necessary and proportionate, the Council will use its enforcement powers to full effect.

2 Purpose

This policy details how the Council will enforce the legislation it has available to it to deal with issues in the PRS and SH sectors.

Should the Council pursue legal proceedings or if an enforcement action is to be appealed against for example, this policy provides a reliable point of reference.

3 Legal Framework

This policy incorporates the provisions for Coventry City Council to enforce and exercise its duties as a Local Housing Authority, determined by the following Acts and Regulations:

[Housing Act 1985.](#)

[Housing Act 1988.](#)

[Housing Act 2004.](#)

[Housing and Planning Act 2016.](#)

[Supported Housing \(Regulatory Oversight\) Act 2023.](#)

[Renters' Rights Act 2025.](#)

[Protection from Eviction Act 1977.](#)

[Environmental Protection Act 1990.](#)

[Building Act 1984.](#)

[Prevention of Damage by Pests Act 1949.](#)

[The Electrical Safety Standards in the Private Rented Sector and Social Rented Sector \(England\) Regulations 2020.](#)

[The Energy Efficiency \(Private Rented Property\) \(England and Wales\) Regulations 2015.](#)

[The Smoke and Carbon Monoxide Alarm \(Amendment\) Regulations 2022.](#)

[Tenant Fees Act 2019.](#)

[The Client Money Protection Schemes for Property Agents \(Requirement to Belong to a Scheme etc.\) Regulations 2019.](#)

[Consumer Rights Act 2015.](#)

[Local Government \(Miscellaneous Provisions\) Act 1976.](#)

[Local Government \(Miscellaneous Provisions\) Act 1982.](#)

[Public Health Act 1936.](#)

[Public Health Act 1961.](#)

[Local Government and Housing Act 1989.](#)

[Local Government Act 1972.](#)

[Immigration Act 2014.](#)

[Caravan Sites and Control of Development Act 1960.](#)

[The Redress Schemes for Lettings Agency Work and Property Management Work \(Requirement to Belong to a Scheme etc\) \(England\) Order 2014.](#)

5 Roles and Responsibilities

Authorised Officers of the Council

All authorised officers of Coventry City Council must have regard to this policy and make enforcement decisions in accordance with statutory guidance and the Council's procedures.

Landlords and Letting Agents

The Council considers those responsible for letting and managing property a business. Landlords and letting agents of privately rented accommodation and social housing are therefore expected by the Council to:

1. Have a good understanding of the duties and responsibilities placed upon them by the various legislation in respect to housing standards and management issues.
2. Conduct their business in a professional manner with a reasonable level of skill and application of the requirements.

Landlords and agents may refer to the Council's guide to minimum property standards [HMO licensing – Coventry City Council](#) and to liaise with Council Officers or other professionals to confirm the extent to which additional requirements apply to any addresses let out as Houses in Multiple Occupation (HMOs).

Tenants

The Council expects tenants to act in a 'tenant-like manner'; the term 'tenant-like manner' comes from the judgement of Lord Denning in *Warren v Keen* 1953 where Lord Denning said:

"The tenant must take proper care of the place. In short, he must do the little jobs around the place which a reasonable tenant would do. In addition, he must not, of course, damage the house wilfully or negligently... but apart from such things, if the house falls into disrepair through fair wear and tear or lapse of time or for any reason not caused by him, the tenant is not liable to repair it".

6 Approach to Enforcement

Concerns about housing conditions may be raised via a complaint made to the Council by a tenant or another member of the public, identified on a Council visit to the property, or discovered as part of an audit or other investigation.

Generally, wherever possible, it is the Council's preference that landlords are first given the opportunity to investigate any reported problems at their properties.

Tenants are therefore advised to initially put their complaint in writing to the landlord to:

- a) highlight the alleged deficiencies,
- b) request that the complaint be investigated, and
- c) call for the necessary remedial action to be taken.

The Council expects landlords to respond to the concerns of their tenants within 21 days and undertake any necessary repairs and improvements thereafter, without the need for the Council to intervene.

Where the landlord has failed to respond, or not resolved the issues raised by the tenant the Council will consider this as the informal stage and contact the tenant to establish the nature of the concern, obtain details of the disrepair present and decide on the most appropriate course of action.

The Council may arrange to visit the property, and further visits may be required to assess if the necessary work has been completed

Depending on the circumstances of the case, there are a number of courses of action the Council may decide to take, these include:

No Action - No action will be taken when premises are found to be satisfactory

Informal Action - In most cases when minor deficiencies are identified, an informal approach of providing written or verbal advice to the landlord may be deemed sufficient.

Formal Action - Coventry City Council will consider formal action where:

- There is a strict liability to comply and a risk to public health exists.
- There is a blatant or deliberate contravention of the law.
- There is a history of non-compliance, or cooperation for an informal approach is not forthcoming.
- Action agreed as part of an informal process is not being progressed within agreed timescales.

The enforcement options available to the Council vary in line with the appropriate legislation or regulation as detailed in the appendices to this policy.

Powers of Entry and Power to Require Information

The Council has various powers to enter properties at any reasonable time to carry out its duties in accordance with legislation and to require the production of documents.

All Officers conducting investigations and using the powers to require documents to be produced are authorised to do so by the Council for these purposes.

If admission is refused, premises are unoccupied or prior warning of entry is likely to defeat the purpose of the entry, then the Council may decide to make an application for a warrant in the Magistrates Court. A warrant includes the power to enter by force, if necessary.

7 Hoarding and Dilapidated Properties

These properties are often occupied by vulnerable persons, sometimes with mental health issues or elderly people struggling to cope.

There has been an increased awareness of the issue brought about by publicity and media exposure and a corresponding rise in the number of reports from neighbours and health visitors regarding issues of disrepair, lack of hygiene or accumulations within properties.

While these properties are usually owner occupied, the Council has powers under legislation to take action where:

- The situation is likely to cause harm or ill health to the occupier.
- There is a wider health issue or where statutory nuisance may exist.

The cases that come to light are prioritised and referred to other agencies as necessary, particularly when there are safeguarding issues. Known cases are kept under review.

Enforcement action will be taken when necessary to protect public health, but the Council will primarily seek to provide signposting to assistance and engage with the relevant agencies to help them deal with any underlying issues.

8 Civil Penalties

On the 27th October 2025 the Renters Rights Act amended the powers to impose [Civil penalties under the Renters' Rights Act 2025 and other housing legislation - GOV.UK](#) to increase the maximum value to £40,000 as an alternative to prosecution for certain specified offences.

Civil Penalties can be seen as an effective method of disposal and alternative to criminal prosecution. A civil penalty may provide both a deterrent to lack of compliance or punitive approach that may lead to future compliance. This in turn will help to drive up standards within the sector by punishing the minority of bad landlords and providing a clear framework for those landlords or agents who are competent and invested in complying with the regulations.

Coventry City Council view landlords as a business regardless of portfolio size. Providing a home to rent for another person is providing a service to that person or consumer. Landlords should therefore be bound by the expectation that the business should be conducted with the reasonable care and skill that is seen in other industry sectors. Civil penalties can help businesses who breach the

legislation in reducing the likelihood of the reputational harm that may arise from criminal prosecution whilst aiming to achieve compliance.

The Council also does not aim to criminalise all landlords and property professionals and recognises that there are a group of landlords who persistently break housing law, operate properties that cause harm to tenants and deliberately engage in behaviour to try and avoid complying with their responsibilities. The Council would define these landlords as “rogue” landlords, which distinguishes them from landlords who break the rules occasionally or accidentally and are amenable to changing their ways. For these landlords the maximum penalty levels will be considered and criminal prosecution reserved for repeat offenders where the legislation permits.

The Council is under a duty to enforce the landlord legislation under section 107 of the Renters’ Rights Act 2025. This defines taking enforcement action as, imposing a financial penalty or instituting proceedings against a person for an offence in their area.

Civil penalties are likely to be used in most cases; however, the Council will make all enforcement decisions on a case-by-case basis dependant on the individual facts, with all statutory options remaining available.

The term ‘breach’ is used to refer to non-compliance by landlords or agents where the Council may impose civil penalties between £200 and £7,000 depending on the specific breach and there is not an option to prosecute. The term ‘offence’ is used to refer to non-compliance by landlords where the Council may either prosecute or impose a civil penalty of up to £40,000. There are no lower limits to these penalties.

Below is a list of relevant breaches or offences for which Coventry City Council can issue a civil penalty: -

- Unlawful eviction and harassment of occupier as defined under the Protection from Eviction Act 1977.
- Failure to give a written statement of terms under section 16D of the Housing Act 1988.
- Failure to give an existing tenant information about changes made by the Renters’ Rights Act under paragraph 7(2) of schedule 6 to the Renters’ Rights Act 2025.
- Attempting to let a property for a fixed term under section 16E of the Housing Act 1988.
- Attempting to end a tenancy orally or by service of a notice to quit under section 16E of the Housing Act 1988.
- Serving an eviction notice that attempts to end a tenancy outside the prescribed section 8 process under section 16E of the Housing Act 1988.

- Relying on a ground where the person does not reasonably believe that the landlord is/will be able to obtain possession under section 16E of the Housing Act 1988.
- Relying on a ground knowing the landlord would not be able to obtain possession or being reckless as to whether they would under section 16J of the Housing Act 1988.
- Failing to provide a tenant with prior notice that a ground which requires it may be used under section 16E of the Housing Act 1988.
- Reletting or remarketing a property before expiry of the 12 month no-let period after using the moving and selling grounds under sections 16E and 16J of the Housing Act 1988.
- Failure to comply with an Improvement Notice under section 30 of the Housing Act 2004.
- Offences in relation to licensing of houses in multiple occupation (HMOs) under section 72 of the Housing Act 2004.
- Offences in relation to licensing of other houses under section 95 of the Housing Act 2004.
- Contravention of an overcrowding notice under section 139 of the Housing Act 2004.
- Failure to comply with management regulations in respect of houses in multiple occupation under section 234 of the Housing Act 2004.
- Breach of a banning order under section 21 of the Housing and Planning Act 2016.
- Discriminating against prospective tenants during the letting process on the grounds that those tenants are in receipt of benefits or have children under sections 33 and 34 of the Renters' Rights Act 2025.
- Marketing a letting without stating the proposed rent under section 56 of the Renters' Rights Act 2025.
- Inviting or encouraging any person to offer to pay an amount of rent under the proposed letting that exceeds the stated rent under section 56 of the Renters' Rights Act 2025.
- Accepting an offer from any person to pay an amount of rent under the proposed letting that exceeds the stated rent under section 56 of the Renters' Rights Act 2025.
- The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014
- The Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2019
- Section 83 of The Consumer Rights Act 2015
- Tenant Fees Act 2019
- The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015

- The Electrical Safety Standards in the Private Rented Sector and Social Rented Sector (England) Regulations 2020
- The Smoke and Carbon Monoxide Alarm (England) Regulations 2015
- The Energy Performance of Buildings (England and Wales) Regulations 2012

Who can receive a civil penalty

Civil penalties are intended to be used against those who commit one or more of the breaches or offences outlined in this policy.

The Council should decide, based on the available evidence, where responsibility for the breach or offence lies and take action against the relevant party or parties accordingly. Table 1 below provides a summary:

Table 1 - Summary Offence Responsibilities

Breach or Offence	Responsibility
Rent to Rent	Landlord and/or Superior Landlord.
Illegal Eviction and Harassment	Anyone who has committed the offence
Assured tenancy duties	Any landlord or person acting on their behalf.
Rental Discrimination	Any landlord or person acting on their behalf.
Unlicensed HMOs	Person having control and/or Person Managing as defined by s.263 of the Housing Act 2004.
Over occupied licensed/unlicensed HMOs	HMO Licence Holder or the Person having control and/or Person Managing as defined by s.263 of the Housing Act 2004.
Failure to comply with licence conditions	Licence Holder.
Failure to comply with HMO Management Regulations	Person having control and/or Person Managing as defined by s.263 of the Housing Act 2004.
Failure to comply with a legal notice	A person on whom the notice was served.
The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014	A person engaging in letting agency work
Tenant Fees Act 2019	A landlord or agent
Section 83 of The Consumer Rights Act 2015	A letting agent

The Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2019	A property agent in the course of English letting agency work within the meaning of section 54 of the Housing and Planning Act 2016 or English property work within the meaning of section 55 of that Act
The Smoke and Carbon Monoxide Alarm (England) Regulations 2015	“Relevant landlord” as defined in regulation 3
The Electrical Safety Standards in the Private Rented Sector and Social Rented Sector (England) Regulations 2020	A private landlord or registered provider that grants, or intends to grant, a specified tenancy of social housing (within the meaning of Part 2 of the Housing and Regeneration Act 2008)

If the Council determines that a breach or offence happened with the consent, involvement, or (in most cases) due to the neglect of any officer within a limited company, a civil penalty may be imposed on that individual as well as, or instead of, the company itself.

Where more than one person is liable for the same breach or offence, the Council may impose a civil penalty on more than one person. The amount of penalty imposed on each person may differ depending on the circumstances of the case. In the case of breaches and offences relating to the duties of landlords under assured tenancies and breaches relating to rental discrimination and rental bidding, the Council may also impose a single penalty on more than one person. Where they do so, those persons are jointly and severally liable to pay it.

How the penalty is calculated

The penalty will be calculated in line with the guidance produced by the Ministry of Housing Communities and Local Government (MHCLG) available [here](#), which the Council is required to have regard to when setting penalty levels.

The Council is required to consider the following factors in determining the civil penalty is set at an appropriate level.

Severity of the offence - The more serious the breach or offence, the higher the penalty should be.

Culpability and track record of the offender - A higher penalty will be appropriate where the offender has a history of failing to comply with their obligations and/or their actions were deliberate and/or they knew, or ought to have known, that they were in breach of their legal responsibilities.

The harm caused - This is a very important factor when determining the level of penalty. The greater the actual harm or the potential for harm, principally to the tenant but also potentially the local community, the higher the penalty should be.

Punishment of the offender - The penalty should, in a way that is fair, both punish the offender and demonstrate the consequences of not complying with their responsibilities.

Deter the offender from repeating the offence - The ultimate goal is to prevent any further offending and help ensure that the offender fully complies with all of their legal responsibilities in future. The level of the penalty should therefore be set at a level that it is likely to have a very significant deterrent effect.

Deter others from committing similar offences - While the fact that someone has received a civil penalty may not be in the public domain, the civil penalty policy itself will be, and the Council should consider how their formal enforcement activity can be effectively publicised.

An important part of deterrence is the realisation that the Council is proactive in levying civil penalties where the need to do so exists and the civil penalty will be set at a high enough level such that operating lawfully will be the sensible financial choice.

Remove any financial benefit the offender may have obtained as a result of committing the offence - The principle here is that it should not be in the offender's financial interest to commit a breach or offence rather than comply, for example that the penalty for breaching licensing conditions in respect of occupancy of a property is less than the additional rent received as a result of the over-crowding. The absence of any financial benefit does not mean though that the penalty should be reduced.

The guidance includes a range of starting points for each breach and offence, and the Council may use these as the starting point for all breaches and offences when calculating the level of fine.

The starting points for the various breaches and/or offences are set out in the table 2 below.

Table 2 - Starting Points for breaches and Offences

Protection from Eviction Act 1977 offences

Offence	Starting Point
Unlawful eviction and harassment (s1(2) and (3))	£35,000

Housing Act 1988 breaches and offences

Breach	Starting Point
Attempting to let the property for a fixed term (s16E(1)(a))	£4,000
Attempting to end the tenancy by service of a notice to quit (s16E(1)(b))	£6,000

Attempting to end the tenancy orally, or require that it is ended orally (s16E(1)(c))	£6,000
Serving a possession notice that attempts to end the tenancy outside of the prescribed section 8 process (s16E(1)(d))	£6,000
Relying on a ground where the person does not reasonably believe that the landlord is/will be able to obtain possession (s16I(1)(e))	£6,000
Failing to provide a tenant with prior notice that a ground which requires it may be used (s16E(1)(f))	£3,000
Failing to issue a written statement of terms within 28 days of an assured tenancy coming into existence (s16D)	£4,000
Failing to provide an existing tenant with prescribed information about changes made by the Renters' Rights Act (paragraph 7 of schedule 6 to the Renters' Rights Act 2025)	£4,000
Offence	Starting Point
Relying on a ground knowing the landlord would not be able to obtain possession or being reckless as to whether they would (s16J(1))	£30,000
Reletting or remarketing a property within the 12 month no-let period after using the moving or selling grounds (s16J(2))	£25,000
Continuing breach, or repeat breach committed within 5 years of receiving a penalty for first breach (s16J(3) and (4))	Double the starting level for the two constituent breaches added together

Housing Act 2004 Offences

Offence	Starting Point
Failure to comply with an improvement notice (s.30(1))	£25,000
Mandatory HMO unlicensed (s.72(1))	£17,000
Additional HMO unlicensed (s72 (1))	£17,000
Knowingly permitting over-occupation of an HMO (s.72(2))	£20,000
Property subject to selective licensing unlicensed (s.95(1))	£12,000
Failure to comply with an overcrowding notice (s.139(7))	£20,000
Breach of HMO management regulations (SI 2006/372 and SI 2007/1903 (in respect of s257 HMOs) made under s234(1))	
Failure to provide information to the occupier (regulation 3)	£3,000
Failure to take safety measures (regulation 4)	£20,000
Failure to maintain water supply and drainage (regulation 5)	£10,000
Failure to supply and maintain gas and electricity or supply gas safety certificate (regulation 6)	£12,000
Failure to maintain common parts (regulation 7)	£7,000
Failure to maintain living accommodation (regulation 8)	£7,000
Failure to provide adequate waste disposal facilities (regulation 9)	£7,000
Failure to comply with HMO Licence Conditions	
Low Impact e.g.	£3,000

<ul style="list-style-type: none"> • Failure to provide tenants with contact details • Failure to address minor, non-hazardous disrepair • Failure to provide certain tenancy-related documentation 	
Medium Impact e.g.	£7,000
<ul style="list-style-type: none"> • Failure to address persistent or serious anti-social behaviour, including the use of the property for illegal purposes • Failure to provide adequate arrangements for waste storage and disposal, resulting in significant nuisance, littering, or fly-tipping 	
High Impact e.g.	£20,000
<ul style="list-style-type: none"> • Failure to install or maintain smoke alarms in working order • Failure to comply with fire safety or electrical safety requirements • Non-compliance with essential health and safety provisions 	

Housing and Planning Act 2016 Offences

Offence	Starting Point
Breach of a banning order (s.21(1))	£35,000

Renters' Rights Act 2025 Breaches

Breach	Starting Point
Discrimination against those on benefits or with children in the lettings process (s.33 and s.34)	£6,000
Failure to specify proposed rent within a written advertisement or offer (s.56(2))	£3,000
Inviting, encouraging or accepting any offer of rent greater than the advertised rate (s.56(3))	£4,000

When determining the level of a civil penalty, the Council will have regard to the following factors and use the following steps as set out in the statutory guidance provided by Government.

Step 1 - Determining the seriousness of the breach or offence.

The seriousness, or the severity, of the breach or offence reflects the level of potential (or, in some cases, actual) harm that is intrinsic to the category of breach or offence.

For example, this will be higher for a failure by a landlord to take safety measures than to provide required information to a tenant. Case-specific potential or actual harm is not directly relevant to determining the seriousness of the breach or offence. The Council will take this into account when considering any aggravating and mitigating factors under step 2 below.

In determining the level of harm, the Council will have regard to:

- the person: i.e. physical injury, damage to health, psychological distress.
- the community; i.e. economic loss, harm to public health, and
- other types of harm; i.e. public concern/feeling over the impact of poor housing condition on the local neighbourhood.

The nature of the harm will depend on the personal characteristics and circumstances of the victim, e.g. tenant.

Where no actual harm has resulted from the offence, the Council will consider the relative danger that persons have been exposed to as a result of the offender's conduct, the likelihood of harm occurring and the gravity of harm that could have resulted.

Factors that indicate a higher degree of harm include:

- Multiple victims.
- Especially serious or psychological effect on the victim, and
- Victim is particularly vulnerable.

Seriousness also reflects intrinsic culpability. For example, this will tend to be higher for an offence which arises from a continuing or repeated breach rather than a single breach of the relevant legislation. Again, case-specific factors are not directly relevant to determining the seriousness of the breach or offence.

For example, whilst those renting out or managing properties should understand how to comply with their legal obligations, a higher degree of professionalism is likely to be expected of landlords with significant portfolios who let properties as their business than those for whom letting one or two properties is a subsidiary and, potentially, unplanned activity. The Council will take factors, such as the profile of the landlord, into account when considering any aggravating and mitigating factors under step 2 below.

Clearly, a single level penalty will not be appropriate in all cases and when assessing the level of penalty to be imposed it is expected that the maximum amount would be reserved for the worst offenders.

The actual amount levied should also take into account culpability and in doing so the Council will have regard to Table 3:

Table 3 - Examples of Culpability

Culpability	Description
High (Deliberate Act)	Intentional breach by landlord or property agent or flagrant disregard for the law, i.e. failure to comply with a correctly served improvement notice

Table 3 - Examples of Culpability

Culpability	Description
High (Reckless Act)	Actual foresight of, or wilful blindness to, risk of offending but risks nevertheless taken by the landlord or property agent; for example, failure to comply with HMO Management Regulations
Medium (Negligent Act)	Failure of the landlord or property agent to take reasonable care to put in place and enforce proper systems for avoiding the commission of the offence; for example, part compliance with a schedule of works, but failure to fully complete all schedule items within notice timescale.
Low (Low or no culpability)	An offence committed with little or no fault on the part of the landlord or property agent; for example, obstruction by the tenant to allow contractor access, damage caused by tenants

Step 2 – Applying Aggravating and Mitigating Factors

Aggravating Factors

In order to determine the final penalty, the Council will consider all aggravating factors relevant to the case.

Below is a list that will be considered as part of the determination. This is not an exhaustive list, and other factors may be considered depending on the circumstances of each case.

- Previous formal action related to this or other properties.
- Previous informal action related to this or other properties.
- Financial gain – profiting from offence/ cost cutting at the expense of safety.
- Preventing the victim from reporting, seeking assistance or support.
- Deception or falsification of facts or documents.
- Offending over prolonged period (6 months +) or involved repeated acts.
- Involving others through coercion, intimidation, or exploitation.
- Conduct intended or likely to cause additional distress (e.g., committing offence in the middle of the night).
- Lack of co-operation/ obstruction/ deliberate concealment.
- Vulnerable and/or 5 or more people affected/impacted.
- Discriminatory behaviour based on racial, religious, disability, sexual orientation, or transgender identity.
- Professional Landlord – 5 or more properties
- History of non compliance /ignoring refusal of advice.

The starting point for the penalty may be increased for each aggravating factor up to a maximum of 30%.

Mitigating Factors

In order to determine the final penalty, the Council will consider all mitigating factors relevant to the case.

Below is a list that will be considered as part of the determination. This is not an exhaustive list, and other factors may be considered depending on the circumstances of each case:

- No relevant/recent formal action
- No previous relevant informal action in relation to this or other properties
- Co-operated fully with the investigation – returned notices/documents etc.
- Voluntary steps taken to address issues e.g. submit a licence application.
- Positive character and/or exemplary conduct
- Evidence of personal/health issues preventing reasonable compliance
- Early admission of guilt – within 1 month
- Age and/or lack of maturity (only applicable to offenders ages 18-25)
- Willingness to undertake training and join CLAS
- Vulnerable individual(s) where their vulnerability is linked to the commission of the offence.
- Appointed a professional agent to act on their behalf.

The starting point for the penalty may be decreased for each mitigating factor up to a maximum 30%.

When considering aggravating and mitigating factors the civil penalty imposed must remain proportionate to the offence and it will be assumed that any offender will be able to pay a penalty up to the maximum amount unless they can demonstrate otherwise.

The Council may, exceptionally, increase the penalty above the starting point maximum or, again exceptionally, decrease it below the minimum 'tariff'.

The Council will have regard to the following general factors in determining the final level of the civil penalty:

- Any available information regarding the financial means of the offender in relation to the rental income from all rented home[s]

Where such information is available the Council may increase the penalty level by 10%.

Where there is no starting point set out in guidance for civil penalties, for example in the case of breaches of licensing conditions under sections 72(3) and 95(2) of the Housing Act 2004, the Council has set out in this policy in the relevant sections relating to the legislation, what starting levels it will apply for civil penalties for such offences.

To ensure transparency and consistency in financial penalties, the Council may adjust penalties above or below the starting point at its discretion. Each case will be considered individually based on the information available to the Council. See appendix 1 for illustrative examples.

Procedure for imposing a civil penalty

The process for issuing a Civil Penalty can vary slightly depending on the specific breach or offence. Certain breaches may not require a Notice of Intent, and some breaches attract a publication penalty.

In all cases there is an opportunity for the subject to make representations to Coventry City Council or to the First Tier Tribunal. Information on how to do this will always be included in the body of the notice.

Table 4 below broadly outlines the notices and publication restrictions on each specified breach.

Table 4 - Notice and publication restrictions

Legislation	Specific Part of the Act	Notice of Intent Required?	Publication
Housing and Planning Act 2016	Schedule 1 – Civil Penalties (Section 126 & Schedule 9)	Yes – must serve before imposing a civil penalty.	Details of penalties can be published on the Rogue Landlord Database.
Housing Act 2004	Sections 30, 72, 95 (Improvement Notices, HMO Licensing)	Yes – required before issuing civil penalty under s.249A.	Publication often via council enforcement reports or landlord database.
Protection from Eviction Act 1977	Relevant offences under eviction protections	Yes – applies when civil penalties are used instead of prosecution.	Publication through council enforcement transparency reports.
Renters’ Rights Act 2025	Civil Penalty Provisions (effective May 2026)	Yes – required before imposing penalties for breaches of new tenancy rules.	Publication expected via national PRS database and council registers.

Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015	Part 3 – Compliance & Enforcement (Regulations 33–42)	No – instead a Compliance Notice is issued before a penalty notice.	Details of breach published on the PRS Exemptions Register (publicly accessible).
Electrical Safety Standards in the Private Rented Sector and Social Rented Sector (England) Regulations 2020	Part 2 – Duties & Enforcement (Regulations 3–11)	Yes – after a Remedial Notice, a Notice of Intent is required before penalty.	The Council may publish enforcement actions and penalties under transparency rules.
Smoke and Carbon Monoxide Alarm (England) Regulations 2015	Part 4 – Enforcement (Regulations 5–8)	No – enforcement starts with a Remedial Notice; penalty follows if not complied.	Council must publish a Statement of Principles to determine penalty amounts.
The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014	Part 4- Enforcement	Yes	No
Section 83 Consumer Rights Act 2015	Section 87 Consumer Rights Act 2015	Yes	No
The Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2019	Section 10- The Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2019	Yes	No
Tenant Fees Act 2019	Section 8- Tenant Fees Act 2019	Yes	No

The following sets out how the Council will determine penalty levels for breaches of “relevant letting agency” legislation including, the Tenant Fees Act 2019, Redress Schemes for Letting Agency work and Property Management work (Requirement to belong to a scheme) (England) Order 2014, Section 83 of The Consumer Rights Act 2015 and the Client Money Protection Schemes for Property Agents (requirement to belong to a scheme etc.) Regulations 2019.

Coventry City Council has adopted this policy on deciding financial penalties and the appropriateness of prosecution as an alternative to imposing financial penalties under the relevant letting agency legislation.

For clarity, “relevant letting agency legislation” means: -

1. The Tenant Fees Act 2019, “the TFA 2019”.
2. Chapter 3 of Part 3 of the Consumer Rights Act 2015 as it applies in relation to dwelling houses in England.
3. An order under Section 83(1) or 84(1) of the Enterprise and Regulatory Reform Act 2013, and,
4. Regulations under Sections 133 – 135 of the Housing and Planning Act 2016.

The Tenant Fees Act 2019 provides that enforcement authorities may impose financial penalties of up to £30,000 depending on the breach as follows:

- a) In respect of a first breach of s1 & s2, or a breach of Schedule 2 of the TFA 2019, a financial penalty not exceeding £5,000.
- b) Under s12 of the TFA 2019 a second or subsequent breach of S.1 or S.2 within 5 years of the previous breach provides for a financial penalty not exceeding £30,000 and there is alternative power to prosecute in the Magistrates Court where an unlimited fine may be imposed.

In respect of a failure of Letting Agents to publicise their fees as required by s83(3) of the Consumer Rights Act 2015 a financial penalty not exceeding £5,000.

In respect of a failure by any person engaged in Letting Agency or Property Management work who fails to hold membership of a Redress Scheme as required by Article 3 Redress Schemes for Lettings Agency Work and Property Management Work (requirement to belong to a Scheme etc.) England) Order 2014 (in respect of Lettings Agency work) or Article 5 (in respect of property management work) to a financial penalty not exceeding £5,000. (Note that it is not sufficient to simply register for redress – the correct category of membership must be obtained depending on the work carried out).

In respect of Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2019: -

- a) a failure by a property agent who holds client money to belong to an approved or designated Client Money Protection (“CMP”) Scheme as required by Regulation 3, a financial penalty not exceeding £30,000, or
- b) a failure to display a certificate of membership; or publish a copy of that certificate on the relevant website (where one exists); or produce a copy of the certificate free of charge to any person reasonably requiring it as required; or notify any client in writing within 14 days of a change in the details of a underwriter to the CMP scheme or that the membership of the CMP scheme has been revoked, as required by Regulation 4, a financial penalty not exceeding £5,000.

Determining the level of the financial penalty

In accordance with the provisions of the [TFA](#) & [CMP](#) statutory guidance, the following factors should be considered by the Council when determining the level of penalty to impose for a breach of relevant letting agency legislation: -

- a) Severity of the breach.
- b) Punishment of the landlord or agent.
- c) Aggravating and mitigating factors.
- d) Fairness and proportionality.

Each of these factors are explained in more detail in the statutory guidance which you should refer to for each penalty you consider. For ease, the same considerations will be applied in cases of redress membership and breaches of S.83 Consumer Rights Act 2015.

Although the Council has therefore a wide discretion in determining the appropriate level of financial penalty in any particular case, regard has been given to the statutory guidance when making this policy.

This policy sets out the process that the Council will use in order to determine the level of financial penalty under the TFA 2019 and other relevant letting agency legislation. All stages subsequent to the issue of a Notice of Intent are subject to statutory time limits and the suspension of the process should an appeal be made to the First Tier Tribunal.

STEP ONE – Determining the category

The Council will determine the breach category having regard to the culpability and category of harm factors below. Where a breach does not fall squarely into a category, individual factors may require a degree of weighting to make an overall assessment. Other discretionary factors may also be applied in order to reflect consistency and may consider decisions in other UK jurisdictions where they contain some relevant and persuasive content.

Culpability

Very high

- Where the Landlord or Agent intentionally breached, or flagrantly disregarded, the law or/and knew their actions were unlawful.

High

- Actual foresight of, or wilful blindness to, risk of a breach but risk nevertheless taken.

Medium

- Breach committed through act or omission which a person exercising reasonable care would not commit.

Low

- Breach committed with little fault, for example, because:
 - significant efforts were made to address the risk although they were inadequate on the relevant occasion.
 - there was no warning/circumstance indicating a risk.
 - failings were minor and occurred as an isolated incident.

Harm

The following factors relate to both actual harm and risk of harm. Dealing with a risk of harm involves consideration of both the likelihood of harm occurring and the extent of it if it does.

Category 1 – High Likelihood of Harm.

- Serious adverse effect(s) on individual(s) and/or having a widespread impact due to the nature and/or scale of the Landlord's or Agent's business.
- High risk of an adverse effect on individual(s) – including where persons are vulnerable.

Category 2 – Medium Likelihood of Harm.

- Adverse effect on individual(s) (not amounting to Category 1).
- Medium risk of an adverse effect on individual(s) or low risk of serious adverse effect.
- Tenants and/or legitimate landlords or agents substantially undermined by the conduct.
- The Council's work as a regulator is inhibited.
- Tenant or prospective tenant misled.

Category 3- Low Likelihood of Harm.

- Low risk of an adverse effect on actual or prospective tenants.
- Public misled but little or no risk of actual adverse effect on individual(s).

STEP TWO - Starting point and category range

Having determined the category that the breach falls into, the Council will refer to the following starting points to reach an appropriate level of civil penalty within the

category range. The Council will then consider further adjustment within the category range for aggravating and mitigating features.

Table 5 below gives the starting points for a financial penalty in the case of a first breach in respect of prohibited payments.

Minimum and maximum financial penalties for each harm category and level of culpability. Where exceptional circumstances apply the Council may reduce the minimum penalties further but may not increase them above the maximum permitted of £5,000.

Table 5 - Starting points - First breach in respect of prohibited payments.

Low culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	1,250	250	2,250
Harm Category 2	1,500	500	2,500
Harm Category 1	1,750	750	2,750

Medium culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	2,000	1,000	3,000
Harm Category 2	2,250	1,250	3,250
Harm Category 1	2,500	1,500	3,500

High culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	2,750	1,750	3,750
Harm Category 2	3,000	2,000	4,000
Harm Category 1	3,250	2,250	4,250

Very high culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	3,500	2,500	4,500

Harm Category 2	3,750	2,750	4,750
Harm Category 1	4,000	3,000	5,000

Table 6 below gives the starting points for a financial penalty in the case of a second or subsequent breach in respect of Prohibited Payments within 5 years of a previous breach.

Minimum and maximum financial penalties for each harm category and level of culpability. Where exceptional circumstances apply the Council may reduce the minimum penalties further but may not increase them above the maximum permitted of £30,000.

Table 6 - Starting points - Second or subsequent breach in respect of prohibited payments within 5 years of a previous breach.

Low culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	3,500	2,000	8,000
Harm Category 2	6,500	4,000	10,000
Harm Category 1	8,500	4,500	15,000

Medium culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	6,500	4,750	17,000
Harm Category 2	10,500	5,000	20,000
Harm Category 1	12,500	5,500	22,000

High culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	10,500	5,500	20,000
Harm Category 2	15,000	6,250	24,000
Harm Category 1	18,000	7,000	26,000

Very high culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	15,000	7,000	24,000
Harm Category 2	17,500	7,250	28,000
Harm Category 1	20,000	7,500	30,000

Table 7 below gives the starting points for a financial penalty in the case of a breach in respect of Publication of Fees.

Minimum and maximum financial penalties for each harm category and level of culpability. Where exceptional circumstances apply the Council may reduce the minimum penalties further but may not increase them above the maximum permitted of £5,000.

Table 7 - Starting points for a breach in respect of publication of fees.

Low culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	1250	250	2250
Harm Category 2	1500	500	2500
Harm Category 1	1750	750	2750

Medium culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	2000	1000	3000
Harm Category 2	2250	1250	3250
Harm Category 1	2500	1500	3500

High culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
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Harm Category 3	2750	1750	3750
Harm Category 2	3000	2000	4000
Harm Category 1	3250	2250	4250

Very high culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	3500	2500	4500
Harm Category 2	3750	2750	4750
Harm Category 1	4000	3000	5000

Table 8 below gives the starting points for a financial penalty in the case of a breach in respect of Membership of a Redress Scheme.

Minimum and maximum financial penalties for each harm category and level of culpability. Where exceptional circumstances apply the Council may reduce the minimum penalties further but may not increase them above the maximum permitted of £5000.

Table 8 - Starting points for a breach in respect of Membership of a Redress Scheme.

Low culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	1250	250	2250
Harm Category 2	1500	500	2500
Harm Category 1	1750	750	2750

Medium culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	2000	1000	3000
Harm Category 2	2250	1250	3250
Harm Category 1	2500	1500	3500

High culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	2750	1750	3750
Harm Category 2	3000	2000	4000
Harm Category 1	3250	2250	4250

Very high culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	3500	2500	4500
Harm Category 2	3750	2750	4750
Harm Category 1	4000	3000	5000

Table 9 below gives the starting points for a financial penalty in the case of a breach in respect of a failure to obtain membership of a Client Money Protection Scheme.

Minimum and maximum financial penalties for each harm category and level of culpability. Where exceptional circumstances apply the Council may reduce the minimum penalties further but may not increase them above the maximum permitted of £30,000.

Table 9 - Starting points for a breach in respect of a failure to obtain membership of a Client Money Protection Scheme.

Low culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	3500	2000	8000
Harm Category 2	6500	4000	10000
Harm Category 1	8500	4500	15000

Medium culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	6500	4750	17000
Harm Category 2	10500	5000	20000
Harm Category 1	12500	5500	22000

High culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	10500	5500	20000
Harm Category 2	15000	6250	24000
Harm Category 1	18000	7000	26000

Very high culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	15000	7000	24000
Harm Category 2	17500	7250	28000
Harm Category 1	20000	7500	30000

Table 10 below gives the starting points for a financial penalty in respect of a breach of transparency requirements of membership of a Client Money Protection Scheme (Regulation 4).

Minimum and maximum financial penalties for each harm category and level of culpability. Where exceptional circumstances apply the Council may reduce the minimum penalties further but may not increase them above the maximum permitted of £5000.

Table 10 - Starting points for a breach of transparency requirements of membership of a Client Money Protection Scheme (Regulation 4).

Low culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
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Harm Category 3	1250	250	2250
Harm Category 2	1500	500	2500
Harm Category 1	1750	750	2750

Medium culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	2000	1000	3000
Harm Category 2	2250	1250	3250
Harm Category 1	2500	1500	3500

High culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	2750	1750	3750
Harm Category 2	3000	2000	4000
Harm Category 1	3250	2250	4250

Very high culpability

Harm Category	Starting Point (£)	Min (£)	Max (£)
Harm Category 3	3500	2500	4500
Harm Category 2	3750	2750	4750
Harm Category 1	4000	3000	5000

Obtaining financial information

The statutory guidance advises that local authorities can use their powers to, as far as possible, make an assessment of a Landlord or Agent's assets and any income (not just rental or fee income) they receive when determining an appropriate penalty. The Council will use such lawful means as are at its disposal to identify where assets might be found.

Aggravating and Mitigating Factors

The Council will identify any of the relevant factors previously described, and as a result may increase or decrease the starting point of the penalty by up to 30%.

The Notice of Intent

Before imposing a civil penalty, the Council will give a notice of intent to the individual or organisation it intends to impose the civil penalty on. The notice of intent must set out:

- the date on which the notice of intent is given.
- the amount of the proposed financial penalty.
- the reasons for proposing to impose the penalty.
- information about their right to make representations.

The notice of intent must be given no later than 6 months after the date on which the Council has sufficient evidence of the conduct to which the penalty relates. If the conduct continues then the window for giving a notice of intent extends to 6 months after the conduct stops.

Representations

A person who is given a Notice of Intent may make written representations to the Council about its intention to impose a financial penalty. This means they can give, for example, reasons as to why the civil penalty should not be imposed or why it is disproportionate.

Representations must be made within 28 days from the date the notice was given. After the end of the period for making representations, the Council will decide whether to impose a penalty and, if so, the amount of the penalty. Any representations received outside of the 28-day representation period will not be considered unless there is a written agreement already in place between both parties to extend the period beyond the 28 days.

The following approach will be applied with the purpose of settling the matter prior to any subsequent tribunal application.

- Coventry City Council may, at its discretion, offer a reduction of up to **30%** in line with guidance produced by MCHLG subject to payment being made within **21 days** of the invoice being issued. Where such a settlement is agreed, the matter will be concluded on that basis. This is intended to support proportionate enforcement and avoid unnecessary litigation, whilst preserving the right of appeal to the First-tier Tribunal
- Where payment is not made within the 21-day settlement window, the penalty will normally revert to the full amount specified in the Final Notice, payable within the statutory 28-day period unless an appeal is lodged.

- The Council may consider a repayment plan on a case-by-case basis, up to a maximum period of 24 months. An interest rate of 8% per annum may be applied under such arrangements. Nothing in this policy limits the Council's discretion to depart from these provisions where appropriate

If the authority decides to impose a financial penalty, it must issue a Final Notice requiring that the penalty is paid within 28 days. Final Notices must be issued promptly following consideration of any representations received and if the Council decides not to impose a financial penalty it will notify the recipient(s) of the Notice of Intent accordingly.

The Final (Decision) Notice

The Final Notice must set out:

- the date on which the Final Notice is given.
- the amount of the civil penalty.
- the reasons for imposing the penalty.
- information about how to pay the penalty.
- the period for payment of the penalty (28 days).
- information about the right to appeal to the First Tier Tribunal
- the consequences of failing to comply with the notice.

The Council may at any time:

- withdraw a Notice of Intent or Final Notice; or
- reduce the amount specified in a Notice of Intent or Final Notice, having regard to its civil penalty policy.

Recovery of financial penalties

If a person or company does not pay a civil penalty imposed on them, the Council may pursue recover of the debt in Court.

Where appropriate, the Council will apply to the county court for an order to enable enforcement of the debt through the court. A certificate signed by the Chief Finance Officer of the Council which states that the amount due had not been received by a specified date will be treated by the courts as conclusive evidence of that fact.

Potential routes the Council will follow to recover the debt are:

Warrant or writ of control - This commands court enforcement agents to take goods from the debtor's home or business to satisfy the judgment debt.

Attachment of earnings order - This allows deductions to be made from the person's salary by their employer and paid to the creditor.

A third-party debt order - This means that money in a debtor's bank or building society account can be frozen for the benefit of the creditor.

A charging order - This prevents the person or organisation from selling an asset, usually a property, without paying the amount due under the charging order. This could also allow the Council to recover the debt by enforcing the sale of the asset.

Bankruptcy proceedings - This entails the Council petitioning the court to make a bankruptcy order following which the trustee-in-bankruptcy collects the debtor's assets and distributes them amongst the bankrupt's creditors in accordance with insolvency law. The amount of the debt must be at least £5,000.

The Council will consider the circumstances of the debtor and the amount of the debt before deciding on how best to collect it.

In deciding on the most appropriate course of action the Council will have regard to guidance provided by HM Courts and Tribunal Service's [What to do if you have a judgment but the defendant has not paid \(EX321\) - GOV.UK](#), which provides more detail of potential routes of enforcement and links to other guidance.

Appeals

Once a person receives the final notice they can appeal to the First-Tier Tribunal within 28 days from the date the final notice was issued. They can appeal against the penalty itself or the amount of the penalty. If a person appeals, the final notice is suspended until a decision is made on the appeal or it is withdrawn.

An appeal will involve a re-hearing by the First-Tier Tribunal of the Council's decision to impose a civil penalty. The Tribunal may also have regard to matters of which the Council was unaware when the decision to impose a civil penalty was made.

The Tribunal can dismiss an appeal if it is satisfied that the appeal is frivolous, vexatious or an abuse of process, or has no reasonable prospect of success.

The Tribunal has the power to confirm, vary (increase or reduce) the size of the civil penalty imposed by the Council, or to cancel the civil penalty. If the Tribunal decides to increase the penalty, it may only do so up to the statutory maximum for each breach or offence as applicable.

The appellant or the Council may seek permission to [appeal the decision of the First-tier Tribunal](#) to the Upper Tribunal (Lands Chamber).

Maximum Levels

There may be circumstances when the Council is dealing with offences that it considers will warrant a maximum penalty. This will be carried out in accordance with guidance provided by Government and the Council's policy.

Multiple Offences

Where the Council is satisfied that more than one offence is being committed concurrently in respect of a single property, it may issue multiple Civil Penalty Notices, (for example, where there are multiple breaches of the HMO Management Regulations).

However, where satisfied on the merits of the case and/or where the Council considers that issuing multiple penalties at the same time would result in an excessive cumulative penalty, nothing in this policy shall require the authority to do that.

The authority may take action in respect of one or some of the offences and warn the offender that future action in respect of the remaining offences will be taken if they continue.

Totality of offences

When arriving at penalty levels the total is inevitably cumulative, however the Council will determine the fine for each offence based on the relevant criteria above so far as they are known, or appear, to the Council and add up the penalties for each offence and consider if they are just and proportionate. If the aggregate total is not just and proportionate the Council will consider how to reach a just and proportionate penalty level.

There are a number of ways in which this can be achieved, for example:

- where an offender is to be fined for two or more offences that arose out of the same incident or where there are multiple offences of a repetitive kind, especially when committed against the same person, it will often be appropriate to impose for the most serious offence a fine which reflects the totality of the offending where this can be achieved within the maximum penalty for that offence.
- where an offender is to be fined for two or more offences that arose out of different incidents, it will often be appropriate to impose a separate fine for each of the offences. The Council will add up the fines for each offence and consider if they are just and proportionate. If the aggregate amount is not just and proportionate the Council will consider whether all of the fines can be proportionately reduced. Separate fines will then be considered. Where separate fines are passed, the Council will be careful to ensure that there is no double-counting.

9 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, Coventry City Council is likely to consider prosecution.

A simple caution will influence how Coventry City Council and others deal with any similar breaches in the future and may be cited in court if the offender is subsequently prosecuted for a similar offence.

Simple cautions will be used in accordance with Ministry of Justice Guidance and any other relevant guidance.

10 Prosecution

When determining whether a prosecution is the appropriate sanction, the Council should satisfy itself that if the case were to be prosecuted there would be a 'realistic prospect of a conviction'. This is currently determined by consulting the Crown Prosecution Service "Code for Crown Prosecutors" which provides two tests:

- (i) the evidential test, and,
- (ii) the public interest test.

Following an investigation or other regulatory contact, the Council may prosecute or recommend prosecution where one or more of the following circumstances apply:

- A breach of the legislation resulted in a death.
- The gravity of an alleged offence, taken together with the seriousness of any actual or potential harm, or the general record and approach of the offender warrants it.
- There has been reckless disregard of legislative requirements.
- There have been repeated breaches which give rise to significant risk, or persistent and significant poor compliance.
- The breach has been carried out without or in serious non-compliance with an appropriate licence or permission.
- A duty holder's standard of compliance is found to be far below what is required by law and to be giving rise to significant risk.
- There has been a failure to comply with a statutory notice; or there has been a repetition of a breach that was subject to a simple caution.
- False or misleading information has been supplied deliberately, or there has been an intent to deceive, in relation to a matter which gives rise to significant risk.
- Officers have been intentionally obstructed in the lawful course of their duties.

Prosecution will only be considered where Coventry City Council is satisfied that:

1. There is sufficient evidence to provide a realistic prospect of conviction against the defendant(s), and
2. Prosecution is in the public's interest.

In deciding on the public interest, the Council will make an overall assessment based on the circumstances of each individual case. Careful consideration will be paid to local and corporate priorities and the following criteria:

1. The seriousness of the offence committed.
2. The level of culpability of the suspect.
3. The circumstances of, and the harm caused to the victim(s).
4. The age of the suspect at the time of the offence.
5. The impact on the community.
6. Whether prosecution is a proportionate response, and,
7. Whether sources of information require protecting.

Whilst the decision rests with Coventry City Council, prosecution is more likely where the offence is particularly serious or the offender has a history of similar breaches. Prosecution in serious cases demonstrates that the Council will take formal action where required and acts as a strong deterrent. A successful conviction may also enable the Council to apply for a banning order under the Housing and Planning Act 2016

11 Decision Making

Coventry City Council has an enforcement matrix which is used to assist officers in determining the most appropriate course of action in enforcement cases. The principle of the enforcement matrix is to provide a structured scoring system based on a number of positive and negative factors. These bands act as a guide to ensure that enforcement is fair, proportionate and consistent. Officers retain full discretion to depart from the matrix where the circumstances of the case justify doing so.

Band 1 reflects cases that once scored indicate that an informal approach is appropriate.

Band 2 reflects cases that once scored recommends a non-punitive response such as revocation of licences or reduction in licence lengths.

Band 3 captures more serious concerns which once scored is likely to require formal investigation with possible outcomes including a caution or financial penalty.

Band 4 represents the most serious cases. A formal investigation is recommended, and outcomes may include prosecution, banning orders, or significant financial penalties.

The matrix is designed to guide and support decision-making. Each case will continue to be assessed on its individual merits, and officers may deviate from the matrix where justified in order to achieve a fair and proportionate outcome.

Recording the Decision

In cases where the Council decides to proceed with formal action, an Investigation Decision Form (IDF) will be completed and a record of each decision and the reasons for the course of action made. In cases where a simple caution or prosecution are being sought the Council's Legal Services division will review and approve the case to ensure it meets the test within the Code for Crown Prosecutions. A formal decision of each simple caution and prosecution will be recorded.

12 Charging for Enforcement

If there is a statutory charging mechanism the Council will seek to recover the full costs of enforcement wherever that is possible in accordance with guidance provided by Government and its policies.

Charges are made for the serving of formal notices under the Housing Act 2004. If properties are rented in a condition that requires statutory intervention the City Council will endeavour to recover the costs incurred.

Similarly, the Council will adopt the starting points and highest penalties in the case of Civil Penalties in accordance with the guidance provided by Government and its policies.

Proceeds of Crime

Where appropriate the Council will consider the use of the Proceeds of Crime Act 2002. The Proceeds of Crime Act allows the Council to seek confiscation of any financial benefit obtained through criminal conduct following a successful prosecution.

13 Review, monitoring and reporting

In November 2025 the Government set out its roadmap for implementing the Renters Rights Act 2025.

Phase 1, which will be effective from the 1st of May 2026 will:

- a) abolish section 21 'no fault' evictions – landlords in the PRS will no longer be able to use section 21 of the Housing Act 1988 to evict their tenants.
- b) introduce Assured Periodic Tenancies in the private rented sector (PRS) – the vast majority of new tenancies and existing tenancies in the PRS will become Assured Periodic Tenancies. This means tenants will be able to stay in their property for as long as they want, or until a landlord serves

a valid section 8 notice. Tenants will be able to end their tenancy by giving two months' notice

- c) reform possession grounds in the PRS so they are fair for both parties – landlords will only be able to evict tenants when they have a valid reason. Possession grounds will be extended to make it easier for landlords to evict tenants who commit anti-social behaviour, or who are in serious persistent rent arrears.
- d) limit rent increases to once a year in the PRS – landlords will have to follow the revised section 13 procedure and provide the tenant with a notice detailing the proposed rent increase at least two months before it is due to take effect.
- e) ban rental bidding and more than one month's rent in advance – landlords and letting agents will not be able to ask for, encourage, or accept an offer that is higher than the advertised rent. Landlords and agents will also not be able to request more than one month's rent in advance.
- f) make it illegal to discriminate against renters who have children or receive benefits – landlords and letting agents will not be able to do anything to make a tenant less likely to rent a property (or prevent them from renting it) because they have children or receive benefits. This includes withholding information about a property (including its availability), stopping someone from viewing it, or refusing to grant a tenancy.
- g) require landlords in the PRS to consider tenant requests to rent with a pet – landlords will have an initial 28 days to consider their tenant's request, and they will have to provide valid reasons if they refuse it.
- h) strengthen both local council enforcement and rent repayment orders - civil penalties will be expanded, and there will be a new requirement for local councils to report on enforcement activity. Rent repayment orders will be extended to superior landlords, the maximum penalty will be doubled, and repeat offenders required to pay the maximum amount.

Phase 2, which will be made up of two stages and implemented from late 2026 includes:

- Stage 1: Regional Rollout of the Database for Landlords and Local Councils. Signing up to the PRS Database will be mandatory for all PRS landlords and they will be required to pay an annual fee which will be confirmed closer to launch. Regulations will mandate landlord registration, payment of a fee and the provision of key information by landlords.
- Subject to the will of Parliament, the Council expect this to include at minimum, for each PRS property:
 - The landlord's contact details.

- The property details including the full address, type of property (flat/ house), number of bedrooms, number of households/residents and confirming whether the property is occupied and furnished, etc.
- Safety information – Gas, Electric and Energy Performance Certificates – so tenants are assured about the safety and energy efficiency of the property.
- Stage 2: Further Roll out of the Database and Introduction of the Ombudsman.
 - Public access and data sharing will be enabled following the launch of landlord registration. The Ombudsman will provide a redress service for private rented sector tenants when things go wrong. It will also support landlords with tools, guidance and training on handling complaints from tenants early. The Ombudsman scheme will be mandatory for PRS landlords.
 - Implementation of the Ombudsman will happen after the introduction of the Database, and we continue to explore ways to share information between the Database and the Ombudsman to minimise landlord sign-up burden.

Phase 3: a new Decent Homes Standard in the PRS (dates settled following consultation), which will ensure that all PRS properties meet a minimum standard of housing quality and provide local councils with powers to take enforcement action if PRS properties fail to meet it. The implementation date for this is 2035 and the Council will review its policy at that time to ensure these provisions are covered.

This policy will be reviewed annually and any minor amendments to the legislation contained within it will be approved by the relevant Cabinet Member, if necessary, the policy will be updated as a result of major legislative or guidance changes.

The Safer Housing and Communities service will keep its regulatory activities and interventions under review, with a view to considering the extent to which it would be appropriate to remove or reduce the regulatory burdens the Council imposes, where the Council has direct control of these matters.

14 Communication and training

In order for this policy to be effective the Council will ensure that the policy is widely communicated to all employees who have responsibilities for carrying out these functions, with copies available both electronically and in hardcopy for those with limited access to computers. This policy is also available to members of the public on the Council's website at [INSERT LINK \(please note link unavailable at approval stage\)](#)

The Council is committed to providing an ongoing training programme for all employees who will have a particular role in the policy.

The Council wants to help landlords and managers meet these standards. The Council offers training through its Coventry Landlord Accreditation Scheme (CLAS) which is designed to provide education and advice to private landlords and letting agents on how to manage HMOs and privately rented properly and comply with legal requirements. Accredited landlords often gain access to training sessions, advice services, and sometimes incentives (like reduced licence fees or recognition), all of which can make it easier to fulfil their legal duties.

Landlords, agents and managers of HMOs are strongly encouraged to stay informed about their legal duties and to engage with any support programmes available (such as local council-run landlord forums or accreditation programmes). By following the regulations – ensuring fire safety, good maintenance, proper facilities, and respectful tenant management – not only do they avoid penalties, but they also provide safer, higher-quality accommodation. This proactive compliance can improve the reputation and contribute to better landlord-tenant relationships.

Appendices

Appendix 1 – Illustrative Examples

Example 1- Failure to comply with an Improvement Notice

An Improvement Notice served under Part 1 Housing Act 2004 specifies repairs/improvements that the recipient should carry out in order to address one or more identified Category 1 and/or Category 2 hazards in a property. Category 1 hazards are the most serious hazards, judged to have the highest risk of harm to the occupiers; the Council has a duty to take appropriate action where a dwelling is found to have one or more Category 1 hazards present.

In most cases, the service of an Improvement Notice will have followed an informal stage, where the landlord had been given the opportunity to carry out improvements without the need for formal action. In such cases, an identified failure to comply with an Improvement Notice will represent a continued failure on the part of the landlord to deal appropriately with one or more significant hazards affecting the occupier[s] of the relevant dwelling.

The Council would view the offence of failing to comply with the requirements of an Improvement Notice as a significant issue, exposing the tenant[s] of a dwelling to one or more significant hazards. In line with Government guidance the starting point for that offence would be **£25,000**.

If the landlord has been experiencing ill health this can be applied as mitigation and a reduction may be applied, and/or if the landlord has refused to cooperate with

Coventry City Council an increase may be applied. Each of the mitigating factors and/or aggravating factors may therefore be increased or decreased up to maximum of no more than **30%**.

Example 2- Ending a tenancy orally

Where a landlord attempts to end a tenancy orally or requires that it is ended orally (s16E(1)(c)) a penalty with a starting point of **£6,000** may be applied. Mitigating or aggravating factors may be applied to this figure based on the available evidence in order to reach the proposed penalty amount. There are scenarios where this may escalate and the landlord decides to evict that tenant unlawfully (see example 3).

Example 3- Unlawful eviction and harassment

If the landlord in Example 2 then continues to evict their tenant unlawfully without following due process, Coventry City Council may serve a further penalty with a starting point of **£35,000**. Again, applying any relevant mitigating or aggravating factors up to a maximum of **30%**.

This highlights the importance of following the correct eviction process.

Example 4 - Failure to License offences

Under Part 2 Housing Act 2004, most higher risk HMOs occupied by five or more persons forming two or more households are required to hold a property licence issued by the Council. Mandatory HMO licensing was introduced to allow local authorities to regulate standards and conditions in high risk, multiply occupied residential premises.

The Council would view the offence of failing to license an HMO as a significant failing; Under the Council's policy the civil penalty for a landlord controlling one or two HMO dwellings, with no other relevant aggravating or mitigating factors [see below] would be regarded as an offence. In line with Government guidance the starting point for that offence would therefore be **£17,000**.

Where a landlord or agent is controlling/owning a significant property portfolio, and/or has demonstrated experience in the letting/management of property, the failure to license an HMO would be viewed as being more serious attracting a civil penalty above the defined starting point but not exceeding the maximum limit of £40,000.

Failure to license a property under the Council's Additional [HMO] Licensing Scheme

The Council has designated the whole of the city as an additional licensing area. The scheme came into force on the 4th May 2020 and was renewed for a further five years on 4th May 2025. Under the scheme, all HMOs occupied by three or more persons forming two or more households sharing one or more basic amenities such as a WC or kitchen, but which fall outside the scope of mandatory HMO licensing, will be required to hold an additional licence in order to be legally let as well as those HMOs

that fall within the definition of self-contained flats under Section 257 of the Housing Act 2004.

The Council would view the offence of failing to license an HMO under its additional licensing scheme to be serious and under its policy the civil penalty for a landlord controlling one or two HMO dwellings, with no other relevant aggravating or mitigating factors, taking into account Government guidance the starting point for that offence would be **£17,000**.

Where a landlord or agent is controlling/owning a significant property portfolio and has failed to licence and/or has demonstrated experience in the letting/management of property this would be viewed as an aggravating factor and an increase may be applied up to maximum of **30%**.

Example 5 - Breach of HMO licence conditions

Under section 72(3) of the Housing Act 2004, licence holders of Houses in Multiple Occupation (HMOs) are required to comply with all conditions attached to an HMO licence. These conditions impose a range of duties relating to the management, safety, amenity standards and overall condition of the premises. Typical licence conditions may include requirements to:

- Undertake periodic Gas Safe and electrical safety checks, commissioning of Electrical Installation Condition Report EICR
- Install, maintain, and test smoke alarms and fire safety provisions in accordance with BS5839
- Obtain and retain tenant references, provide written tenancy agreements, and protect tenancy deposits
- Notify the Council of specified changes in circumstances relevant to the licensed property
- Implement reasonable measures to prevent or manage anti-social behaviour
- Maintain the property in good repair and keep external areas, including gardens, clean and free from refuse
- Complete works required as conditions of the granted licence, including works to reduce occupancy where necessary

The Council expects full compliance with all licence conditions, recognising that some breaches pose significantly greater risks to tenants and the wider public than others.

In determining an appropriate civil penalty, the Council will therefore consider:

- The number and nature of the licence condition breaches; and
- The extent and seriousness of deficiencies associated with each breached condition.

Given the wide variation in circumstances across cases, the following starting points are provided as a guide for determining civil penalties for breaches of licence

conditions by a licence holder managing one or two licensed HMOs, where no additional aggravating or mitigating factors are present.

1. Low-Impact Breaches – Starting Point: **£3,000**

Low-impact breaches include administrative or minor management failures that do not directly increase risks to health or safety. Examples include:

- Failure to provide tenants with contact details
- Failure to address minor, non-hazardous disrepair
- Failure to provide certain tenancy-related documentation

2. High-Risk Health and Safety Breaches – Starting Point: **£20,000**

Breaches that directly compromise the safety of occupants or increase the risk of injury or serious harm will attract higher penalties. Examples include:

- Failure to install or maintain smoke alarms in working order
- Failure to comply with fire safety or electrical safety requirements
- Non-compliance with essential health and safety provisions

3. Serious Management and Behaviour-Related Breaches – Starting Point: **£7,000**

Breaches involving significant management failures or conditions that negatively impact the local community are treated as serious offences. Examples include:

- Failure to address persistent or serious anti-social behaviour, including the use of the property for illegal purposes
- Failure to provide adequate arrangements for waste storage and disposal, resulting in significant nuisance, littering, or fly-tipping

Assessment of Aggravating and Mitigating Factors

The Council may apply any relevant mitigating or aggravating factors up to maximum of **30%**. Where a licence holder is responsible for a significant number of licensed HMOs, this would be viewed as an aggravating factor, and an increase would be applied conversely where a licence holder was able to provide mitigating evidence a decrease may be applied up to a maximum of **30%**.

The Council will make a subjective assessment of which aggravating or mitigating factors best fit the circumstances of the case based on available evidence.

Example 6 - Failure to Comply HMO Management Regulations (to be included in an Appendix)

The Management of Houses in Multiple Occupation (England) Regulations 2006 impose duties on the persons managing certain HMOs in respect of:

- Regulation 3 - Providing information to occupiers
- Regulation 4 - Taking safety measures, including fire safety measures

- Regulation 5 - Maintaining the water supply and drainage
- Regulation 6 - Supplying and maintaining gas and electricity, including having these services/appliances regularly inspected
- Regulation 7 - Maintaining common parts
- Regulation 8 - Maintaining living accommodation
- Regulation 9 - Providing sufficient waste disposal facilities

Note - The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 place similar obligations on the managers of HMOs as defined by Section 257 Housing Act 2004.

It is important that the manager of an HMO complies with all regulations, but the Council recognises that a failure to comply with certain regulations is likely to have a much bigger impact on the safety and comfort of residents than others. Furthermore, and using Regulation 8 as an example, a breach of this regulation could relate to defects to an individual window in one HMO but multiple defects to the structure, fixtures & fittings in a number of rooms in a second HMO.

In determining the level of a civil penalty, the Council will therefore initially consider;

1. The number and nature of the management regulation breaches; and
2. The nature and extent of deficiencies within each regulation.

Clearly, the circumstances of HMO Management Regulation offences have the potential to vary widely from case to case but, as a guide the Council will apply the relevant starting points and any other relevant aggravating and mitigating factors.

The civil penalty for a landlord controlling one or two HMO dwellings, with no other relevant aggravating or mitigating factors [see below], for failure to display a notice containing their contact details would be regarded as a Regulation 3 offence. In line with Government guidance the starting point for that offence would be **£3,000**.

Where a landlord or agent is controlling/owning a significant property portfolio and is therefore considered to be a 'professional' landlord or agent but has failed to display such details this would be viewed as an aggravating factor and an increase may be applied up to maximum of **30%**.

The civil penalty for a landlord controlling one or two HMO dwellings, with no other relevant factors or aggravating features [see below], for a failure to maintain fire alarms in working order, to maintain essential services to an HMO or to fail allow an HMO to fall into significant disrepair would be regarded as multiple offences under Regulations, 4, and 7 and as such, in line with Government guidance the starting points for these offences would be **£20,000 and £7,000** respectively.

Where a landlord or agent is controlling/owning a significant property portfolio and is therefore considered to be a 'professional' landlord or agent but has failed to comply with the multiple regulations this would be regarded as separate aggravating factors and an increase may be applied to both regulation offences up to a maximum of **30%**.

Example 7 – Multiple HMO offences

The landlord of an HMO property fails to obtain a licence and there are also multiple breaches of Regulation 4 of the HMO Management Regulations. They only operate one HMO and there are no other relevant aggravating or mitigating factors. The offences are regarded as separate and in line with the guidance provided by Government the starting points would be **£17,000 and £20,000** respectively.

The landlord makes a complete application for the HMO licence and rectifies the Regulation 4 breaches within the period allowed for representations. No other representations [or representations that are upheld] are made to the Council.

In determining the final penalty level, the Council may apply a discount for the two mitigating factors and a discount for the totality of offences, which would be deducted from the starting points due to compliance during the representation period.

Example 8 – Multiple breaches of “relevant letting agency” legislation

Where a Landlord or Agent is to be penalised for two or more breaches or where there are multiple breaches of a repetitive kind, especially when committed against the same person, it will often be appropriate to impose for the most serious breach a financial penalty which reflects the totality of the conduct where this can be achieved within the maximum penalty for that breach. No separate penalty should be imposed for the other breaches.

Where a landlord or Agent is to be penalised for two or more breaches that arose out of different incidents, it will often be appropriate to impose separate financial penalties for each breach. The Council should add up the financial penalties for each breach and consider if they are just and proportionate. If the aggregate amount is not just and proportionate the Council may consider whether all of the financial penalties can be proportionately reduced. Separate financial penalties may then be imposed.

Where separate financial penalties are imposed, the Council must take care to ensure that there is no double-counting.

Appendix 2 - The Renters Rights Act 2025

The Renters Rights Act 2025 provides the Council with a number of new tools to utilise when investigating breaches of the legislation or relevant offences. Officers authorised in writing by the Council may exercise investigatory powers, these powers can be used

if the officer suspects certain laws have been broken. The officer can use these powers to support enforcement of the following legislation:

- Protection from Eviction Act 1977, sections 1 and 1A
- Housing Act 1988, chapter 1 of Part 1.
- Enterprise and Regulatory Reform Act 2013, section 83(1) or 84(1).
- Housing and Planning Act 2016, sections 21 to 23.
- Renters' Rights Act, chapter 3 of Part 1 and Part 2.

Please read on for a summary of available powers.

Ask a relevant person for information

Where an officer is investigating whether someone has broken the law in relation to the legislation, they can ask a relevant person for information to use as evidence.

Definition of a Relevant person

An authorised officer can require this from anyone who has acted in the past twelve months as a landlord, agent, licensor, or marketer in connection with the relevant accommodation. The officer can also ask for information from anyone who, in the past twelve months, had an estate or interest in the relevant accommodation or who purported to act for someone with such an interest or a licensor. This person is referred to as a 'relevant person' in the Act, section 114(2).

Asking for information

Authorised officers must give notice to the person or organisation from whom they are requiring the information. The notice must:

- be in writing.
- specify that it is given under section 114 of the Act.
- explain the possible consequences of not giving the information.

A notice does not require a person to provide information or documents that they could refuse to provide in High Court proceedings due to legal professional privilege.

The officer can also ask for this information to be given:

- by a specific date.
- in a specific format, for example, original or digital documents.
- in a new document with specific information.
- to a specific person or enforcement authority.

When a relevant person does not give information

If an authorised officer requires you to produce information and you fail to do so as requested, this may be an offence, and the courts could find you liable for a fine not exceeding level 3 on the standard scale (£1,000). The potentially relevant offences are set out in section 131 of the Act [here](#).

You will not be guilty of an offence if you have given reasonable excuse for not providing the information. If you give information which you know to be false or misleading or is reckless as to whether it is false or misleading, you will also commit an offence and may also be liable for a fine not exceeding level 3 on the standard scale (£1,000). A person has the right not to give information if it might incriminate them.

When using the powers to require information under the Act the Council must comply with the Investigatory Powers Act 2016 (as amended) (IPA). For more information, you should refer to the IPA available [here](#) and the Communications Data Code of Practice available [here](#)

Ask “any person” for information

When an authorised officer reasonably suspects that someone has broken the law in relation to the below list of legislation, the officer can require “any person” or organisation to provide information, in order to investigate whether any of those laws have been broken.

An authorised officer can also ask for the information after the investigation is over to help set the level of any civil penalty. This power can be used to support enforcement of the following legislation (the rented accommodation legislation (section 115(3)):

- Protection from Eviction Act 1977, sections 1 and 1A (section 1A not in force when the guidance is issued).
- Housing Act 1988, chapter 1 of Part 1.
- Enterprise and Regulatory Reform Act 2013, section 83(1) or 84(1).
- Housing and Planning Act 2016, sections 21 to 23.
- Renters’ Rights Act, chapter 3 of Part 1 and Part 2 (Not in force at the time this guidance was issued).
- Housing Act 2004, parts 1 to 4 and 7.

Asking for information

Where an officer uses this power, they will need to give notice to the person or organisation from whom they are seeking the information requiring them to provide it. The notice must:

- be in writing.
- specify that it is given under section 115 of the Act.
- explain the possible consequences of not giving the information.

The officer can also ask for this information to be given:

- by a specific date.
- in a specific format, for example, original or digital documents.
- in a new document with specific information.

- to a specific person or enforcement authority.

When any person does not give information

If an officer requires a person or organisation to produce information and they fail to do so, the officer can apply for a court order to enforce the notice under section 116 of the Act.

The court may make an order if it is satisfied that the person on whom the notice was served has not complied with that request. The court order could compel the person to give the information that the officer has asked for. The court could also ask that person to pay for the costs of applying for the order.

When an authorised officer has asked for information from a company, partnership or unincorporated association, the court may ask a person holding an official position at the company and who is responsible for not providing the information, to meet the costs of applying to the court.

Limitations of the use of information collected using the any person power

If someone provides information under the any person power, that information may not be used against the person who provided it in any criminal proceedings. The prosecution also cannot ask questions about this information in criminal proceedings. The person who might be incriminated by the information they gave may, however, use the information or ask questions about it during criminal proceedings. The limitations on the use of information provided under section 116 are set out in section 117 of the Act.

If someone knowingly and wilfully makes false statements or provides certain types of false information, even if not under oath, it may be possible to prosecute them under section 5 of the Perjury Act 1911. This applies to information collected using the any person power.

Asking for communications data

When using the powers to require information under the Act the officer must comply with the Investigatory Powers Act 2016 (as amended). For more information, you should refer to the IPA and the Communications Data Code of Practice available [here](#).

Powers to enter a business premises

The Act contains powers to enter a rental sector business premises with, and without, a warrant under sections 118 and 121 respectively. An authorised officer can enter a business premises at a reasonable time to request documents and or to seize evidence if they reasonably believe a relevant person is running a rental sector business there. A relevant person is defined in the Act, section 114(2) as anyone who has, in the past twelve months, in relation to relevant accommodation:

- had an estate or interest in the premises, (unless they are a mortgage lender who is not in possession of the premises).
- been a licensor.
- marketed the premises.
- acted for or purported to act for someone with an estate or interest in the premises or a licensor.

Relevant accommodation

Relevant accommodation means any residential accommodation in England that is connected with the exercise of the function for which an officer intends to exercise the investigatory power, see section 114(10).

Rental sector business is defined in, section 118(9) of the Act as a business connected with:

- letting residential accommodation in England.
- creating licences to occupy such accommodation.
- marketing such accommodation for a tenancy or licence to occupy.
- managing such accommodation under a tenancy or licence to occupy.

These powers of entry may not be used for premises that are wholly or mainly used as a home.

An officer can only enter the premises to investigate if they suspect a breach or offence has been committed under the rented accommodation legislation and their suspicion is a reasonable one. An officer will also need to be satisfied that entry is necessary to require documents to be produced or to seize documents which are on the business premises and could help with the investigation.

An officer can use these powers of entry into business premises (with and without a warrant) to support enforcement of the rented accommodation legislation.

Entering business premises to investigate

If an authorised officer is exercising the power of entry into business premises, they are allowed to:

- take another person or persons with them, who will then have the same powers as the authorised officer.
- take equipment.
- take photographs.
- make recordings link to bodycam policy.

Giving notice to enter business premises without a warrant

An authorised officer can use the power of entry without a warrant for routine inspections. The officer must provide an occupier of the business premises with at least 24 hours' written notice, though the occupier can waive the requirement to provide the full 24 hours' notice and allow entry earlier if they wish.

If the occupier chooses to waive the full notice requirement, it is important for the officer to make sure that the person giving the waiver fully understands their rights and the consequences of giving the waiver before it is acted upon.

If notice is not waived, the notice must:

- be in writing and given by a local housing authority officer.
- explain the reason for entering the premises.
- explain what offences may be committed if a person without reasonable excuse seeks to obstruct entry, fails to comply with a requirement or to give assistance or information, or knowingly or recklessly gives false or misleading information.

An authorised officer does not need to give 24 hours' notice if they are exercising the power of entry for a non-routine inspection. A non-routine inspection is when:

- it is not reasonably practical to give notice.
- an officer reasonably believes that giving notice would defeat the purpose of entry.

If the officer enters a business premises without a warrant, they must give to at least one person on the premises (if there are any):

- evidence of their identity and authority.

If the officer enters without giving notice (a non-routine inspection) they must give to at least one person on the premises (if there are any):

- a document explaining why they are entering and why it is necessary.
- information about what offences you could be committing if you do not cooperate.

If it is not reasonably practical to provide the information set out above, for example due to safety concerns or if the person on the premises fled before the Officer had a chance to give the above information, any information already collected can still be used as evidence in your investigation.

Entering a business premises with a warrant

If an Officer cannot carry out a routine inspection with at least 24 hours' notice, they may also apply to a justice of the peace for a warrant to enter specified premises under the Act, section 120.

To apply for the warrant, they must provide written evidence under oath that one of the following applies:

- they have been refused entry or believe they are likely to be refused entry, and they have notified an occupier of the premises of their intention to apply for a warrant.
- they believe that giving notice might result in evidence being hidden or tampered with.
- no occupier is present, and waiting for an occupier might defeat the purpose of the entry.

The officer will also need to provide evidence that they are acting in their official capacity and that there are reasonable grounds to suspect the premises are used by a relevant person for rental sector business and are not wholly or mainly residential accommodation.

Additionally, the officer will need to show that they expect there to be documents on the premises that they could require a person to produce or that could be seized under the Act.

Once granted, the warrant will be valid for one month starting on the day it is issued.

When entering a business premises under a warrant an authorised officer may use reasonable force if necessary.

When an officer enters the premises, they must show the warrant to at least one occupier if there are people present.

If there are no people in the premises, then they must:

- leave a notice that the premises have been entered under warrant granted under section 120 of the Act.
- make sure the property is as secure when they leave as it was before they entered.

Business premises: requiring the production of documents following entry

Once an authorised officer has entered the business premises, either under section 118 or a warrant under section 120 of the act, they can ask for documents from a relevant person occupying the premises or someone acting on their behalf, at any

reasonable time. The officer can also ask for documents to try to determine whether there has been compliance with the rented accommodation legislation where they reasonably believe there has been non-compliance.

The officer can only ask for documents related to the business for which the premises are occupied and to which the person they have asked has access. The officer can ask for documents if they think they may be needed as evidence. The officer can also take copies of the documents produced.

An officer can ask for the documents to be explained to them and if the document is electronic, they can require a copy of the document in a format that can easily be taken away, for example, a hard copy.

The officer cannot require the production of documents which are legally confidential, such as communications between a lawyer and their client.

An officer can request documents even if the need for them relates to someone other than the relevant person who is required to provide them.

Taking documents after entry into business premises

When using either of the powers of entry into a business premises, an authorised officer has the power to seize and detain documents if they have a reasonable suspicion that the documents may be required as evidence in proceedings for a breach or offence under the rented accommodation legislation.

If there are people on the premises, before an officer seizes documents, they must show at least one person proof of their identity and authority. However, if it is not reasonably practicable to do so, the officer does not need to.

When seizing documents, an officer must take reasonable steps to tell the person who they are seizing them from that they have been seized and provide a written record of what they are taking.

When deciding what steps an officer should take to inform the person that documents have been seized and to provide them with a written record, they must have regard to any relevant rules around seizing property that are set out in a code of practice made under section 66 of the Police and Criminal Evidence Act 1984 available [here](#).

An officer cannot seize documents that are legally confidential, such as communications between a lawyer and their client and can usually only keep the documents for 3 months from the day they were seized. If the documents are needed

for legal proceedings (related to why they were seized), the officer can keep them for longer but not for longer than needed for the proceedings.

If there are electronic devices on the premises which an officer suspects may hold information that they may wish to seize under this power, they can require someone with approved access to access that information if that is reasonably necessary. If such a person does not access the device after an officer has required them to do so, they can access the device themselves.

Criminal Justice and Police Act 2001: additional powers of seizure

If an officer takes copies of documents using the power under section 122(1)(b) or they seize documents under section 123 of the Act following entry into business premises (under the Act), additional powers of seizure under section 50 of the Criminal Justice and Police Act 2001 apply.

If the officer reasonably suspects that a document may be needed as evidence for a breach or offence under the rented accommodation legislation, they can take it.

If the officer reasonably believes the document is something they are allowed to search for or seize or that it contains information they are allowed to seize, but it's not reasonably practical to decide this on the premises or to separate it on the premises, they can take the document using the additional powers in section 50 of the Criminal Justice and Police Act 2001 available [here](#).

An officer will then need to assess if the document is relevant as soon as reasonably practicable afterwards. If it is not relevant, they will need to give it back as soon as reasonably practicable.

If an officer is sure that a document contains information that may be needed as evidence they can take it, using the additional powers in section 50 of the Criminal Justice and Police Act 2001, even if it cannot be separated from a part they could not otherwise take.

If an officer is unsure whether the information in a document may be needed as evidence and it cannot be separated from information, they know is not relevant, then they cannot take it.

If an officer takes documents using the additional powers of seizure under section 50 of the Criminal Justice and Police Act 2001, they will need to comply with the notice requirements to the occupier under section 52 of that Act available [here](#).

Access to seized documents s.124

A person who had possession or control of a document immediately before it was seized, or their representative, can request:

- access to the documents.
- a copy or photograph of the document.

On receipt of a request, an officer must:

- give the person access to the documents under the supervision of a local housing authority officer.
- allow the person to take a copy or photograph it under the supervision of a local housing authority officer.
- provide the person with a copy or photograph of the document within a reasonable time of their request.

If an officer has good reason to think that allowing access to the document, or providing photographs or copies of it, would undermine or be detrimental to the reason why the document was seized, can refuse the request.

Appeal against detention of documents s.125

A person can ask the magistrates' court to release the documents detained under the Investigatory Powers in Part 4 of the Act. A person must have an interest in the documents to make a valid request. If there are court proceedings brought as a result of the investigation that led to the documents being seized, an application will need to be made to the magistrates' court for a hearing. If there are no proceedings the application is made as a complaint to a magistrates' court.

The court may only order the release of documents if certain conditions are met. These are that:

- the investigation that led to the documents being seized has not resulted in any court proceedings starting.
- it has been 6 months or more since the documents were seized.
- court proceedings have now finished.

A person or local housing authority officer disagreeing with any magistrates' court decision can appeal this decision through the Crown Court.

Suspected residential tenancy - power of entry

An authorised officer can use this power to enter a residential property at a reasonable time if they are specially authorised and reasonably suspect the property is being

privately rented out as a home (a residential tenancy, see section 63 of the Act), and if they need to inspect the premises to investigate whether there has been:

- an offence under section 1 of the Protection from Eviction Act 1977.
- certain breaches and offences under certain database provisions in the Act.

The residential power of entry without a warrant under section 126 is available to support enforcement in respect of the following database provisions:

- breach of the duty on a residential landlord to ensure an active landlord and active dwelling entry in the database, section 82(3).
- the offence of knowingly or recklessly providing false or misleading information to the database operator, section 92(1).
- the offence of continuing to breach the duty to ensure an active landlord and dwelling entry in the database at the end of a 28-day period beginning on the day on which a financial penalty for the breach was imposed, section 92(2).
- the offence of breaching the duty to ensure an active landlord and active dwelling entry in the database section 82(3) when a relevant penalty has been imposed for a breach of requirements under section 82(1), 82(2) or 82(3), section 92(3).
- the offence of breaching the duty to ensure an active landlord and active dwelling entry in the database within 5 years of either receiving a penalty or a conviction for a database offence, section 92(4).

Entering residential premises without a warrant to investigate

An officer can only use this power to enter if:

- They have the correct authorisation by a deputy chief officer or their superior, whose duties relate to the purpose for which they want to enter the residential premises.

An officer's authorisation will state the specific purpose for which they are authorised to enter the residential premises.

If an officer is exercising the power of entry, they are allowed to:

- take another person(s) with them, who will have the same powers as the authorised officer.
- use equipment.
- take photographs.
- make recordings add link to bodycam policy.

Before an officer enters they must give at least 24 hours' notice to the person or people living there and to any other person who has an interest in the property, like the owner. They do not, however, need to give prior notice to a residential landlord within the meaning of Part 2 of the Act, see Section 63 [here](#).

The requirement to give notice to a person with an interest also does not include a mortgagee not in possession of the premises. An officer must give notice to a residential landlord informing them that the property was entered, including the date of the entry and the purpose of the entry, within a reasonable period after the entry.

The officer only needs to give notice to other people who have an interest in the property but do not live there if they have provided the Council with an address for this purpose.

This notice must:

- be in writing.
- be given by an officer of the local housing authority.
- explain the reason for entering the premises.
- explain what laws a person may be breaking if they obstruct the entry or fail to comply with properly imposed requirements.

A person can waive the need for the full 24 hours' notice. If you choose to waive the full notice requirement, it is important to make sure that you understand the waiver and that you have a right to receive notice and the consequences of waiving it.

However, an officer cannot enter a residential property without giving the required notice unless all people living in the property, and everyone with an interest in the property who has a right to notice, waived it.

For example, if all of the people living at the property waive their right to notice, but an owner with a right to notice does not, the officer must follow the notice requirements before entering the property.

Where an officer enters a property without a warrant and find occupiers in the property, they must show identification to at least one occupier if there is more than one.

This identification is a document saying that the officer is specially authorised to enter the property and is handed to the occupier or at least one occupier if there is more than one.

There may be times when it's not reasonably practicable for the officer to show Identification and special authorisation document upon entry, such as if the officer encounters aggressive behaviour or if the occupiers have fled before they can show them the documents. When this happens, any information already collected can still be used as evidence in the investigation.

Suspected residential tenancy: entry with a warrant

An authorised officer can apply for a warrant if they have been refused entry without a warrant. The officer can also apply for a warrant if no-one is in the property to let them in and waiting for someone might defeat the purpose of the entry.

The officer can also apply for a warrant if they think giving the person on the premises and/or anyone with an interest in the property, who would have a right to notice, at least 24 hours' notice might defeat the purpose of entry. To ask for a warrant, they must apply in writing under oath to a justice of the peace.

The officer can apply for a warrant to enter a residential premises if they believe it is necessary to enter the premises to investigate an offence under section 1 of the Protection from Eviction Act 1977 or certain breaches or offences of certain database provisions in the Act. These are the same provisions for which the power of entry without a warrant under section 126 may be exercised namely.

- Breach of a duty of a residential landlord to ensure an active landlord and active dwelling entry in the database, section 82(3).
- The offence of knowingly or recklessly providing false or misleading information to the database operator, section 92(1).
- The offence of continuing to breach the duty to ensure an active landlord and dwelling entry in the database at the end of a 28-day period beginning on the day on which a financial penalty for the breach was imposed, section 92(2).
- The offence of breaching the duty to ensure an active landlord and active dwelling entry in the database under section 82(3) when a relevant penalty has been imposed for a breach of requirements under section 82(1), 82(2) or 82(3), section 92(3).
- The offence of breaching the duty to ensure an active landlord and active dwelling entry in the database within five years of receiving either a penalty or a conviction for a database offence, section 92(4).

The application under oath will also need to confirm that in entering the residential premises the officer would be acting in the course of their employment or under the instruction of the Council and that they reasonably suspect the property is being privately rented out as a home (a residential tenancy, see section 64 of the act).

If a warrant is granted it will include the following information:

- the name of the person authorised to enter; this will be the officer who applied for the warrant.
- the property that the person named in the warrant is authorised to enter.
- Once the inspection has been completed the warrant will expire.

When an officer is entering with a warrant, they will be able to:

- enter the premises at any reasonable time.
- use reasonable force to enter, if necessary.
- take another person, or persons, who will have the same powers as the officer, but only whilst with the officer and under their supervision.
- use equipment.
- take photographs.
- make recordings.

The officer must show the warrant to at least one occupier if there are people in the property. If there are no people in the property, then the officer must:

- leave a notice that the premises have been entered under warrant issued under section 128 of the Renters Rights Act 2025 available [here](#).
- make sure the property is as secure when they leave as it was before they entered.

Using Council Tax, Housing Benefit and Tenancy deposit information s.134

Section 212A of the Housing Act 2004 allows authorised officers to use information from tenancy deposit schemes and section 237 allows them to use information from Housing Benefit and Council Tax to investigate if certain laws have been broken. For example, to check if:

- several claims for Housing Benefit are made from the same address.
- there are too many people living in the property.
- the property is being rented.
- the property may need a licence as an HMO.

The Act makes provision so that officers can use this information to support enforcement of the following legislation.

- Protection from Eviction Act 1977, sections 1 and 1A.
- Housing Act 1988, chapter 1 of Part 1.
- Part 7 of the Housing Act 2004 so far as it relates to qualifying residential premises withing the meaning given by section 2B of the Housing Act 2004.
- Enterprise and Regulatory Reform Act 2013, section 83(1) or 84(1).

- Housing and Planning Act 2016, sections 21 to 23, 41 and 133 to 135.
- Renters' Rights Act 2025, chapter 3 of Part 1 and Part 2.

Investigatory powers under the Housing Act 2004 s.135

The Renters Rights Act 2025 amends the power under section 235 of the Housing Act 2004 (power to require documents to be produced) so that it now also covers Part 7 of the Housing Act 2004 in relation to any qualifying residential premises within the meaning given by section 2B of the Housing Act 2004.

This means authorised officers can require information from a relevant person to inform the setting of civil penalties after the investigation is finished.

The Act also amends section 239 of the Housing Act 2004. It removes the requirement to give 24 hours' prior notice to the owner of qualifying residential premises within the meaning of section 2B and replaces it with a duty to notify the owner within a reasonable period of time after entry takes place. The Act also inserts an option for an occupier to waive their right to 24 hours' prior notice of entry under section 239 Housing Act 2004. It is important to make sure the person giving the waiver understands that they have the right to notice and the implications of waiving it. However, an authorised officer cannot enter the property without giving the required notice unless all people living in the property, and everyone with an interest in the property, who has a right to notice, agrees that notice is not needed.

Investigatory powers Client Money Protection schemes s.136

The Council is responsible for the enforcement of client money protection schemes regulations. Agents must be registered with a client money protection scheme under sections 133-134 of the Housing and Planning Act 2016 and Regulation 3 of the Client Money Protection (CMP) Schemes for Property Agents (Requirement to Belong to a Scheme etc) Regulations 2019.

The Act enables an authorised officer to investigate whether an agent is a member of a CMP scheme in accordance with regulation 3 of The Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2019.

Section 136 of the Renters Rights Act 2025 permits The Council to utilise investigatory powers under Schedule 5 of the Consumer Rights Act 2015 for investigating breaches of the Client Money Protection (CMP) Schemes for Property Agents (Requirement to Belong to a Scheme etc) Regulations 2019.

Investigatory Powers Consumer Rights Act 2015

Where The Council is investigating a breach of certain specified offences such as;

- Tenant Fees Act 2019.
- The Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2019.
- Section 83 of The Consumer Rights Act 2015.

It may use supplementary powers provided by Schedule 5 of The Consumer Rights Act 2015.

Paragraph 14 production of information

An authorised officer may request information to prove whether a breach of the relevant legislation has occurred. The request for information must be in writing and specify the purpose for which the information is required.

If the information is required for a specified function, then the notice must specify the function concerned e.g. an investigation under the provision of The Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2019 or other applicable legislation.

The notice must specify the following;

- The timescale for compliance e.g. the date the information must be provided by.
- The form in which it should be provided.
- The circumstances in which a monetary penalty will be payable due to non-compliance with the notice.

The notice may also require the following ;

- the creation of documents, or documents of a description, specified in the notice.
- the provision of those documents to the enforcer or an officer of the enforcer.
- to provide information or create the document that is required in a legible form.

A paragraph 14 notice does not require a person to provide any information or create any documents which the person would be entitled to refuse to provide or produce

- a) in proceedings in the High Court on the grounds of legal professional privilege, or
- b) in proceedings in the Court of Session on the grounds of confidentiality of communications.

If a person fails to provide the information requested within a notice under paragraph 14, the Council may make an application under this paragraph to the court.

If it appears to the court that the person has failed to comply with the notice, it may make an order under this paragraph.

The Council may also utilise other powers defined in schedule 5 of The Consumer Rights Act 2015 when investigating the relevant breaches or to ensure that lettings or

property management agents are compliant with the legislation. For further information on the use of these powers please follow the link below;

- [Consumer Rights Act 2015](#)
- [Investigatory powers of consumer law enforcers: guidance for businesses on the Consumer Rights Act 2015](#)

Interviews under the Police and Criminal Evidence Act (PACE)

The Council may interview, under caution persons suspected of committing certain offences. This would be in the form of a voluntary, digitally recorded interview where the suspect is invited to attend the Council offices. Where an individual does not wish to attend an interview the Council will provide an opportunity for a written statement to be submitted.

Persons suspected to be in contravention of the Housing Act 2004 or Protection from Eviction Act 1977 will not usually be invited for interview under caution unless the case is especially complex or the circumstances are serious enough that prosecution is a likely outcome. The Council will retain discretion as to whether PACE interviews would offer such evidence to progress the case.

Rental bidding

From 1 May 2026, landlords or letting agents will not be allowed to ask for, encourage or accept an offer that is higher than the advertised rent. If someone offers to pay more than the advertised rent for a property, this is known as 'rental bidding'.

Advertising a property

A specified rental amount will need to be included when advertising or offering in writing a property to let. It will need to be a specific amount as a price range will not be allowed.

A written advert may be:

- an online property advert.
- a printed advert.
- a social media post.
- any digital communication, for example, emails, text messages or direct messages.

It does not include 'to let' signs outside a property.

After a property has been advertised

After a property has been advertised, you will not be allowed to:

- ask for offers above the advertised rent.

- publish a price range for the property and ask tenants to bid within that range, or higher.
- encourage someone to offer more than the advertised rent.
- tell someone you have received other bids to encourage them to bid more than the advertised rent.
- act in any way that leads a person to believe they need to offer more than the advertised rent.
- accept an offer to pay more than the advertised rent.

If someone offers more than the advertised rent

The relevant person will not be able to accept an offer that is more than the advertised rent. If this is suspected the Council may use their investigatory powers as defined in section 6 of this policy.

If the council agrees that rental bidding has happened, they may issue a civil penalty notice of up to £7,000 for your first offence.

You could be fined for a 'repeated breach' if you commit the same offence within 5 years. If you are fined for a 'repeated breach', you will have to pay:

- up to £7,000 for the breach on its own.
- up to £7,000 if you repeat the same type of breach within 5 years.

Rental discrimination

Rental discrimination is the unfair treatment of people in the private rented sector who have children or receive benefits. Decisions based on something believed to be true, such as that a tenant has children or receives benefits, are still discrimination, even if the belief is false.

References to landlords include anybody acting on their behalf, such as a letting agent, referencing service or family members.

The new measures apply to all assured and regulated tenancies on and from 1 May 2026. It does not matter if they were agreed before or after this date.

All discriminatory terms in superior leases (such as between a landlord and their freeholder, or where a rent-to-rent arrangement is in place) and mortgage agreements are cancelled on and from 1 May 2026. This means they can no longer be used to justify discrimination against a tenant with children or receiving benefits. It does not matter if they were agreed before or after this date.

Discriminatory terms in insurance contracts are cancelled where they are agreed or renewed on and from 1 May 2026. This means they can no longer be used to justify discrimination against a tenant with children or receiving benefits.

These measures apply to all landlords or agents in England who let out properties on assured and regulated tenancies. This includes tenancies offered by or on behalf of the Crown Estate, but not the Parliamentary Estate, nor those of social or supported housing.

Landlords or anybody acting on their behalf may be found liable for a breach of these measures, whether formally contracted or just a family member acting informally.

A person or firm cannot be liable for discrimination if they only carry out one or more of the following, and nothing else:

- publishing adverts or disseminating information.
- providing a means for landlords to communicate directly with prospective tenants.
- providing a means for prospective tenants to communicate directly with landlords.

This means that websites which host property adverts only are not caught by the rental discrimination restrictions. Additional exempted conduct may be defined at a later date.

Which renters are protected

The rental discrimination measures prevent landlords and agents acting on their behalf from providing unfair treatment to renters, both sitting or prospective, based on their having children or receiving benefits.

Children - means anyone under 18 years old who would either visit or live at the property.

Discrimination may also take more specific forms, such as by targeting:

- children of certain ages or characteristics.
- other specific subsets of children such as those in fostering arrangements.

Benefits - includes (but is not limited to) any of the following benefits:

- Universal Credit.
- Jobseeker's Allowance.
- Personal Independence Payment.
- Employment and Support Allowance.
- Income Support.
- Legacy Housing Benefit.
- State Pension or Pension Credit.
- Council Tax Support.

- Tax Credits (Child and Working).
- Child Benefit.
- Guardian's Allowance.
- Carer's Allowance.

The full definition of a benefits claimant, as found in the act, is any person who receives payments by virtue of (including regulations made under):

- the Social Security Contributions and Benefits Act 1992.
- the Welfare Reform Act 2012.
- the Jobseekers Act 1995.
- the State Pension Credit Act 2002.
- the Tax Credits Act 2002.
- the Welfare Reform Act 2007.
- the Pensions Act 2014.
- a council tax reduction scheme under 13A of the Local Government Finance Act 1992.

What is considered unlawful discrimination

Landlords and anyone acting on their behalf must not take steps that intend to make a person less likely to enter a tenancy agreement because they have children or receive benefits. This includes (but is not limited to) stopping them:

- accessing information about a property, including its availability
- viewing a property
- signing a tenancy agreement

The only exceptions are:

- If that property is subject to an existing insurance contract signed before 1 May 2026 which contains a term that prevents occupation by children or benefit claimants. This exception ends when the insurance is renewed or ends.
- If stopping children from living in the property would be a proportionate means of achieving a legitimate aim (PMLA), such as if it would genuinely be unsuitable or cause overcrowding.

Discriminatory terms in tenancies

Any terms in an assured or regulated tenancy, or in the superior lease of a property that is let under an assured or regulated tenancy, that stop tenants from claiming benefits or having children at the property are no longer valid and cannot be used to justify discrimination, unless one of the exceptions applies.

Discriminatory terms in mortgages

Any terms in the mortgage of a property let under an assured or regulated tenancy that stop tenants claiming benefits or having children at the property will no longer have any effect and so cannot be used to justify discrimination.

Discriminatory terms in insurance

Any terms in an existing insurance contract of a property let under an assured or regulated tenancy that stop tenants from claiming benefits or having children at the property only has effect until the insurance ends or is renewed, whichever happens sooner.

For insurance contracts that are renewed or start after 1 May 2026, clauses which exclude children or benefit claimants are of no effect so cannot be used to justify discrimination.

What is not considered unlawful discrimination

Consideration of income

Landlords can take a tenant's income into account when considering if the rent is affordable. They are not liable for a breach if a set income requirement is not met, regardless of whether the person has children or receives benefits.

If the prospective tenant complains to their local authority about a refusal to offer a tenancy because the use of an income test was discriminatory, the local authority should consider if:

- the prospective tenant has demonstrated that they could meet the set income requirement
- the landlord has accounted for all forms of income, including state benefits and pension, and treated them of equal value
- the requirement has been raised because the person has children or receives benefits

When deciding between multiple prospective tenants who have met the income requirements, landlords should not consider whether they receive benefits or have children in reaching their decision.

Landlords should set the same income requirement for all prospective tenants and treat all forms of income equally. It is up to the prospective tenant to demonstrate they meet this requirement, but landlords should take all forms of income into account. Landlords should not unreasonably refuse to accept a means of evidencing income

that a tenant provides, whether a bank statement, proof of benefit letter, pay slip or otherwise.

Proportionate means of achieving a legitimate aim (PMLA)

In certain cases, landlords may stop children from living in a property if they can demonstrate that the restriction is a proportionate means of achieving a legitimate aim. There is no such exception made for discrimination against benefits claimants.

Determining if a 'no children' restriction is a PMLA is up to the relevant local authority for the purposes of imposing a penalty. This decision may be reviewed by the tribunal if a penalty is subsequently appealed. Some examples are included towards the end of this section. Local authorities should evaluate:

- if the intended aim is legitimate
- if restricting occupation by children would achieve that aim
- if the restriction is proportionate

Deciding if an aim is legitimate

Landlords can restrict children living in their properties if it is a proportionate means of achieving a legitimate aim. To be considered sufficiently legitimate, the limit has to be genuine and not in itself aim to discriminate against families with children.

Common examples will include retirement homes and student housing. Another example could be that a property would be unsafe for children. This could be for various reasons, including the construction of the property posing dangers for younger children that cannot be readily mitigated, or safeguarding concerns over shared facilities or common parts in the building. There might also be other statutory requirements the landlord has to meet, like house in multiple occupation (HMO) licensing conditions or overcrowding regulations.

When deciding if an aim is legitimate, The Council will consider if:

- the aim appears to provide some form of genuine benefit
- the aim does not appear itself to be intended to discriminate against families with children

For a restriction to be legitimate, someone other than the landlord must benefit. For example, providing peaceful retirement living, proximity to a university, or the safety of a child. A financial aim alone, such as to lower business costs, is not legitimate, neither is where the purpose itself is to negatively discriminate.

Deciding if the restriction is proportionate

After deciding that the aim of a restriction is legitimate, The Council must decide if it is a proportionate way of achieving it.

When deciding if an aim is proportionate, The Council should consider if:

- there are ways the restriction could be limited
- there are other ways of achieving the aim

For a restriction to be proportionate, landlords should have considered if there are other ways of achieving the same goal. If there are no reasonable alternatives, the restriction should be suitably limited. For example, whether they ban all children from living at the property or those of certain ages.

Enforcement

The Council may issue a civil penalty against the prospective landlord or anyone acting on their behalf if they are satisfied that the breach was either:

- committed with their consent or knowledge
- due to their neglect

The Council may decide to impose a single penalty on more than one person for the same breach or offence. Where they do so, those people are jointly and severally liable to pay it. A financial penalty will be issued in accordance with the Councils approach to issuing civil penalties.

Gathering evidence

The Council will need to decide what sort of evidence to gather to support or reject a case, although how best to do so may be determined locally. Local authorities should compile any evidence provided by the alleged victim and draw up and confirm a witness statement. Once a case of discrimination takes shape, this should be put to the landlord or agent who can offer evidence in their defence.

The Council has powers to request information and enter business premises to support their investigations as specified in link to investigatory powers section

When reporting discrimination, tenants should provide:

- timestamped copies of communications with the landlord or property agent, such as text messages, voicemails or emails
- copies of, or links to, discriminatory adverts or property listings, dated where possible

Evidence that the tenant receives benefits or has children is not necessary. This is because discrimination is still deemed to have taken place even if on a false belief that a tenant has children or receives benefits.

When defending themselves, landlords and anyone acting on their behalf should provide all relevant documentation which supports the validity of their decision or actions. This may include:

- time-stamped copies of communications with the prospective tenant, such as text messages, voicemails, or emails, or copies of adverts or property listings, dated where possible
- legal documents such as the property deed, statement of licensing conditions or an insurance contract
- informal documents such as a brochure clearly designating the property as part of a retirement or student accommodation facility

Landlords are not entitled to claim any related costs, such as for obtaining a deed from the Land Registry.

Other routes tenants may take

Tenants can contact a [letting agent redress scheme](#) or enter into civil proceedings themselves. The Council can share any of their own evidence or findings in support of these proceedings where appropriate.

In addition to the civil penalties local authorities can impose, redress schemes and the courts have powers to direct landlords to make things right. This may include an apology or financial compensation.

Rent Repayment Orders

A rent repayment order (RRO) allows tenants and local authorities to receive up to 2 years' worth of rent from a landlord who has committed certain housing related offences.

The purpose of RROs is to deter landlords from committing offences and empower tenants and local authorities to take action when a landlord breaks certain laws.

The Renters Rights Act 2025 has extended the powers provided in the Housing Act 2004 and the Housing and Planning Act 2016. Rent Repayment Orders (RROs) now apply to all the following offences:

- Section 72(1) of the Housing Act 2004 - unlicensed HMOs.
- Section 95(1) of the Housing Act 2004 - unlicensed houses.
- Section 30(1) of the Housing Act 2004 - Failure to comply with an Improvement Notice.

- Section 32(1) of the Housing Act 2004 - Failure to comply with a Prohibition Order.
- Sections 1(2), (3) or (3A) of the Protection from Eviction Act 1977 - Illegal eviction and harassment of occupiers.
- Section 6(1) of the Criminal Law Act 1977 - Violence for securing entry.
- Section 21 of the Housing and Planning Act 2016 - Breach of a Banning Order.
- Section 16J (1) of the Housing Act 1988 - Knowingly or recklessly misusing a possession ground.
- Section 16J(2) of the Housing Act 1988 - Letting or marketing of a property within twelve months of using the 'moving in' or 'selling' ground of eviction.
- Section 16J(3) of the Housing Act 1988 - Continuous breach of certain tenancy reform requirements.

Further details can be found here: [Rent repayment orders: guidance for local authorities - GOV.UK](#)

Appendix 3 - The Housing Act 2004

The Housing Act 2004 provides in Part 1 the statutory minimum standard for all homes in England and Wales. This is determined by the Housing Health and Safety Rating System (HHSRS) [Housing health and safety rating system \(HHSRS\) enforcement guidance: housing conditions - GOV.UK](#)

HHSRS is a calculation of the effect of 29 possible hazards to the health of occupiers. The legislation provides a range of actions for addressing identified hazards.

The Council will consider the results of the HHSRS assessment when deciding on the most appropriate approach to enforcement. Discretion is exercised as appropriate and each case considered on its own basis.

How the Council will enforce this legislation

However, the Council has a statutory duty to act in cases of Category 1 hazards. The options available to the Council to enforce Category 1 hazards are set out below.

Where a property contains a number of more modestly rated Category 2 hazards which appear to create a more serious situation when looked at together, the situation may be deemed unsatisfactory and in need of action. This is because the occupants encounter one hazard after another as they move around.

The Council will also normally seek to deal with any significant Category 2 hazards (D, E and F) identified at an address, whether or not Category 1 hazards are also present.

In situations where a landlord fails to comply with a formal notice requiring remedial works, the Council may undertake these works in default of the owner and take steps to recover any costs incurred. This power may be exercised in addition to any formal proceedings taken for non-compliance with this notice.

Where there is a Category 1 HHSRS hazard present that is considered to represent an imminent risk of serious harm to the health and safety of the occupiers of a dwelling, the Council may serve an Emergency Prohibition Order or take Emergency remedial action. Such emergency actions would involve either the removal of certain defects giving rise to the immediate risk or the closure of all or part of a dwelling.

The Council will normally charge where legislation permits the recovery of costs for serving statutory notices.

Hazard Awareness Notices

When only minor or moderate Category 2 hazards are identified under HHSRS, an informal approach to enforcement is likely to be adopted.

Improvement Notices

Where the Council determines that an Improvement Notice should be served in respect of a HHSRS determined Category 1 Hazard, it will:

- Require works that will either remove the hazard entirely or reduce its effect so that it ceases to be a Category 1 hazard.

Where the Council determines that an Improvement Notice should be served in respect of a Category 2 Hazard, it will:

- Require works it considers sufficient either to remove the hazard or reduce it to an appropriate degree.

Prohibition Orders

Prohibition orders can be used in respect of both Category 1 and Category 2 hazards

Emergency Remedial Action & Emergency Prohibition Orders

May be used specifically where the Council is satisfied that:

1. A Category 1 hazard exists
2. The hazard poses an imminent risk of serious harm to health or safety
3. Immediate action is necessary.

Demolition Orders

Demolition orders provide the Council with the power to make an order to demolish a building. They are as a possible response to a Category 1 hazard (where they are judged the appropriate course of action). In determining whether to issue a Demolition Order, the Council will take account of Government guidance that is applicable at the time and will consider all the circumstances of the case.

Clearance Areas

Clearance Areas can be declared if the Council is satisfied that each of the premises in the area is affected by one or more Category 1 hazards (or that they are dangerous or harmful to the health and safety of inhabitants as a result of a bad arrangement or narrowness of streets). In determining whether to declare a Clearance Area, the Council will act only in accordance with Section 289 of the Housing Act 1985 (as amended) and having had regard to relevant Government guidance on Clearance Areas and all the circumstances of the case

Houses in Multiple Occupation (HMOs)

Part 2 of the Housing Act 2004 introduced a mandatory licensing system for certain types of Houses in Multiple Occupation (HMO) with the aim to ensure that every licensable HMO is safe for the occupants and visitors and is properly managed.

Since 2018 owners of HMOs with five or more occupants must apply to the Council to have their properties licensed. The responsibility for applying for a licence rests with the person having control of or the person managing the property.

The Housing Act 2004 also provides the Council with the power to apply Additional Licensing of HMOs based on specific conditions being met. In May 2025 the Council renewed an Additional Licensing Scheme that requires all HMOs in the City to be licensed. Further details relating to this scheme can be found [here](#) .

HMO Licensing offences

The Housing Act 2004 sets out a number of licensing related offences all of which are criminal offences and will be investigated by the Council. These include:

- Section 72(1) – Operating an unlicensed HMO
- Section 72 (2) – Knowingly permitting the HMO to be occupied by more persons than the licence allows
- Section 72(3) – Failing to comply with a licence condition; and
- Section 238 – Providing false or misleading information to the local housing authority (including in connection with HMO licensing)

Temporary Exemption Notices

Where a landlord is or shortly will be taking steps to make an HMO non-licensable, the Council may serve a Temporary Exemption Notice (TEN). A TEN can only be granted for a maximum period of three months. In exceptional circumstances, a second TEN can be served for a further three-month period. A TEN will be considered where the owner of the HMO states in writing that steps are being taken to make the HMO non-licensable within 3 months.

Interim and final management orders

An Interim Management Order (IMO) transfers the management of a residential property to the Council for a period of up to twelve months. The circumstances in which an order can be made are set out below. In particular, the IMO allows the Council possession of the property against the immediate landlord, and subject to existing rights to occupy can;

- Do anything in relation to the property, which could have been done by the landlord, including repairs, collecting rents etc.
- Spend monies received through rents and other charges for carrying out its responsibility of management, including the administration of the property
- To create new tenancies (with the consent of the landlord).

Under an IMO the Council must pay to the relevant landlord (that is the person(s) who immediately before the order was made was entitled to the rent for the property) any surplus of income over expenditure (and any interest on such sum) accrued during the period in which the IMO is in force. It must also keep full accounts of income and expenditure in respect of the house and make such accounts available to the relevant person.

The Council **must** take enforcement action in respect of a licensable property (which means an HMO subject to Part 2, or other residential property subject to Part 3) by making an IMO if:

- the property ought to be licensed, but is not, and the Council considers there is no reasonable prospect of it granting a licence in the near future; and/or
- the Health and Safety Condition isn't met and, therefore, it would not have granted an application for a licence.

An IMO may not, however, be made on these grounds if an effective application is outstanding with the authority for the grant of a licence or a Temporary Exemption Notice or if such a notice is in force.

Final management orders

In exceptional circumstances, the Council can also apply to the First-Tier Tribunal for a Final Management Order (FMO) which can last for up to five years. Such powers will only be used in exceptional circumstances and will be authorised through the appropriate method.

Management order management schemes

The Council must adopt a management scheme for a property subject to an FMO. The scheme must set out how the Council intends to manage the house.

In particular, the management scheme must include:

- The amount of rent it will seek to obtain whilst the order is in force;
- Details of any works which the Council intends to undertake in relation to the property;

- The estimate of the costs of carrying out those works;
- Provision as to the payment of any surpluses of income over expenditure to the relevant landlord, from time to time; and
- In general terms how the authority intends to address the matters that caused the Council to make the order.

The Council must also keep full accounts of income and expenditure in respect of the house and make such accounts available to the relevant landlord.

Management of HMOs

Landlords and managers of Houses in Multiple Occupation (HMOs) are legally required to properly manage their properties to ensure the safety, welfare, and good management of the tenants. Key legislation includes the Housing Act 2004 and two sets of regulations made under it:

- The Management of Houses in Multiple Occupation (England) Regulations 2006.
- The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 – applying to certain Section 257 HMOs (buildings converted into self-contained flats that don't meet 1991 Building Regs standards).

These regulations set out a series of duties that HMO landlords/managers must fulfil. In essence, the manager is responsible for fire safety, general property maintenance, provision of utilities, hygiene and waste disposal, and information for tenants. The Council enforces these rules through licensing, inspections, and formal enforcement.

HMO Management Regulations

The below summarises each main duty placed on HMO landlords or managers by the 2006 Regulations (and similarly by the 2007 Regulations for converted buildings).

Regulation 3 – Information to Occupiers

Display the manager's name, address, and telephone number prominently in the HMO, so every household knows who to contact.

Regulation 4 – Safety Measures

Take all required measures to protect tenants from fire and other injuries. This means keeping fire escape routes clear and in good repair, maintaining fire alarms and firefighting equipment in working and posting clear fire escape signs (in properties with more than 4 occupants). The manager must also address other hazards – e.g. secure any unsafe features (repair or block access to an unsafe balcony and install window bars or guards if a low window poses a danger).

Regulation 5 – Water Supply & Drainage

Ensure the HMO has a constant water supply and effective drainage. Water tanks and cisterns must be kept *clean*, covered, and in good condition (e.g. protect pipes from freezing). The water supply (and drainage) to tenants must not be unreasonably interrupted by the manager except for necessary repairs.

Regulation 6 – Gas & Electrical Safety

Ensure gas and electrical utilities are safe. The manager must obtain an annual Gas Safe certificate for all gas appliances and, if the council asks in writing, supply the latest gas safety test certificate within 7 days. The manager must not unreasonably interrupt the gas or electricity supply to any occupier (for example, not cutting off power as a threat or for minor nuisances). Note: Electrical installations should be maintained safely (and under separate regulations, landlords must have 5-yearly electrical safety checks, though that is outside the 2006/2007 regs).

Regulation 7 – Maintain Common Areas

Keep all common parts of the HMO (e.g. entrance halls, corridors, staircases, kitchens, bathrooms shared by tenants) in good repair, safe, and clean condition. Floors, stairs, handrails, windows, lighting, and shared facilities must be kept in safe working order. For example, stairs should have secure handrails and fixed, safe coverings; hallways should have adequate lighting at all times for occupants. Shared yards, gardens and boundaries also must be maintained – any outbuildings, yards, or forecourts used by tenants should be kept in tidy, sound condition, gardens safe, and fences or railings in good repair (so they don't pose a danger). Even any part of the HMO that is not currently in use must be kept reasonably clean and free of rubbish.

Regulation 8 – Maintain Living Accommodation (Individual Rooms)

Ensure each letting/unit is clean and suitable at the start of a tenancy. During occupation, the manager must keep the internal structure, fittings and appliances of each rented unit in good repair and working order (for instance, fix leaking pipes or broken windows in a tenant's room). Windows and ventilation must also be kept in good repair.

Exception: The manager isn't required to repair damage caused by tenants not living "in a tenant-like manner" (i.e. misuse or deliberate damage), but they must address normal wear-and-tear issues.

Regulation 9 – Waste Disposal

Provide adequate bins or refuse receptacles for the number of households in the HMO and ensure there are proper arrangements for rubbish collection and disposal. In practice, this means the manager must set up waste collection (usually via the council's refuse service) and make sure tenants know how to dispose of waste correctly. Rubbish must not be allowed to build up and litter the property.

(The 2007 regulations for Section 257 HMOs mirror the above duties, with similar requirements for managers of converted buildings.)

Penalties for Non-Compliance

Failing to carry out these HMO management duties is a criminal offence. Unlike some housing offences, breaches of the HMO management regulations are strict liability – the Council does not have to serve an improvement notice first; if a duty isn't complied with, the offence is committed. Each separate regulation breached counts as a separate offence.

Legal consequences

If convicted in court, landlords or managers can face unlimited fines for each offence (magistrates' courts were given power in 2015 to issue fines without an upper cap).

Alternatively, the Council can impose a financial penalty instead of prosecution. Since 2017, councils in England can issue a civil penalty up to £30,000 per offence for HMO management breaches. These hefty fines are intended to deter poor management.

Breaching management duties can also affect the manager's HMO licence (if one is required for the property). Councils may revoke a licence or refuse to renew it if the licence holder breaches these regulations.

In severe cases of sustained non-compliance, the Council will use enforcement tools like Improvement Notices (to require specific repairs or safety measures) or even take over management of the property through Interim and Final Management Orders in extreme circumstances (if health and safety is at serious risk). These steps aim to protect tenants when a landlord utterly fails to meet obligations.

Fire Safety in HMOs

Statistically, HMOs have one of the highest incidents of deaths caused by fire in any type of housing. It is therefore essential that any HMO possesses an adequate means of escape in event of a fire and adequate fire precautions. The actual level of fire protection and detection required will be determined by a fire risk assessment. The Safer Housing and Communities Service is generally the lead enforcing authority for fire safety in HMOs, however where an HMO contains communal areas, it will consult with West Midlands Fire and Rescue service to determine if a more detailed Fire Risk Assessment is required.

Selective Licensing

The Housing Act 2004 provides the Council with a power to introduce Selective Licensing based on specific conditions being met. Should an area within Coventry ever become subject to Selective Licensing, a specific enforcement policy will be developed to accompany any designation.

Appendix 4 - Housing and Planning Act 2016

This Act provides Coventry City Council with additional powers and amends existing powers within the Housing Act 2004. The Council will implement these where appropriate in accordance with statutory guidance provided by Government and its policies and procedures.

Database of Rogue Landlords

The database is designed to be a tool which will help the Council to keep track of rogue landlords and focus its enforcement action on individuals and organisations who knowingly flout their legal obligations.

The duties and powers available to the Council with regard to the database of rogue landlords and property agents (“the database”) are set out under the provisions in Chapter 3 of Part 2 of the Housing and Planning Act 2016 (“the Act”). The information that must be included in an entry on the database is described in the Housing and Planning Act 2016 (Database of Rogue Landlords and Property Agents) Regulations 2018

The Council must have regard to the criteria in the statutory guidance in deciding whether to make an entry in the database under section 301 of the Act, and the period to specify in a decision notice under section 312 of the Act.

The Council will add an entry onto the rogue landlord database in respect of a person who receives a banning order. This is a statutory requirement.

The Council will have regard to the guidance set out above when deciding whether or not to exercise its discretionary power to make an entry onto the rogue landlord database in respect of a person who receives two or more financial penalties in the same year or is convicted of a Banning Order offence.

The statutory guidance sets out the criteria to which the Council must have regard in deciding whether to make an entry under section 30 of the Act.

In deciding the period of time for which the entry will be maintained i.e. remain on the rogue landlord database, the Council will have regard to the following factors:

- Severity of the offence
- Culpability and serial offending
- Deter the offender from repeating the offence
- Mitigating factors
- Aggravating Factors

Where the Council has made the decision to exercise its powers under the Act to make an entry on the database, it will use the following steps and considerations to determine the length of time that the subject should be added to the database:

- Assess the effect of a) above – the severity of the offence and b) above - the culpability and serial offending using Table 11 below.

Table 11 – Rogue Landlord Database Offences Matrix

Culpability and serial offending	Low severity of Offence	Medium severity of Offence	High severity of Offence
Very High	10yrs	10yrs	15yrs or more
High	5yrs	10yrs	10yrs
Medium	2yrs	5yrs	10yrs
Low	2yrs	2yrs	5yrs

- Apply any mitigation (reduction) presented in relation to the initial calculation and recalculate as necessary.

The Council may reduce the time if mitigating factors are prevalent.

The calculated timescale of an entry on the database cannot be less than 2 years as the minimum timescale for an entry on the database for a person convicted of a Banning Order offence is two years beginning on the day that the entry is made. The calculated timescale for the duration of a Banning Order cannot be less than 12 months.

The matrix allows for a banning of 15 years or more to be considered. In the very worst cases Coventry City Council may apply for an indefinite ban.

This Council must remove an entry it made if all the convictions on which the entry was based have been overturned on appeal or if or ordered to do so by the First Tier Tribunal.

In some circumstances, the Council has the power to remove or vary an entry on the database including reducing the period for which the entry it made must be maintained. In those circumstances, the Council will consider the same factors set out in this policy to be used, when making the decision whether or not to make an entry on the database and the same factors of how long an entry shall remain on the database.

The procedures the Council must follow are set out in the Act. There are legal rights of appeal set out to the First Tier Tribunal in relation to decisions the Council makes to use its powers in relation to the database.

Banning Orders

From 6 April 2018, a Local Authority has the power to apply to the First-Tier Tribunal for a banning order.

A Banning Order is an order that bans a landlord or property agent from:

- Letting housing in England;
- Engaging in English letting agency work;
- Engaging in English property management work; and
- Doing two or more of those things. Breach of a banning order is a criminal offence.

A Banning Order must be for a minimum period of 12 months. There is no statutory maximum period for a Banning Order.

The Council will use banning for the most serious offenders who breach their legal obligations and rent out accommodation, which is substandard and where previous sanctions, such as a prosecution has not resulted in positive improvements and it is necessary for the Council to proceed with further prosecutions/ formal action.

Part 5 of the Housing and Planning Act 2016 covers a range of measures including changes to the ‘fit and proper person’ test applied to landlords who let out licensable properties and allowing arrangements to be put in place to give authorities in England access to information held by approved Tenancy Deposit Schemes with a view to assisting with their private-sector enforcement work.

Table 12 below sets out the statutory offences where the Council may apply for a Banning Order.

Table 12 – Banning Order Offences

Statute	Provision	Offence
Protection of Eviction Act 1977	Section 1(2), (3) and (3A)	Unlawful eviction and harassment of occupier
Criminal Law Act 1977	Section 6(1)	Violence for securing entry
Housing Act 2004	Section 30(1)	Failing to comply with an improvement notice
Housing Act 2004	Section 32(1)	Failing to comply with a prohibition order
Housing Act 2004	Section 72(1), (2) and (3)	Offences in relation to licensing of Houses in Multiple Occupation
Housing Act 2004	Section 95(1) and (2)	Offences in relation to licensing of houses under Part 3

Statute	Provision	Offence
Housing Act 2004	Section 139(7)	Contravention of an overcrowding notice
Housing Act 2004	Section 234(3)	Failure to comply with management regulations in respect of Houses in Multiple Occupation
Housing Act 2004	Section 238(1)	False or misleading information
Regulatory Reform (Fire Safety) Act 2005	Article 32(1) and (2)	Fire safety offences
Health and Safety Act 1974	Section 33(1)(c) where a person contravenes any requirement specified in regulation 36 of the Gas Safety (Installation and Use) Regulations 1998	Gas safety offences - duties on landlords
Immigration Act 2014	Section 33A (1) and (10)	Residential tenancies – landlord offences
Immigration Act 2014	Section 33B (2) and (4)	Residential tenancies – agent offences
Fraud Act 2006	Section 1(1)	Fraud
	Section 6(1)	Possession etc. of articles for use in frauds
	Section 7(1)	Making or supplying articles for use in frauds
Fraud Act 2006	Section 9(1)	Participating in fraudulent business carried on by sole trader etc.
	Section 11(1)	Obtaining services dishonestly
	Section 12(2)	Liability of company officers for offences by company

Appendix 5 - Supported Housing (Regulatory Oversight) Act 2023

The Supported Housing (Regulatory Oversight) Act 2023 has been enacted and provides for

- Local Authorities in England to review supported housing in their areas and develop strategies for Supported Exempt Housing.
- Creation of the national expert advisory panel to advise on matters related to supported Housing.
- Gives the secretary of state power to introduce national support standards for any provision of supported exempt accommodation (subject to further consultation).
- Gives local Authorities power to create local licensing schemes for exempt accommodation (subject to further consultation).
- Gives the Secretary of state an option to introduce a new planning use-class for exempt accommodation.
- Changes to Housing Act 1996 (becoming homeless intentionally) if the accommodation ceases to occupy is supported accommodation, if the standard of accommodation is the reason for the occupation ceasing and if the accommodation or the care, support and supervision provided does not meet the National Supported Housing Standards the person ceasing the accommodation cannot be deemed intentionally homeless.

Supported Exempt Accommodation is operating in various house types, included self-contained flats, shared HMO accommodation, single household accommodation and purpose-built accommodation.

Supported exempt accommodation is defined under Housing Benefit Regulations. To be defined as supported exempt accommodation:

- The landlord must be a voluntary organisation, a registered community interest company (CIC) or registered provider (Housing association).
- The landlord must have a legal interest in the property concerned whether this be ownership or lease.
- The tenant must need care, support or supervision.
- The 'support' to meet these needs must be provided by the landlord or on its behalf.

Supported exempt accommodation is currently visited and scrutinised by a multi-disciplinary team made up of a member of Safer Housing and communities, Supported exempt accommodation officer in the Housing Benefit Team and a Quality officer in the Housing Homelessness team. Providers and their properties are visited to ensure their properties are safe and compliant, support provider is scrutinised to ensure good

quality support is provided and rent payments are reviewed to ensure value for money and providers are compliant with Housing Benefit Regulations.

Licensed Supported accommodation

Currently where a property meets the definition of an HMO the Council requires them to be licensed in accordance with its Additional HMO Licensing Scheme until such time that the Supported licensing regime is implemented. These properties are subject to licence conditions and are checked to ensure compliance regularly. Schedule 14 of the Housing Act sets out the buildings that are not HMOs for the purpose of the act. This includes properties managed or controlled by registered social landlords.

The Housing health and safety rating system (HHSRS)

All properties not subject to HMO licensing will be visited and an HHSRS assessment carried out under the Housing Act 2004 to ensure the property is safe and compliant. All HMO's will also be subject to a HHSRS assessment to ensure the property is safe and compliant. When a category 1 hazard is found the council have a duty to take action to remove the hazard, when a category 2 hazard is found the council have discretion whether to take any further action.

Appendix 6 - Protection from Eviction Act 1977

The Protection from Eviction Act defines unlawful eviction and harassment of residential occupiers and creates a criminal offence for breach of sections 1-4 of the Act.

The legislation now falls within the scope of the Renter Right Act 2025 and places a duty on the Council to investigate cases of unlawful eviction or harassment.

The Act specifically states:

- *Any person with the intent to cause the residential occupier of any premises and any person who knows, or has reasonable cause to believe the conduct committed is likely to cause the residential occupier or members of his family:*
 - *To give up the occupation of the premises or any part thereof; or*
 - *To refrain from exercising any right or pursuing any remedy in respect of the premises or part thereof; or*
 - *Does acts calculated to interfere with the peace or comfort of the residential occupier or members of his household; or persistently withdraws or withholds services reasonably required for the occupation of the premises as a residence, shall be guilty of an offence.*

Residential occupiers occupying a privately rented property under the provisions of a tenancy as defined by the Housing Act 1988 are entitled to:

- exclusive possession of the property,
- to enjoy the property without interference to either their peace or comfort, and
- not to be unlawfully evicted from it.

Where a person makes a complaint to the Council and that complaint falls within the definition outlined above, an officer authorised by the Council may use investigatory powers as outlined in this policy in order to investigate the matter and establish what evidence exists to prove the offence. The authorised officer may utilise a range of powers to gather evidence, including issuing formal documents requesting information, entering premises with or without warrant (subject to legal conditions) and seize documents and records necessary for enforcement action.

The duty placed on the Council by the Renters Rights Act 2025 is to investigate cases of unlawful and harassment. Cases will only proceed where the case meets the evidential threshold for criminal cases and where the authority is satisfied that it meets the public interest test as defined in the Code for Crown Prosecutors.

The Council will also assess the reliability and credibility of witnesses in determining whether to progress a case beyond the investigation stage.

Section 2- Unlawful Eviction

Section 2 of the Act broadly covers the physical act of changing the locks to a property or preventing occupation without proper authority to do so. A residential occupier is anyone who occupies a property and is NOT an excluded occupier for the purposes of the act (see excluded occupiers' section below)

Proper authority means a bailiff from the county court or high court sheriff with either a warrant of eviction or a writ.

This section of the Act does not exclusively cover lock changes, it can also cover acts such as boarding up a property, placing objects in front of doors, adding padlocks to doors or gates, changing key codes whilst not providing these to the occupier, physically preventing occupation by standing between the tenant and the door to their property. It can be any act that prevents the occupier from physically re-entering the premises.

Section 2 of the Act also covers attempts to illegally evict. It is also important to note that this offence can be committed by any person and not just the landlord of the property.

Section 3- Harassment

Section 3 of the Act covers scenarios where any person does acts likely to interfere with the peace or comfort of the residential occupier or members of his household or persistently withdraws or withholds services reasonably required for the occupation of the premises as a residence.

Section 3A is largely the same as Section 3 of the Act but specifically relates to scenarios where the landlord has committed the harassment directly.

Examples of harassment could be:

- removing fuses from a consumer unit or withholding amenities such as electric, gas or water,
- removing windows from a property,
- sending a text message to a tenant telling them to leave,
- sending unlawful eviction notices on more than one occasion,
- interfering with internet, thermostat or similar,
- tacit bullying via the use of social media,
- discussing rent arrears with neighbours or other parties with authority.

Harassment under this section of the Act typically refers to a course of conduct which in law is two or more incidents of harassment. The two incidents can be of differing types so, for example a phone call telling a tenant to leave and a text message would be sufficient to complete the offence. It is important to note that the definition and scope of harassment covers a huge range of behaviours and therefore each case will be assessed individually to determine if the specified activity meets the definition of the Act.

It is also worth noting that the Renters Right Act 2025 makes out a separate breach for giving verbal or unlawful notice to a tenant. If a person gives unlawful or verbal notice on one occasion, this is likely to be a breach of the Renters Rights Act 2025 and attracts a financial penalty of substantially less than an offence under the Protection from Eviction Act 1977 (see schedule of breaches below).

There are occasions where a landlord may continue a campaign of harassment, in this case providing the evidential threshold is met for the offence, The Council may take further action under the provisions of the Protection from Eviction Act 1977 which attracts a higher penalty.

Where conduct falls within Section 2 of the Act there is no requirement to demonstrate a course of conduct, this can be a single isolated incident.

Excluded Occupiers

The Protection from Eviction Act 1977 applies to all residential tenancies other than those specified as “excluded occupiers” by the Act.

The Act sets out the following categories of excluded occupier:

- people sharing accommodation with a resident landlord.
- former trespassers granted temporary rights to occupy.
- people renting holiday lets.
- people occupying accommodation rent free.
- asylum seekers in UKVI accommodation.
- licensees in public sector hostels.
- people with no right to rent where the Home Office has served notice.

The Act also covers landlords, lettings agents and any person who is believed to be culpable of committing an offence contrary to the provisions of the Act.

An example of this is where a landlord or agent instructs a third party to undertake an unlawful eviction or course of conduct (harassment) by proxy. The person acting as a proxy may also be liable for the offence, however it is important to note that this does not always need to be someone acting as proxy and can be any person whatsoever.

Appendix 7 - Environmental Protection Act 1990

Statutory Nuisance Provisions

If a property is unsafe, causing or is likely to cause a nuisance to the locality, there are several legislative tools available to the Council to ensure that the condition of the property is improved.

Issues that may be a statutory nuisance include:

- noise from premises or from vehicles, equipment or machinery in the street
- smoke from premises
- smells from industry, trade or business premises (for example, sewage treatment works, factories or restaurants)
- artificial light from premises
- insect infestations from industrial, trade or business premises
- accumulation or deposits on premises (for example, piles of rotting rubbish)

For the issue to count as a statutory nuisance it must do one of the following:

- unreasonably and substantially interfere with the use or enjoyment of a home or other premises
- injure health or be likely to injure health

Abatement notices

Coventry City Council must serve an abatement notice on people responsible for statutory nuisances, or on a premises owner or occupier if this is not possible. This may require whoever's responsible to stop the activity or limit it to certain times to avoid causing a nuisance and can include specific actions to reduce the problem.

Appendix 8 - The Prevention of Damage from Pests Act 1949

The Prevention of Damage from Pests Act 1949 (PDPA) places a duty on the Council to keep its area free from rats and mice and provides the Council with the following powers.

Inspection and Monitoring

In the event of a complaint the Council must inspect land and premises to identify infestations of rats and mice, and it may also do so proactively

Serving Notices

If an infestation or conditions likely to attract pests are found, the Council can serve a notice on the owner or occupier requiring them to take specified steps to eradicate pests or remove accumulations (e.g., rubbish or structural defects that allow entry).

Works in Default

If a landlord fails to comply, the Council may carry out pest control measures itself and recover costs from the owner or occupier as a civil debt.

Powers of Entry

Authorised officers can enter land or premises at reasonable times (with 24 hours' notice if occupied) to inspect, enforce compliance, or take remedial steps. Obstruction of these powers is an offence.

Cost Recovery

Expenses incurred by the Council for pest control can be recovered from the property owner or occupier.

Application to the Private Rented Sector

These powers apply equally to private landlords. If a rented property is infested or poses a risk to public health, the Council can:

- Require the landlord to remove infestations and prevent recurrence.
- Address structural defects or accumulations that attract pests.
- Take enforcement action if notices are ignored, including works in default and cost recovery.

Appendix 9 - The Building Act 1984

The Building Act 1984 provides the legal framework for building regulations in England and Wales, ensuring safety, health, and welfare in construction and maintenance. It applies to all buildings, including those in the Private Rented Sector (PRS), and gives local authorities enforcement powers to address dangerous or defective conditions.

Key Powers Relevant to Privately Rented Properties

The Council can exercise the following powers under the Act:

1. Drainage and Sanitation
 - Section 59: Require owners to remedy defective or blocked drainage systems

- Section 64: Ensure provision of adequate sanitary facilities (closets) in buildings.
2. Dangerous or Dilapidated Buildings
- Section 76: Address defective premises that pose health or safety risks.
 - Section 77: Serve notice requiring the owner to make a ruinous or dilapidated building safe.
 - Section 78: Take emergency action to make a building safe if immediate danger exists.
 - Section 79: Require renovation or demolition of ruinous or neglected buildings or sites.
3. Powers of Entry
- Sections 95–96: Authorised officers can enter premises (with notice) to inspect and enforce compliance.
4. Execution of Works
- Section 97: Council can carry out necessary works in default and recover costs from the owner.
5. Service of Documents
- Sections 92–94A: Prescribe how notices and documents are served, including electronic service.

These powers allow the Council to intervene where a rented property is:

- Structurally unsafe or dilapidated.
- Lacking proper drainage or sanitary facilities.
- Posing a risk to health or safety.

Enforcement can include formal notices, emergency works, and cost recovery from landlords who fail to comply.

The Council's may also use the Building Act powers alongside other legislation (Housing Act 2004, Environmental Protection Act 1990) to maintain standards in the PRS. These powers are particularly relevant for empty or neglected properties and cases involving structural hazards.

Appendix 10 - The Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022

Section 150 of the Energy Act 2013 empowers the Secretary of State to make regulations that require landlords of residential premises in England to

ensure that, during any period when the premises are occupied under a tenancy, the premises are equipped with smoke and carbon monoxide alarms that meet the appropriate standard, and that checks are made by or on behalf of the landlord in accordance with the regulations to ensure that any such alarms remain in proper working order.

These regulations are known as the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 (the Regulations).

How the Council investigates breaches of this legislation

The conditions may come to the attention of the investigating officer either by way of a complaint or during an inspection of premises. Guidance on dealing with complaints is contained in the 'Investigation of Complaints and Service Requests'. Information on inspection of premises is contained in the 'Survey of Residential Dwellings'.

It should be noted the Explanatory Booklet for Local Authorities on the Smoke and Carbon Monoxide Regulations issued by the Department of Communities and Local Government states that 'reasonable grounds' for serving a remedial notice would include being informed by a tenant, letting agent or housing officer that the required alarms are not installed. The regulations do not require the Council to enter the property or prove non-compliance to issue a remedial notice. This is intelligence-led enforcement.

Under these regulations, the 'relevant landlord' of a 'specified tenancy' (including a licence, lease, sub-lease and sub-tenancy), which grants one or more persons the right to occupy, must ensure from 1st October 2015 that:

- A smoke alarm is provided on each storey of the premises on which there is a room used wholly or partly as living accommodation (including bathroom or lavatory)
- A carbon monoxide alarm is provided in any room of the premises which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance, and
- Checks are made to ensure that these alarms are in proper working order on the day any new tenancy begins after 1 October 2015.

The regulations do not apply, for example, where a resident landlord shares an amenity with their tenant, nor do they apply to student halls of residence, registered social landlords, hostels, refuges or care homes.

For Houses of multiple occupation any breach of this legislation will be dealt with through the licensing scheme.

As part of a property inspection, the officer should discuss the issues with the occupant as they may be able to add information that isn't readily identifiable from the

visual inspection, i.e. details of any ill-health effects that they may have been suffering that may be linked to carbon monoxide poisoning.

Specifically relating to the 2015 Regulations, the surveying officer should check:

- A smoke alarm is installed to each storey of the premises as required by the regulations
- A carbon monoxide alarm is installed in any room used as living accommodation and where there is a solid fuel burning combustion appliance
- Documents are present relating to the maintenance of the alarms to ensure they were in proper working order at the start of the tenancy, after which the tenant is responsible for their own safety by regularly testing all alarm

If the Council has reasonable grounds to believe a landlord is in breach of the requirements in Regulation 4, it must serve a remedial notice on the relevant landlord.

Where the Council has 'reasonable grounds' to believe that one or more of the points have not been met, it must serve a remedial notice on the landlord. 'Reasonable grounds' includes being informed by a tenant, letting agent or housing officer that the required alarms are not installed.

The regulations do not require the Council to enter the property or prove non-compliance to issue a remedial notice. A remedial notice must be issued if the Council has decided it has reasonable grounds to believe there is a breach).

The remedial notice must specify:

- The premises to which the notice relates
- The duty/duties with which the Council considers the landlord is failing or has failed to comply
- The remedial action the Council considers should be taken
- That action is taken within 28 days of the day the notice is served
- That the landlord is entitled to make written representation against the notice within 28 days of the day of service of the notice
- The person to whom and the address at which any representation may be sent
- An explanation as to:
 - The duty of the landlord to comply with a remedial notice
 - The duty of the Council to arrange remedial action
 - Penalties for a breach, including the maximum penalty charge which the Council may impose.

The notice must be in writing and may be amended, suspended or revoked in writing at any time and is deemed to be served on a landlord on:

- The day that it is given to the landlord in person

- The second business day after the notice was sent by first-class post to the landlord's last known address
- The day it is delivered by hand to the landlord's last known address

The day the notice is sent by email to the landlord where the landlord has provided the Council with an email address at which he/she is content to accept service.

Where a remedial notice is served, the landlord must take the action specified in the notice within the time specified. A landlord is not to be taken to breach the duty if they can prove they have taken all reasonable steps to comply with the duty.

If a landlord can show they have taken all reasonable steps, they will not be in breach of the duty to comply with the remedial notice. If a landlord does not prove they have taken all reasonable steps, it is then up to the Council to decide if they are in breach, by judging this on the balance of probabilities. Whether any evidence provided confirms compliance is for the Council to determine.

If a tenant informs the Council that no remedial action has been taken, it is reasonable for the Council to be satisfied, on the balance of probabilities, that the landlord is in breach.

Where the Council is satisfied, on the balance of probabilities, that a landlord on whom it has served a remedial notice is in breach of the duty, it must, if the necessary consent is given by the occupier, arrange for an authorised person to take the remedial action specified in the remedial notice within 28 days from when the breach has been identified. The authorised person must give not less than 48 hours' notice of the remedial action to the occupier of the premises. The authorised person must produce evidence of identity and authority, if required to do so, by the landlord or occupier.

Enforcement of the Regulations

The Council can impose a civil penalty of up to £5,000 on landlords who do not comply with the remedial notice.

There is no other provision made in the regulations for the Council to redeem costs for any remedial works carried out. Collection of the civil penalty fine is the only method.

The Council must serve a penalty charge notice within six weeks of the day of the breach of the remedial notice. The penalty charge notice must state:

- The reasons for imposing the penalty charge
- The premises to which the penalty charge relates
- The number and type of prescribed alarms (if any) which an authorised person has installed at the premises
- The amount of the penalty charge

- That the landlord is required, within a period specified in the notice:
 - To pay the penalty charge
 - To give written notice to the Council requesting a review the penalty charge notice
 - How payment of the penalty charge must be made
 - Contact details of the person to whom the request for a review and representations should be sent, (including any email address).

The period for payment of the penalty charge must be not less than 28 days. There is provision to reduce the penalty charge for payment within 21 days in line with the Coventry City Council available here (link to how we issue a financial penalty)

The Council must:

- Consider any representations made by the landlord
- Decide whether to confirm, vary or withdraw the penalty charge notice, and
- Serve notice of its decision to the landlord.

The Council may recover the penalty charge on the order of a court as if payable under a court order. As noted above, when the Council issues a penalty notice which carries a right of appeal, they must tell the landlord about that right of appeal.

Determining the amount of the penalty charge (Statement of Principles)

The Council's policy is that the starting point for a penalty charge for a first breach of the Regulations will **£3,000**. The lower limit which all penalties will be levied is £2,500. Therefore, where landlords are able to show certain mitigation, the Council is allowing a reduction to this lower limit rather than applying the starting point as a fixed amount.

The Council will decide what such circumstances might be, taking into account any representations the letting agent and/or property manager makes during the 28 day period following the Council's notice of intention to issue a fine.

Aggravating factors include, but are not limited to:

- The number of alarms not working or missing (the Regulations state there should be one per storey)
- Other fire safety concerns/defects in the property which increase the risk posed to the occupants
- The length of time the offence is believed to have been on-going
- The frequency of complaints by the occupiers to the landlord about the non-working or missing alarms
- The costs of any remedial work the Council have carried out in response to the breach

- Whether the property is let as an HMO (which increases the overall risk)
- The number of occupants living in the property
- Presence of vulnerable occupiers such as elderly, children or disabled people
- Any history of previous enforcement or non-compliance of the landlord
- Attempts to obstruct the investigation

Mitigating factors include, but are not limited to:

- The property being small and low-risk (for example a one-bedroom ground floor flat with a large number of fire escapes including large windows)
- A single occupant living in the property
- Evidence that all required alarms were checked and in working order at the start of the tenancy
- Written evidence that some efforts to gain access and comply with the remedial notice were made and access was prevented by the occupant

Determining the amount of the penalty charge for a subsequent breach

The starting point for penalties for subsequent breaches will not be set, and the Council may decide to issue the maximum penalty of £5,000.

Withdrawing or reviewing a penalty notice after representations

The Council may decide to review its decision to serve a penalty notice, for example when new information comes to light and a landlord also has the right to ask the Council to review its decision to serve a penalty notice. This request must be made in writing.

The penalty notice must tell the landlord how long they have to make this request, and who it must be sent to.

When the Council receives the request, it must consider everything the landlord has said in the request and decide whether or not to withdraw the penalty notice.

The Council must withdraw the penalty notice if:

- It is satisfied that the landlord has not committed the breach set out in the penalty notice;
- although it still believes the landlord committed the breach, it is satisfied that the landlord took all reasonable steps, and exercised all due diligence to avoid committing the breach; or
- it decides that because of the circumstances of the landlord's case, it was not appropriate for the penalty notice to be served.

If the Council does not decide to withdraw the penalty notice, it might decide to waive or reduce the penalty, allow the landlord additional time to pay and must explain the appeals process and how financial penalties can be recovered.

In the event of two or more persons receiving separate Notices of Intent for the same matter, it should be noted that acceptance/payment of a civil penalty by one person will not negate the Council's intention to impose a civil penalty on the second or further persons. Each person served with the Notice of Intent is considered individually liable to pay the civil penalty notified to them. It is therefore important that any recipient of a Notice of Intent takes the opportunity to make representations should they consider for any reason a civil penalty should not be individually imposed upon them.

This approach is taken to ensure consistency in the way the Council enforces the legislation.

In any event, the Council must inform the landlord of its decision in writing, and, should do so at the earliest opportunity.

Where a landlord asks the Council to review a decision to serve a penalty notice and, on review, it decides to uphold the penalty notice, the landlord may then appeal to the First-Tier Tribunal against that decision.

Appendix 11 - The Energy Performance of Buildings (England and Wales) Regulations 2012

The Energy Performance of Buildings (England and Wales) Regulations 2012 requires sellers and prospective landlords to make available, free of charge, a valid Energy Performance Certificate (EPC) to any prospective tenant at the earliest opportunity, and no later than when the seller or prospective landlord makes available information in writing to the prospective buyer or tenant where requested, or where the prospective buyer or tenant views the building (whichever is earlier).

In addition, the Regulations require that the seller or prospective landlord ensures that a valid EPC has been given free of charge to the ultimate buyer or tenant.

The Regulations also require that the seller or prospective landlord must secure that an EPC is commissioned for a building, where that building is to be sold or rented out and no valid EPC is available for that building.

Where a building or building unit offered for sale or rent has a valid EPC, the asset rating of the building expressed in the EPC must be stated in any advertisement of the sale or rental in commercial media.

Under Regulation 35, the Council has the power to require the production of documents, including the EPC, within 6 months after the last day on which the person concerned was subject to a duty in relation to the building. Documents must be provided within seven days.

A penalty charge may be issued for failure to comply with requirements under the Regulations. When considering taking enforcement action, the Council will apply the following:

- a) Where the building is a dwelling, the penalty charge specified in the notice shall be £200 in relation to a relevant breach of a duty.
- b) Where the building is not a dwelling, the penalty charge specified in the notice shall, in most cases, be 12.5% of the rateable value of the property, with a minimum penalty of £500 and a maximum penalty of £5,000.

The other penalty amounts under the Regulations are as follows;

- in relation to a breach of a duty under regulation 14(3)(a), £1,000
- in relation to a breach of a duty under regulation 10(2) or 14(3)(b), £500;
- in relation to a breach of a duty under regulation 18(1), 20(1), 20(2) or 21, £300; and
- in relation to a breach of a duty under regulation 11(2) or 35(5), £200.

If a penalty charge notice is issued, the recipient of the notice may request a review of the Council's decision to issue the notice. If the recipient of the notice is not satisfied with the outcome of the review, they may within 28 days (beginning with the day after that on which the notice under regulation 39(1)(c) is given), appeal to the county court (Regulation 40).

Every person with an interest in, or in occupation of, the building must co-operate in relation to enabling the responsible person to comply with the Regulations.

A person who obstructs an officer of an enforcement authority acting in pursuance of regulation 35, or a person who purports to act as such an officer, is guilty of an offence.

A person guilty of an offence is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Appendix 12 - The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015

The Minimum Energy Efficiency Standards (MEES) came into force in April 2018 and have been amended twice since that time. This policy document reflects the most recent up to date amendments made on the 15 March 2019.

The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015, as amended are referred to in this document as “the Regulations”. The Regulations are designed to tackle the least energy-efficient properties in England and Wales – those rated F or G on their Energy Performance Certificate (EPC). The Regulations establish a minimum standard of EPC band E for both domestic and non-domestic private rented property, affecting new tenancies and renewals since 1 April 2018.

The Regulations introduced a new self-funding element for domestic landlords, which takes effect if landlords are unable to access third-party funding to improve any EPC F or G properties, they let to EPC E. The Regulations set out the minimum level of energy efficiency for private rented property in England and Wales. In relation to the domestic private rented sector (PRS) the minimum level is EPC E.

Landlords who are installing relevant energy efficiency improvements may, of course, aim above and beyond this current requirement if they wish. The minimum standard will apply to any domestic private rented property which is legally required to have an EPC, and which is let on certain tenancy types. Where these two conditions are met the landlord must ensure that the standard is met (or exceeded).

Landlords of domestic property for which an EPC is not a legal requirement are not bound by the prohibition on letting sub-standard property.

The minimum level of energy efficiency means that, subject to certain requirements and exemptions:

- since 1 April 2018, landlords of relevant domestic private rented properties must not grant a tenancy to new or existing tenants if their property has an EPC rating of F or G (as shown on a valid EPC for the property); and
- from 1 April 2020, landlords must not continue letting a relevant domestic property which is already let if that property has an EPC rating F or G (as shown on a valid EPC for the property).

Where a property is sub-standard, landlords must normally make energy efficiency improvements which raise the EPC rate to minimum E before they let the property.

In certain circumstances, landlords may be able to claim an exemption from this prohibition on letting sub-standard property. Where a valid exemption applies, landlords must register the exemption on the PRS Exemptions Register.

The Regulations cross-refer to other Regulations, including the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007, the Building Regulations 2010 and the Energy Performance of Buildings (England and Wales) Regulations 2012.

How the Council enforces the Regulations

It should never be more cost effective to offend or breach the regulations and therefore penalty levels will be set at such a level as to deter reoffending. The level of fine will be determined via application of the enforcement matrix.

The Council is responsible for enforcing compliance with the domestic minimum level of energy efficiency. It may check whether a property meets the minimum level of energy efficiency and may issue a compliance notice requesting information where it appears to them that a property has been let in breach of the Energy Efficiency (Private Rented Property)(England and Wales) Regulations 2015 or an invalid exemption has been registered in respect of it).

Where the Council is satisfied that a property has been let in breach of the Regulations it may serve a notice on the landlord imposing financial penalties.

The authority may also publish details of the breach on the [PRs Exemptions Register](#).

The landlord may ask the Council to review the penalty notice and, if the penalty is upheld on review, the landlord may then appeal the penalty notice to the First-tier Tribunal.

The Council may also serve a penalty notice for the lodging of false information on the PRs Exemptions Register.

The Council may check for different forms of non-compliance with the Regulations including:

- since 1 April 2018 whether the property is sub-standard and let in breach of regulation 23 (which may include continuing to let the property after 1 April 2020); and
- where the landlord has registered any false or misleading information on the PRs Exemptions Register or has failed to comply with a compliance notice.

Compliance notices

Since 1 April 2018, where the Council believes that a landlord may be in breach of the prohibition on letting a sub-standard property, or a landlord has been in breach of the prohibition at any time in the past 12 months, the Council may serve a compliance notice that requests information from that landlord which will help them to decide whether that landlord has in fact breached the prohibition.

The fact that the Council may serve a compliance notice on a landlord up to 12 months after the suspected breach means that a person may be served with a compliance notice after they have ceased to be the landlord of the property.

It is good practice, therefore, for landlords to retain any records and documents relating to a let property that may be used to demonstrate compliance with the Regulations.

Any notice that is served under the Regulations must be in writing and may be sent in hard copy or electronically. Where a notice is served on a corporate body it may be given to the secretary or clerk of that body if a suitably named individual cannot be identified. Where a notice is served on a partnership, it may be addressed to any partner, or to a person who has control or management of the partnership business.

A compliance notice served by the Council may request either the original or copies of the following information:

- the EPC that was valid for the time when the property was let;
- any other EPC for the property in the landlord's possession;
- the current tenancy agreement used for letting the property;
- any Green Deal Advice Report in relation to the property; and
- any other relevant document that the Council requires in order to carry out its compliance and enforcement functions.

The compliance notice may also require the landlord to register copies of the requested information on the [PRS Exemptions Register](#).

The compliance notice will specify:

- the name and address of the person that a landlord must send the requested information to; and
- the date by which the requested information must be supplied (the notice must give the landlord at least one calendar month to comply).

The landlord must comply with the compliance notice by sending the requested information to the Council and allow copies of any original documents to be taken.

Failure to provide documents or information requested by a compliance notice, or failure to register information on the PRS Exemptions Register as required by a compliance notice, may result in a penalty notice being served.

The Council may withdraw or amend the compliance notice at any time in writing, for example where new information comes to light.

The Council may also use the documents provided by the landlord or any other information it holds.

Publication penalty

The regulations also include a publication penalty; this means that the Council will publish some details of the landlord's breach on a publicly accessible part of the PRS Exemptions Register.

The Council can decide how long to leave the information on the Register, but it will be available for view by the public for at least 12 months.

The information that the Council may publish is:

- the landlord's name (except where the landlord is an individual);
- details of the breach; and
- the address of the property in relation to which the breach occurred; and the amount of any financial penalty imposed.

The Council may decide how much of this information to publish. However, the authority may not place this information on the PRS Exemptions Register while the penalty notice could be, or is being reviewed by the Council, or while their decision to uphold the penalty notice could be, or is being, appealed.

Decision to issue a financial penalty

Where the Council decides to impose a financial penalty, they have the discretion to decide on the amount of the penalty, up to maximum limits set by the Regulations as shown in Table 13.

Table 13 - Maximum limits for MEEs

Infringement	Penalty (less than three months in breach)	Penalty (three months or more in breach)
Renting out a non-compliant property	Up to £2000 and/or publication penalty	Up to £4000 and/or publication penalty
Providing false or misleading information on the PRS exemptions register	Up to £1000 and/or publication penalty	Up to £1000 and/or publication penalty
Failing to comply with a compliance notice	Up to £2000 and/or publication penalty	Up to £2000 and/or publication penalty

The Council may not impose a financial penalty under both paragraphs (a) and (b) above in relation to the same breach of the Regulations. But they may impose a financial penalty under either paragraph (a) or paragraph (b), together with financial

penalties under paragraphs (c) and (d), in relation to the same breach. Where penalties are imposed under more than one of these paragraphs, the **total amount** of the financial penalty may **not be more than £5,000**.

It is important to note that this maximum amount of £5,000 applies per property, and per breach of the Regulation. Given this, it means that, if after having been previously fined up to £5,000 for having failed to satisfy the requirements of the Regulations, a landlord proceeds to unlawfully let a sub-standard property on a new tenancy; the Council may again levy financial penalties up to £5,000 in relation to that new tenancy.

From 1 April 2018 onwards, the Council may serve a penalty notice (relating to a financial penalty, a publication penalty or both) on the landlord where they are satisfied that the landlord is, or has been in the last 18 months:

- in breach of the prohibition on letting sub-standard property (which may include continuing to let the property after 1 April 2020).
- in breach of the requirement to comply with a compliance notice; or
- has uploaded false or misleading information to the Exemptions Register.

The fact that the Council may serve a penalty notice on a landlord up to 18 months after the suspected breach means that a person may be served with a penalty notice after they have ceased to be the landlord of a property.

The penalty notice may include a financial penalty, a publication penalty or both. The penalty notice will:

- explain which of the provisions of the Regulations the Council believes the landlord has breached.
- give details of the breach.
- tell the landlord whether they must take any action to remedy the breach and, if so, the date within which this action must be taken (the date must be at least a month after the penalty notice is issued).
- explain whether a financial penalty is imposed and if so, how much and, where applicable, how it has been calculated.
- explain whether a publication penalty has been imposed.
- where a financial penalty is imposed, tell the landlord the date by which payment must be made, the name and address of the person to whom it must be paid and the method of payment (the date must be at least a month after the penalty notice is issued).
- explain the review and appeals processes, including the name and address of the person to whom a review request must be sent, and the date by which the request must be sent, and

- explain that if the landlord does not pay any financial penalty within the specified period, the Council may bring court proceedings to recover the money from the landlord.

A further penalty notice may be issued if the action required in the penalty notice is not taken in the time specified.

As noted above, when the Council issues a penalty notice which carries a right of appeal, they must tell the landlord about that right of appeal.

Withdrawing or reviewing a penalty notice after representations

The Council may decide to review its decision to serve a penalty notice, for example when new information comes to light.

A landlord also has the right to ask the Council to review its decision to serve a penalty notice. This request must be made in writing.

The penalty notice must tell the landlord how long they have to make this request, and who it must be sent to.

When the Council receives the request, it must consider everything the landlord has said in the request and decide whether or not to withdraw the penalty notice.

The Council must withdraw the penalty notice if:

- it is satisfied that the landlord has not committed the breach set out in the penalty notice.
- although it still believes the landlord committed the breach, it is satisfied that the landlord took all reasonable steps, and exercised all due diligence to avoid committing the breach, or
- it decides that because of the circumstances of the landlord's case, it was not appropriate for the penalty notice to be served.

If the Council does not decide to withdraw the penalty notice, it might decide to waive or reduce the penalty, allow the landlord additional time to pay, or modify the publication penalty, and must explain the appeals process and how financial penalties can be recovered.

In the event of two or more persons receiving separate Notices of Intent for the same matter, it should be noted that acceptance/payment of a civil penalty by one person will not negate the Council's intention to impose a civil penalty on the second or further persons. Each person served with the Notice of Intent is considered individually liable

to pay the civil penalty notified to them. It is therefore important that any recipient of a Notice of Intent takes the opportunity to make representations should they consider for any reason a civil penalty should not be individually imposed upon them. This approach is taken to ensure consistency in the way we enforce the legislation.

Whatever it decides, the Council must inform the landlord of their decision in writing and should do so at the earliest opportunity.

Appeals

Where a landlord asks the Council to review a decision to serve a penalty notice and, on review, they decide to uphold the penalty notice, the landlord may then appeal to the First-tier Tribunal against that decision if they think that:

- the penalty notice was based on an error of fact or an error of law.
- the penalty notice does not comply with a requirement imposed by the Regulations, or
- it was inappropriate to serve a penalty notice on them in the particular circumstances.

If a landlord does appeal, the penalty notice will not take effect while the appeal is ongoing. A landlord may also wish to seek legal advice as part of considering or making an appeal if they have not already done so.

Appendix 13 - The Electrical Safety Standards in the Private Rented Sector and Social Rented Sector (England) Regulations 2020

The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 came into force on the 1st June 2020 and were amended by the Electrical Safety Standards in the Private Rented Sector (England) (Amendment) (Extension to the Social Rented Sector) Regulations 2025.

These regulations require all landlords to have the electrical installations in their properties inspected and tested by a qualified person at least every 5 years. They must obtain a report from the qualified person and provide a copy of this to their tenants, and to the local council if requested.

The regulations came into force for the social rented sector on the 1st November 2025 and apply to social housing tenancies granted after the 1st December 2025.

For social housing tenancies granted before the 1st December 2025, the regulations come into force on the 1st May 2026. There is transitional provision set out in the regulations for such tenancies, which requires social landlords in the first instance to:

- Ensure electrical installations are inspected and tested by a qualified person before 1 November 2026.
- Ensure electrical equipment is checked by a qualified person before 1 November 2026.

Social landlords must also have the electrical equipment that they provide under the tenancy checked by a qualified person at least every 5 years. They must provide a copy of the record to their tenants, and to the local council if requested.

Where the record indicates that electrical equipment is not safe for continued use, the landlord must, as soon as reasonably practicable and no later than 28 days after the check, ensure that remedial work is carried out or replace the equipment.

Subsequent inspections and tests of electrical installations and checks of electrical equipment must be undertaken at least every 5 years.

Excluded tenancies are:

- shared accommodation with the landlord or the landlord's family.
- long leases (including shared ownership leases) or tenancies that grant a right of occupation of 7 years or more.
- student halls of residence.
- hostels and refuges.
- care homes, hospitals and hospices.
- other accommodation relating to healthcare provisions.
- mobile homes, caravans and boats.

All landlords must:

- Ensure national standards for electrical safety are met. These are set out in the appropriate 'wiring regulations', which are published as British Standard 7671.
- Ensure all electrical installations in their rented properties are inspected and tested by a qualified and competent person at least every five years.
- Obtain a report from the person conducting the inspection and test which gives the results and sets a date for the next inspection and test.
- Supply a copy of this report to the existing tenant within 28 days of the inspection and test.
- Supply a copy of this report to a new tenant before they occupy the premises.
- Supply a copy of this report to any prospective tenant within 28 days of receiving a request for the report.
- Supply the Council with a copy of this report within seven days of receiving a written request for a copy.

- Retain a copy of the report to give to the inspector and tester who will undertake the next inspection and test.
- Where the report shows that further investigative or remedial work is necessary, complete this work within 28 days or any shorter period if specified as necessary in the report.
- Supply written confirmation of the completion of the further investigative or remedial works from the electrician to the tenant and the Council within 28 days of completion of the works.

Landlords must obtain a report giving the results of the test and setting a date for the next inspection. Landlords must comply within 7 days with a written request from Coventry City Council for a copy of the report and must also supply the Council with confirmation of any remedial or further investigative works required by a report.

Coventry City Council may wish to request reports following inspections of properties to ascertain the condition of the electrical installation and confirm the landlord is complying with the Regulations.

Inspectors will use the following classification codes to indicate where a landlord must undertake remedial work. More information can be found in the relevant edition of the Wiring Regulations.

- **Code 1 (C1): Danger present. Risk of injury. The electrical inspector may make any C1 hazards safe before leaving the premises.**
- **Code 2 (C2): Potentially dangerous.**
- **Code 3 (C3): Improvement recommended. Further remedial work is not required for the report to be deemed satisfactory.**
- **Further Investigation (FI): Further investigation required without delay.**

If the report contains a code C1, C2 or FI, then the landlord must ensure that further investigative or remedial work is carried out by a qualified person within 28 days, or less if specified in the report.

The C3 classification code does not indicate remedial work is required, only that improvement is recommended.

A remedial notice must be served where the Council is satisfied on the balance of probabilities that a landlord has not complied with one or more of their duties under the Regulations. The notice must be served within 21 days of the decision that the landlord has not complied with their duties.

If the Council has reasonable grounds to believe a landlord is in breach of one or more of the duties in the Regulations and the report indicates urgent remedial action is required, it may, with the consent of the tenant or tenants, arrange for a qualified person to take the urgent remedial action and recover their costs.

Otherwise, they must serve a remedial notice requiring the landlord to take remedial action within 28 days. Should a landlord not comply with the notice the Council may, with the tenant's consent, arrange for any remedial action to be taken themselves.

Landlords have the right to make written representation and appeal against remedial action. The Council can recover the costs of taking the action from the landlord.

Under Regulation 11 of the Regulations where the Council is satisfied, beyond a reasonable doubt, that a landlord has breached a duty under regulation 3, the authority may impose a financial penalty (or more than one penalty in the event of a continuing failure) in respect of the breach.

Regulation 3 states that a landlord who grants or intends to grant a specified tenancy must

- a) ensure that the electrical safety standards are met during any period when the residential premises are occupied under a specified tenancy.
- b) ensure every electrical installation in the residential premises is inspected and tested at regular intervals by a qualified person, and
- c) ensure the first inspection and testing is carried out
 - o before the tenancy commences in relation to a new specified tenancy;
 - or
 - o by 1 April 2021 in relation to an existing specified tenancy.

"Regular intervals" means:

- at intervals of no more than five years, or
- where the most recent report requires such inspection and testing to be at intervals of less than five years, at the intervals specified in that report.

Following the inspection and testing required a landlord must:

- a) obtain a report from the person conducting that inspection and test, which gives the results of the inspection and test and the date of the next inspection and test.
- b) supply a copy of that report to each existing tenant of the residential premises within 28 days of the inspection and test.
- c) supply a copy of that report to the Council within seven days of receiving a request in writing for it from that authority.
- d) retain a copy of that report until the next inspection and test is due and supply a copy to the person carrying out the next inspection and test, and
- e) supply a copy of the most recent report to
 - i. any new tenant of the specified tenancy to which the report relates before that tenant occupies those premises, and
 - ii. any prospective tenant within 28 days of receiving a request in writing for it from that prospective tenant.

Where a report indicates that a landlord is or is potentially in breach of the duty and the report requires the landlord to undertake further investigative or remedial work, the landlord must ensure that further investigative or remedial work is carried out by a qualified person within:

- a) 28 days, or
- b) the period specified in the report if less than 28 days, starting with the date of the inspection and testing.

Where the above applies, a landlord must:

- a) obtain written confirmation from a qualified person that the further investigative or remedial work has been carried out and that:
 - i. the electrical safety standards are met, or
 - ii. further investigative or remedial work is required.
- b) supply that written confirmation, together with a copy of the report which required the further investigative or remedial work to each existing tenant of the residential premises within 28 days of completion of the further investigative or remedial work; and
- c) supply that written confirmation, together with a copy of the report which required the further investigative or remedial work to the Council within 28 days of completion of the further investigative or remedial work.

Where further investigative work is carried out and the outcome of that further investigative work is that further investigative or remedial work is required, the private landlord must repeat the steps above in respect of that further investigative or remedial work.

Determining Penalty Levels

The Council may impose a financial penalty of up to £40,000 on landlords who are in breach of specified duties under the regulations. In determining the civil penalty amount, the Council will have regard to the guidance provided by Government - [Civil penalties under the Renters' Rights Act 2025 and other housing legislation](#) as described earlier.

Table 14 below sets out the interrelation between harm and culpability as an initial determinant of the Civil Penalty banding.

Table 14 - Electrical Regs Penalty Bands

Band Severity		Band Width (£)
1	Low Culpability/Low Harm	£0 to £4,999
2	Medium Culpability/Low Harm	£5,000 to £9,999
3	Low Culpability/ Medium Harm or High Culpability/ Low Harm	£10,000 to £14,999

Band Severity		Band Width (£)
4	Low Culpability/High Harm or Medium Culpability/ Medium Harm	£15,000 to £19,999
5	Medium Culpability/High Harm or High Culpability/Medium Harm	£20,000 to £29,999
6	High Culpability/High Harm	£30,000 to £40,000

Process

The procedure for imposing a civil penalty is set out in Schedule 2 of The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 and summarised below.

The Council must give the person a notice of its proposal ('notice of intent') to impose a civil penalty. The notice of intent must set out:

- the amount of the proposed financial penalty.
- the reasons for proposing to impose the penalty, and,
- information about the right of the landlord to make representations.

The notice of intent must be served before the end of the period of 6 months beginning with the first day on which the authority is satisfied, in accordance with regulation 11, that the private landlord is in breach ("the relevant day"), subject to sub-paragraph (3).

(3) If the breach continues beyond the end of the relevant day, the notice of intent may be served

(a) at any time when the breach is continuing or

(b) within the period of 6 months beginning with the last day on which the breach occurs.

The private landlord may, within the period of 28 days beginning with the day after that on which the notice of intent was served, make written representations to the Council about the proposal to impose a financial penalty on the private landlord.

After the end of the period for representations, the Council must decide whether to impose a penalty and, if so, the amount of the penalty. If the authority decides to impose a financial penalty, it must give the person a notice ('final notice') requiring that the penalty is paid within 28 days.

The final notice must set out:

- the amount of the financial penalty.
- the reasons for imposing the penalty.

- information about how to pay the penalty.
- the period for payment of the penalty (28 days).
- information about rights of appeal, and,
- the consequences of failure to comply with the notice.

The Council may at any time:

- withdraw a notice of intent or final notice or
- reduce the amount specified in a notice of intent or final notice.

On receipt of a final notice imposing a financial penalty a landlord can appeal to the First Tier Tribunal against the decision to impose a penalty and/or the amount of the penalty. The appeal must be made within 28 days of the date the final notice was issued. The final notice is suspended until the appeal is determined or withdrawn.

If the private landlord does not pay the whole or any part of a financial penalty which, the private landlord is liable to pay the Council may recover the penalty or part on the order of the county court as if it were payable under an order of that court.

Appendix 14 - Tenant Fees Act 2019 and Section 83 The Consumer Rights Act

The Tenant Fees Act 2019 should be considered alongside other legislation that gives the Council the power to protect tenants and tackle poor practice by landlords and letting agents, which includes:

- [Renters' Rights Act 2025](#).
- [Housing Act 2004](#).
- [Client Money Protection Schemes for Property Agents Regulations 2018 S.I. 2018/751](#).
- [Client Money Protection Schemes for Property Agents Regulations 2019](#).
- [Enterprise and Regulatory Reform Act 2013](#).
- [Consumer Rights Act 2015](#).
- [Housing and Planning Act 2016](#).

The act amends:

- Consumer Rights Act 2015, [section 83](#) and [87](#).
- [Enterprise and Regulatory Reform Act 2013 section 85](#).
- [Redress Schemes for Letting Agency Work and Property Management work order 2014 article 7](#).
- [Housing and Planning Act 2016 Order 2014 and changes to section 135](#).

In the Act, “enforcement authority” means either a local weights and measures authority in England, or a district council that is not a local weights and measures authority and it is the duty of every local weight and measure authority in England to enforce in its area:

- Section 1 (prohibitions applying to landlords),
- Section 2 (prohibitions applying to letting agents), and
- Schedule 2 (treatment of holding deposits).

Coventry City Council is a weights and measures authority for the purposes of the Act.

As of the 1st June 2020, the ban on fees will apply to all applicable tenancies and licences to occupy housing in the private rented sector, regardless of when they were entered into. Landlords are responsible for the costs associated with setting up, renewing or ending a tenancy (i.e. referencing, administration, inventory, renewal and check-out fees). Landlords will not be able to charge any fees after this date (apart from those fees which are expressly permitted under the ban).

The Renter Rights Act 2025 ends fixed term tenancies from the 1st May 2026 after which time all tenancies will become periodic. This will ensure that any charges such as renewal fees hidden within fixed term re-lets are brought to an end.

Definition of a relevant person

For the purposes of the Act and this policy a “relevant person” is a tenant or a person acting on behalf of a tenant, or who has guaranteed the payment of rent by a tenant but does not include:

- c) A local housing authority within the meaning of the Housing Act 1985 (see section 1 of that Act),
- d) The Greater London Authority, or
- e) A person acting on behalf of an authority within paragraph (a) or the Greater London Authority.

The Act applies to periodic assured tenancies, student accommodation and licenses to occupy housing, in England only. The Act covers licences to occupy housing, to ensure that lodgers or tenants of houses in multiple occupation (“HMOs”) also cannot be charged fees. A licence to occupy housing is a personal permission for someone to occupy housing. It does not give the licensee a legal interest in or control of the housing and includes those licenses issued by resident landlords but does not include a license to occupy housing for a holiday (short term holiday lets).

In addition, the Act applies to housing associations and local authorities, where they are letting a relevant tenancy such as an assured periodic tenancy. The Act does not apply to long leases, as defined in Chapter 1 of Part 1 of the Leasehold Reform,

Housing and Urban Development Act 1993. Nor does it apply to shared ownership leases as defined by section 7(7) of the Leasehold Reform, Housing and Urban Development Act 1993, where the tenant's total share (within the meaning given by that section) is 100%.

Excluded licenses

An excluded license is intended to help charities and Community Interest Companies (this is usually a registered Homeshare organisation) arrange home sharing in private properties for a social benefit. For example, the prevention of loneliness of the elderly.

A national charity, Shared Lives Plus, has a register for members who rent out Homeshares.

The licensee under Homeshares can be set up to provide the licensor with companionship. The person who had been granted the license may also offer care for the licensor and help with tasks that are not related to finances.

In some cases, the licensee does not pay rent. In those circumstances, the licensor may get payments towards council tax, utility bills, internet and phone services or a TV licence.

From 1 June 2019 landlords or agents will no longer be able to require tenants in the private rented sector in England, or any persons acting on behalf of a tenant or guaranteeing the rent, to make certain payments in connection with a tenancy.

Definition of Letting Agency Work

Means things done by a person in the course of a business in response to instructions received from:

- a) A landlord who is seeking to find another person to whom to let housing,
or
- b) A tenant who is seeking to find housing to rent.

A person is not a letting agent for the purposes of the Act if the person engages in letting agency work in the course of that person's employment under a contract of employment.

A person who is an authorised person in relation to a reserved legal activity is not a letting agent when carrying out legal activity in response to instructions from a landlord or tenant who does not also instruct that person to do other things as listed under a) and b) above.

Definition of a Landlord

A landlord is defined as;

- a) A person who proposes to be a landlord under a tenancy,

- b) A person who has ceased to be a landlord under a tenancy,
- c) A licensor under a licence to occupy housing,
- d) A person who proposes to be a licensor under a licence to occupy housing, and,
- e) A person who has ceased to be a licensor under a licence to occupy housing.

Permitted payments

The permitted payments are:

The Rent and Rent in advance (once a tenancy has been signed)

The rent should be paid at regular and specified intervals. The amount charged should usually be equally split across the tenancy and not charged before the tenancy agreement has been signed. In the first year of the tenancy, a landlord or agent must not charge the tenant more at the start of the tenancy as opposed to a later period. For example, if a landlord or agent requires a tenant to pay £800 in month one and £500 in month two onwards, the surplus of £300 in month one will be a prohibited payment.

Sections 8 and 9 of the Renters' Rights Act 2025 makes a new provision for rent in advance and applies to assured periodic tenancies in the private rented sector starting on 1 May 2026.

The rules will not apply to:

- tenancy agreements that were signed before 1 May 2026.
- payments of rent in advance that were made before 1 May 2026.

Rent in advance is when a landlord or letting agent asks a tenant to pay rent before it is due. This includes paying rent before the tenancy starts or before it is due as agreed in the tenancy agreement.

Under the Renters' Rights Act 2025, a landlord cannot ask for, encourage or accept rent before a tenancy agreement has been signed by them or their letting agent and the tenant.

If a tenant pays their rent monthly, then a landlord can ask them to pay their first month's rent at any time between signing the tenancy agreement and the tenancy starting. This is also known as the pre-tenancy period. If the tenant is paying rent more frequently than monthly, for example, weekly, the landlord can ask the tenant to pay up to the first 28 days' rent during the pre-tenancy period.

Once the pre-tenancy period has ended and the tenancy has started, rent payments will be payable on the rent due date agreed in the tenancy agreement. A landlord will

not be able to require the tenant to make their rent payment before that date, regardless of what the tenancy agreement says. However, the tenant may choose to pay their rent early to help them budget. Once the tenancy has started the tenant can choose to pay any amount of rent early.

Landlords may only increase the rent once per year, with a statutory process. This removes the possibility of imposing disguised fees through unfair contractual rent “adjustments.” This statutory process is defined in Section 6 of the Renters Rights Act 2025

Taking rent in advance prior to a tenancy agreement being signed will be deemed a prohibited payment and therefore could be subject to enforcement action in line with the Council’s general approach to enforcement.

A refundable tenancy deposit capped at no more than five weeks’ rent.

where the annual rental income is below £50,000 and six weeks’ rent for properties with an annual rental income of £50,000 or more; This is a refundable payment that a landlord or agent may ask a tenant to pay to be held as security for the performance of any obligations of the tenant or discharge of any liability arising under or in connection with the tenancy. A landlord or agent is not legally required to take a deposit.

A landlord or agent must not ask for a deposit which is more than five weeks’ rent for properties where the annual rental income is below £50,000. It is expected this will apply to the majority of tenancies. For tenancies with an annual rental income of £50,000 or higher, a landlord or agent must not ask for a deposit which is more than six weeks rent. Properties with an annual income of £100,000 are not covered by the Act as they are not capable of being assured shorthold tenancies.

For example, where there are three tenants who are jointly liable for a total weekly rent of £240, the landlord or agent cannot ask each tenant to pay a tenancy deposit of up to five times the total weekly rent ($5 \times 240 = £1200$). The maximum this group of tenants could be asked to pay as a tenancy deposit between them would be £1200. They may then choose to split this equally so that each person would pay £400. Any deposit that a landlord or agent requests for an assured shorthold tenancy must be protected in one of the three Government backed tenancy deposit schemes within 30 days of them taking the payment. This is the tenant’s money, and a landlord or agent will need to provide evidence to substantiate the reasons for any deductions from the deposit at the end of the tenancy.

A refundable holding deposit (to reserve a property) capped at no more than one week’s rent.

A landlord or agent can ask a tenant to pay a holding deposit to demonstrate their commitment to rent the property whilst they undertake relevant reference checks. They

cannot ask for a holding deposit which is more than one week's rent. If they do, any amount above one weeks' rent will be a prohibited payment (this cap is based on the total agreed rent for the property).

For example, if there are three tenants who are jointly liable for the agreed total weekly rent of £240, the landlord or agent cannot charge each tenant a £240 holding deposit. The maximum this group of tenants could be asked to pay as a holding deposit between them would be £240. They may then choose to split this equally so that each person would pay £80. A landlord or agent must refund the holding deposit if the tenant signs a tenancy agreement with them or if they decide to pull out of the arrangement with the tenant or fail to enter a tenancy agreement before the agreed deadline.

A landlord or agent can retain the holding deposit if the tenant fails a Right to Rent check, withdraws from the application process or if the landlord and agent take all reasonable steps to enter the tenancy but the tenant does not. N.B. The deadline for agreement is the date by which agents/landlords and tenants should enter into a tenancy agreement after payment of the holding deposit. The default deadline for agreement is 15 days following the receipt of the holding deposit, but the landlord or agent may agree in writing a longer deadline with the tenant.

A landlord or agent is also entitled to retain a holding deposit if the information provided is false or misleading information. However, they can only take this information into account where the difference between the information provided and the correct information, or the conduct of the tenant in providing it, reasonably affects the landlord's decision to grant the tenancy. This is likely to be the case only where the mistake casts doubt on the tenant's financial suitability or honesty, for example:

- the income declaration was significantly too high because of a typo – even if the typo was an unknown error.
- a clear lie about income or employment – even if the landlord would have been satisfied with the correct information.
- failure to disclose (provided that the tenant has been directly asked) any relevant information which later comes to the landlord or agent's attention, such as a valid County Court Judgment.

A landlord or agent cannot retain a holding deposit if the false or misleading information provided, or conduct in providing it, is not relevant to the individual's suitability as a tenant, for example:

- where a tenant has misspelled their name, the name of their employer or a previous address.
- the tenant omitted to declare a previous address – and the omission had no bearing on their credit worthiness or other assessment of suitability.
- the tenant slightly misjudged their income but not in any way that affects their ability to afford the rent.

Where a landlord or agent retains the holding deposit, they must provide reasons in writing to the tenant within 7 days of the decision by the landlord not to enter into a tenancy agreement or the expiry of the deadline for agreement. If they fail to do so the landlord or agent must refund the holding deposit.

Landlords and agents are entitled to retain the full holding deposit if any of the grounds for retention are met although the accompanying guidance for landlords and agents encourages them to only retain money to cover any costs incurred.

A landlord or agent must not receive subsequent holding deposits for the same property, where the first holding deposit has not been repaid unless the earlier deposit was lawfully retained under schedule 2. This is intended to prevent landlords or agents taking multiple holding deposits from different prospective tenants for a property at the same time. If a landlord or agent fails to return the holding deposit within 7 days of the parties entering into a tenancy agreement, the date of the decision by the landlord or agent not to enter into a tenancy agreement, the parties fail to enter into agreement before the deadline for agreement, fail to provide in writing why a holding deposit has been retained or they retain a holding deposit in a situation where the landlord or agent imposes a requirement which breaches the ban or act in a manner towards the tenant or relevant person in such a way as it would be unreasonable to expect the tenant to enter the tenancy, they will be liable for a financial penalty of up to £5,000.

Payments in the event of a default of the tenant;

A landlord or agent may only charge a default fee under a term of the tenancy agreement in respect of replacing a lost key or other security device to give access to the housing or late payment of rent. Any charge for a lost key or security device giving access to the housing must not exceed the landlord or agent's reasonable costs incurred and must be evidenced in writing to the person who is liable for the payment.

A landlord or agent may in the event of late payment of rent, charge for payment that has been outstanding for 14 days or more and with interest at no more than an annual percentage rate of 3% above the Bank of England's base rate for each day that the payment is outstanding. The Act does not affect the landlord's entitlement to recover damages for breach of the tenancy agreement by way of a deduction from the tenancy deposit or through the courts or an agent's entitlement to recover damages through the courts for breach of an agreement between them and a relevant person.

A default fee is a payment required under an express term in the tenancy agreement that provides that a tenant is required to make a payment in the event of a lost key or other security device giving access to the housing or a late rent payment. Damages on the other hand are the general remedy available for breach of contract and will encompass other contract breaches under or in connection with the tenancy, which are not expressly covered by a default provision.

Example of default fee provisions:

- The tenant is responsible for ensuring that they look after the key/s for the property throughout the tenancy. If they fail to do so, they will be responsible for covering the reasonable costs of replacement of the key/s;
- The tenant is responsible for paying their rent on time. If they fail to do so, interest will be charged in line with the Bank of England's base rate if a rent payment is more than 14 days overdue for each day the payment is outstanding.

Payments on assignment, novation or variation of a tenancy

when requested by the tenant capped at £50, or reasonable costs incurred if higher; If the tenant requests a change to their tenancy agreement, for example, a change of sharer, a landlord or agent is entitled to charge up to £50 for the administration involved in amending the tenancy agreement or the amount of their reasonable costs, if that is higher. Any charge above that amount is a prohibited payment.

The general expectation is that this charge should not exceed £50. In any case, a landlord or agent should be able to demonstrate to the tenant that any fee charged above £50 is reasonable and provide evidence of their costs. Evidence could be provided through invoices or receipts. Assignment is the process whereby a person, the assignor, transfers rights, obligations or benefits to another, the assignee, for example, where a new tenant takes the place of another in a flat share arrangement. Novation is different from assignment; it involves the creation of a new contract and requiring consent of all parties. Variation is the act of changing or adapting a contract. It is worth noting that the £50 threshold is not a fixed fee rather a cap or upper limit to what can be charged and reasonable costs should be evidenced and may often fall below this £50 threshold. Therefore, charging a flat fee of £50 could be prohibited. The fee would need to be calculated on a case-by-case basis.

Payments associated with early termination of the tenancy;

When requested by the tenant; If a tenant requests to leave before the end of their tenancy a landlord or agent is entitled to charge an early termination fee, which must not exceed the loss they have suffered in permitting the tenant to leave early.

This would usually mean that they must not charge any more than the rent they would have received before the tenancy reaches its end. A landlord or agent should aim to agree to any reasonable request to terminate the tenancy agreement early and should charge no more than to cover any likely void period. A tenant could still be required to pay rent at specified intervals as determined by their tenancy agreement until a replacement tenant is found.

Payments in respect of utilities, communication services and council tax;

Tenants remain responsible for paying their bills, which could include council tax, utility payments (e.g. gas, electricity, water), and communication services (e.g. broadband, television license, phone). Where all or some of these payments are included within the rent, as set out under the terms of a tenancy agreement, a tenant cannot be required to pay for these services separately (but would still be required to pay any bills not included in the rent).

Chapter 3 of Part 3 of the Consumer Rights Act 2015

Chapter 3 of Part 3 of the Consumer Rights Act 2015 requires an agent in England to display information about their relevant fees and membership of redress and client money protection schemes prominently in their office and on their website.

The amendments are:

1. to apply those requirements in relation to third party websites (any portal on which a property to let is advertised, for example, Rightmove, Zoopla or Facebook).
2. to make new provision to allow a local weights and measures authority in England to impose more than one financial penalty in respect of a continuing breach of the requirement to publicise fees in England; and, 3. to require letting agents to give the name of their Client Money Protection scheme (not just whether they are a member of such a scheme, as this will become a mandatory requirement from April 2019).
3. to require letting agents to give the name of their client money protection scheme (not just whether they are a member of such a scheme).

In the legislation “in connection with a tenancy” is defined as requirements:

- in consideration of, or in consideration of arranging for, the grant, renewal, continuance, variation, assignment, novation or termination of a tenancy.
- on entry into a tenancy agreement containing relevant provisions.
- pursuant to a provision of a tenancy agreement, or pursuant to an agreement relating to such a tenancy with a letting agent, which requires or purports to require the person to do any of those things in the event of an act or default of the person or if the tenancy is varied, assigned, novated or terminated, and
- as a result of an act or default related to the tenancy unless pursuant to, or for breach of, a tenancy agreement or other agreement, and
- in consideration of providing a reference for a former tenant. In essence this covers any fee or charge related to a tenancy except for those expressly permitted in Schedule 1 of the Act. Any such payment will be a prohibited payment under the Act.

A landlord or agent must not require a tenant to make payments or enter a contract for the provision of a service or a contract of insurance with a third party or require a tenant to make a loan. An agent who provides a service to a tenant, and as part of that service finds a house to rent, which the tenant then rents, is not caught by the ban provided that the agent does not also work for the landlord of the house the tenant is seeking to rent. This is the case even if the agent does not act for the landlord for the specific property in question but works for the landlord more broadly.

The agent is not permitted to charge fees if they do work for the landlord. For example, a relocation agent that finds a property to rent on behalf of a tenant but does not also work for the landlord of that property (or for any other property) can charge the tenant, by whom they have been contracted, fees. The approach to implementing this policy has been to ban all fees except those expressly permitted in Schedule 1 of the Act. The permitted payments are a) the rent.

Enforcement

Where the Council is satisfied beyond reasonable doubt that a landlord or property agent has breached the requirements of Sections 1 and 2 of the Act, it may impose a financial penalty in respect of the breach which,

- may be of such amount as the authority imposing it determines; but
- must not exceed £30,000.

Only one penalty may be imposed on the same property agent in respect of the same breach.

For example, where an agent has failed to prominently display their membership certificates across multiple offices (providing each office belongs to the same legal entity) this is treated as one financial penalty as it is for the same breach. However, a further penalty may be imposed on the same property agent in respect of the same breach where there is a continuing breach of duty. The further penalty can be imposed where (a) the breach continues after the end of the relevant period, or (b) having validly appealed the previous final notice the breach continues after the end of a further period of 28 days (which begins the day after the appeal is determined, withdrawn or abandoned).

Where the authority considers that the requirements of the regulations have been breached, it must give written notice of their intention to impose a penalty setting out the reasons and the amount of the penalty, a Notice of Intent. The lettings agent or property manager has 28 days to make written representations or objections to the authority, starting from the day after the date the Notice of Intent was sent. At the end of the 28-day period, Council will decide, having taken into account any representations received, whether to impose the fine and, if so, must issue a Final

Notice to the lettings agent or property manager giving at least 28 days for payment to be made.

A lettings agent or property manager can appeal against the penalty to the First-tier Tribunal. The appeal must be made within 28 days of the day on which the Final Notice was sent.

Appendix 15 - The Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2019

It is the duty of the Council to enforce the requirements of Regulations 3 and 4 in its area.

Regulation 3 – Requirement to belong to an approved client money protection scheme from 1 April 2019.

Regulation 3 requires all letting agents and property managers in England to join one of the six Government approved Client Money Protection schemes:

- [Client Money Protect](#)
- [Money Shield](#)
- [Propertymark](#)
- [RICS](#)
- [Safeagent \(previously NALS\)](#)
- [UKALA Client Money Protection](#)

Regulation 3 requires property agents that hold money on behalf of a client to belong to an approved or designated client money protection scheme in order to afford protection to that client against the loss, theft, misappropriation, etc. of their funds and make associated provision.

Regulation 3 - Definitions

“letting agency work” means things done by a person in the course of a business in response to instructions received from

- b) a person (“a prospective landlord”) seeking to find another person to whom to let housing, or
- c) a person (“a prospective tenant”) seeking to find housing to rent.

“letting” includes the grant of a licence, but except in Chapter 4, does not include the grant of a tenancy or licence for a term of more than 21 years.

“letting agency work” does not include any of the following things

- a) publishing advertisements or disseminating information.

- b) providing a means by which a prospective landlord or a prospective tenant can, in response to an advertisement or dissemination of information, make direct contact with a prospective tenant or a prospective landlord.
- c) providing a means by which a prospective landlord and a prospective tenant can communicate directly with each other.

“English property management work” means things done by a person in the course of a business in response to instructions received from another person (“the client”) where:

- a) the client wishes the person to arrange services, repairs, maintenance, improvements or insurance in respect of, or to deal with any other aspect of the management of, premises on the client's behalf, and
- b) the premises consist of housing in England let under a tenancy.

“client money” means

- a) The rent.
- b) Utilities, council tax and communication services.
- c) Monies paid to a property agent for repairs and maintenance work.
- d) Maintenance floats.
- e) Miscellaneous money.
- f) Unprotected security deposits.
- g) Holding deposits.

The requirement to belong to a Client Money Protection Scheme only applies to agents carrying out lettings or property management work and who are holding client money.

Agents can demonstrate that they do not hold client money by providing evidence which may take the form of, but is not limited to:

- Evidence that the tenant pays rent directly to landlord – contact between landlord and agent and/ or bank statements.
- Evidence that deposits are paid directly to the landlord for the landlord to make arrangements to protect this money with an authorised Tenancy Deposit Scheme.
- Evidence that any invoices for maintenance of services or remedial work on a client property is given directly to the client to pay.

Client money protection applies to tenancies and grants of licence of less than 21 years. Therefore, activities associated with lettings of 21 years or over are outside the scope of the Requirement Regulations 2019.

Regulation 4 - Transparency requirements

Regulation 4 of the Requirement Regulations 2019 defines the transparency requirements for property agents who are required to be a member of an approved client money protection scheme.

An agent is required to display the certificate confirming their membership of an approved client money protection scheme prominently in their office(s) and on their website. Furthermore, this certificate must be displayed in a visible location in each of the agent's premises in England at which the agent deals face-to-face with persons using or proposing to use the agent's services as a property agent.

As best practice agents should also publish a copy of their membership certificates on third party websites (any portal on which a property to let is advertised, for example, Rightmove, Zoopla or Facebook) and the certificate should be published alongside listings on portals.

The first part of the transparency requirements also requires an agent to produce a copy of the certificate from their approved client money protection scheme to any person (which includes enforcement authorities) who may reasonably require it, free of charge.

This first part will only apply if the scheme administrator of an approved or designated client money protection scheme has provided a certificate as required under regulation 8(1) of the Approval Regulations 2019.

In the event a property agent has its membership from an approved client money protection scheme revoked or becomes a member of a different approved client money protection scheme the agent must notify each of its clients in writing of this change in circumstances within 14 days of the occurrence.

This obligation exists whether or not the separate obligations in the first part of the transparency requirements (which relate to certificates of membership, as above) also apply. Therefore, In the event that a property agent joins an approved scheme but does not receive their certificate of membership and then decides to join another scheme they are still required to write to their clients informing them of this change in circumstance.

An agent must not display a client money protection scheme certificate suggesting they are a member of an approved scheme if they do not hold this membership. This includes agents who were previously members, but whose membership has been revoked or lapsed.

How the Council enforces the Regulations

Breaches of the Regulations for property agents in England to become a member of an approved client money protection scheme or adhere to the transparency requirements are civil breaches with financial penalties.

Where the Council is satisfied beyond reasonable doubt that a property agent has breached the requirements of Regulation 3 (to belong to an approved client money protection scheme), it may impose a financial penalty in respect of the breach which;

- may be of such amount as the authority imposing it determines; but
- must not exceed £30,000.

Where the Council is satisfied beyond reasonable doubt that there is a breach of Regulation 4 (Transparency Requirements) it may impose a financial penalty in respect of the breach which,

- may be of such amount as the authority imposing it determines, but
- must not exceed £5,000.

Only one penalty may be imposed on the same property agent in respect of the same breach. For example, where an agent has failed to prominently display their membership certificates across multiple offices (providing each office belongs to the same legal entity) this is treated as one financial penalty as it is for the same breach. However, a further penalty may be imposed on the same property agent in respect of the same breach where there is a continuing breach of duty.

The further penalty can be imposed where:

- a) the breach continues after the end of the relevant periods, or
- b) having validly appealed the previous final notice the breach continues after the end of a further period of 28 days (which begins the day after the appeal is determined, withdrawn or abandoned).

Where the authority considers that the requirements of the regulations have been breached, it must give written notice of their intention to impose a penalty setting out the reasons and the amount of the penalty, a Notice of Intent. The lettings agent or property manager has 28 days to make written representations or objections to the authority, starting from the day after the date the Notice of Intent was sent.

At the end of the 28-day period, Council will decide, having taken into account any representations received, whether to impose the fine and, if so, must issue a Final Notice to the lettings agent or property manager giving at least 28 days for payment to be made.

A lettings agent or property manager can appeal against the penalty to the First-tier Tribunal. The appeal must be made within 28 days of the day on which the Final Notice was sent.

The Council can impose further penalties if a lettings agent or property manager fails to join a Client Money Protection scheme despite already having had a penalty imposed. There is no limit to the number of penalties that may be imposed on an individual letting agent or property manager if they continue to fail to join a scheme.

Each scheme publishes a list of members on their respective website, so it is possible to check whether a lettings agent or property manager has joined one of the schemes.

Appendix 16 - The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014

The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014 came into force on the 1st October 2014.

All letting agents and property managers in England are required to join one of the two Government approved redress schemes:

- [Property Redress Scheme](#).
- [The Property Ombudsman](#).

'Lettings agency work' is things done by an agent in the course of a business in response to instructions from:

- a private rented sector landlord who wants to find a tenant, or
- a tenant who wants to find a property in the private rented sector.

It applies where the tenancy is an assured tenancy under the Housing Act 1988 (the most common type of tenancy) except where the landlord is a private registered provider of social housing or the tenancy is a long lease.

Lettings agency work does not include the following things when done by a person who only does these things:

- publishing advertisements or providing information.
- providing a way for landlords or tenants to make direct contact with each other in response to an advertisement or information provided.
- providing a way for landlords or tenants to continue to communicate directly with each other.

Employers who find homes for their employees or contractors; higher and further education authorities and legal professionals are excluded from the requirement.

Property management work means things done by a person in the course of a business in response to instructions from another person who wants to arrange services, repairs, maintenance, improvement, or insurance or to deal with any other aspect of the management of residential premises.

For there to be property management work, the premises must consist of, or contain:

- a) a dwelling-house let under a long lease - "long lease" includes leases granted for more than 21 years, leases granted under the right to buy, and shared ownership leases,
- b) an assured tenancy under the Housing Act 1988, or
- c) a protected tenancy under the Rent Act 1977.

Property management work would arise where a landlord instructed an agent to manage a house let to a tenant in the private rented sector. It would also arise where one person instructs another to manage a block of flats (often with responsibility for the common areas, corridors, stairwells etc.) that contains flats let under a long lease or let to assured or protected tenants.

The legislation applies to people who in the course of their business manage properties, for example, high street and web-based agents, agents managing leasehold blocks and other organisations who manage property on behalf of the landlord or freeholder.

The requirement to belong to a redress scheme does not apply to Managers of commonhold land, student accommodation and refuge homes; receivers and insolvency practitioners; authorities where Part 3 of the Local Government Act 1974 applies; right to manage companies; legal professionals and property managers instructed by local authorities and social landlords.

The requirement to belong to a redress scheme only applies to agents carrying out lettings or property management work 'in the course of business'. The requirement will therefore not apply to 'informal' arrangements where a person is helping out rather than being paid for a role which is their usual line of work. Some examples of 'informal arrangements' which would not come under the definition of 'in the course of business' are set out below:

- someone looking after the letting or management of a rented property or properties on behalf of a family member or friend who owns the property/properties, where the person is helping out and doesn't get paid or only gets a thank you gift.
- a friend who helps a landlord with the maintenance or decoration of their rented properties on an ad hoc basis.
- a person who works as a handyman or decorator who is employed by a landlord to repair or decorate their rented property or properties when needed.

- a landlord who looks after another landlord's property or properties whilst they are away and doesn't get paid for it.
- a joint landlord who manages the property or properties on behalf of the other joint landlords.

One of the key issues to consider when deciding what could be considered an 'informal arrangement' is whether the person doing the letting or property management work is helping out an individual as opposed to offering their services to anyone who wants to use and pay for them.

Where the authority considers that the requirements of the regulations have been breached, it must give written notice of their intention to impose a penalty setting out the reasons and the amount of the penalty, a Notice of Intent. The lettings agent or property manager has 28 days to make written representations or objections to the authority, starting from the day after the date the Notice of Intent was sent. At the end of the 28-day period, Council will decide, having taken into account any representations received, whether to impose the fine and, if so, must issue a Final Notice to the lettings agent or property manager giving at least 28 days for payment to be made.

A lettings agent or property manager can appeal against the penalty to the First-tier Tribunal. The appeal must be made within 28 days of the day on which the Final Notice was sent.

The Council can impose further penalties if a lettings agent or property manager fails to join a redress scheme despite already having had a penalty imposed. There is no limit to the number of penalties that may be imposed on an individual lettings agent or property manager if they continue to fail to join a scheme.

Each scheme publishes a list of members on their respective websites, so it is possible to check whether a lettings agent or property manager has joined one of the schemes.

Appendix 17 - The Immigration Act 2014

Right to Rent was introduced under Part 3 of the Immigration Act 2014 as part of the government's reforms to build a fairer and more effective immigration system.

UK Visas and Immigration are the enforcing authority. Under the new regulations, landlords will be required to check a potential tenant's 'Right to Rent' and those who fail to do so may face a penalty of up to £3,000 per tenant.

The regulation will mean that private landlords, including those who sub-let or take in lodgers must check the right of prospective tenants to be in the country. The government has portrayed the issue of 'beds in sheds' as being about illegal immigration and tackling it has become part of wider government measure to clamp down on undocumented migrants as has the Housing and Planning Act.

Appendix 18 - The Caravan and Control of Development Act 1960

The Caravan and Control of Development Act 1960 prohibits the use of land as a caravan site unless the occupier holds a site licence issued by the Council.

Before a licence can be granted, a caravan site must first be granted Planning Consent. Once a Planning Consent has been granted, a Caravan Site Licence must be applied for and will be issued.

A caravan site licence contains provisions relating to the maintenance and running of the park. The primary purposes of the licence being to ensure that the risk of spread of fire is minimised, that there is appropriate access to the site for emergency services and that the facilities provided are appropriate to the nature and size of the site.

To ensure that this is done the licence is issued subject to the conditions based on the adopted model standards for caravan sites and a copy of the licence is displayed on site. The Council will carry out site inspections to ensure that the conditions are being complied with.

In addition to the site licence, the Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 ("the Regulations") introduces a fit and proper person test for mobile home site owners or the person appointed to manage the site.



Equality Impact Assessment

**EIA-795626658 - Private Sector Housing Enforcement Policy
2026-2031**

Details

Title	Private Sector Housing Enforcement Policy 2026-2031
Author	Adrian Chowns (Head of Safer Housing and Communities)
Head of Service	Davina Blackburn (Strategic Lead - Regulation and Communities)
Cabinet Member	Councillor Naeem Akhtar and Councillor Abdul S Khan (Policing and Equalities)
Director	Julie Newman (Law and Governance)

Context and background

EIA carried out on	Review of policy or strategy
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New and updated legislation in the form of the Renters Rights Act 2025 has been provided by Government to deal with certain offences regarding housing in the Private Rented and Social Housing sectors.

In order for the Council to use these powers, it must have reviewed and updated its enforcement policy setting out how it will implement these powers in relation to properties in the PRS and social housing. The original policy was approved in 2018 and reviewed in 2021 and since that time new powers have been introduced that are now incorporated into the amended policy document.

Background

Before the introduction of the Renters Rights Act, landlords had more freedom to raise rent multiple times, and notice periods varied and were sometimes shorter. Rent reviews were often tied to fixed-term renewals and tenants felt unsure about challenging increases due to the fear of retaliatory eviction.

After the new provisions of the Act are introduced (1st May 2026) there will be stricter controls on the rent increases, with landlords only being allowed to do this once per year, as well as stronger protections in relation to the eviction process and tenancy reforms which improve security of tenure and create fairness in the private rented sector.

Stakeholders

Internal services
Regulatory Services
Planning
Housing and Homelessness

External
Housing Associations
Landlords
Tenants
Managing/Letting Agents
Residents
Police
Citizens Advice
Advisory bodies

Responsibility

Safer Housing and Communities service

Consideration of impact

Baseline data and information

The growth of the PRS has been a significant change in the housing market in Coventry. In 2011 there were 21% of households living in the PRS which rose to 33% (48,708) in 2021. The percentage of PRS properties in each ward ranges from between 67% (St Michaels) to 17% (Bablake). 16 out of the 18 wards in Coventry have a higher percentage of PRS than that of the national average (19%).

In 2022 the Council carried out a stock survey of the PRS which found that:

- Coventry is the 64th most deprived local authority out of the 333 in England.
- Coventry has a high proportion of high deprivation wards. 9 out of 18 wards have IMD rankings below the national average and 3 wards are in the lowest 30% nationally.
- There are over 11,000 private rented properties in Coventry that are likely to have a serious Category 1 hazard. This equates to 23% of the PRS stock meaning 1 in 3 privately rented homes is likely to have a serious home hazard, almost double that of the national average.
- 898 PRS properties have F and G energy performance rating - fail statutory minimum requirements.
- There are a significantly higher proportion of PRS properties in fuel poverty (18.5%) than nationally (13.8%).

The Renters Rights Act 2025 is designed to improve the private renting experience for landlords and tenants. The details of the new powers are detailed in the policy and approval will ensure the Council meets its statutory duty to enforce the legislation.

Marmot Principles

1. Give every child the best start in life
3. Ensure a healthy standard of living for all
5. Create and develop healthy and sustainable places and communities
8. Pursue environmental sustainability and health equity

Protected groups - Impact on Coventry Residents and Visitors

Age 0-18

Positive impact - Positive impact - The implementation of the policy will ensure the

Council fulfils its statutory duty in relation to the Renters Rights Act, which will provide greater housing security for families. The Council has been provided stronger powers to enforce compliance and tackle rogue landlords.

The Act abolishes Section 21 "no-fault" evictions, meaning landlords can no longer evict tenants without a valid reason. For children and young people, this translates into more stable living environments, as families with children will not face sudden displacement, reducing disruption to schooling and social networks.

There will also be a lower risk of homelessness, as more security of tenure helps prevent situations where families with minors are forced into temporary accommodation or sofa-surfing.

The provisions relating to "Protection Against Discrimination" explicitly bans discrimination against tenants with children or those receiving benefits. This is crucial because families with children often faced barriers in accessing private rentals due to blanket bans. By removing these barriers, the Act ensures equal access to housing, supporting children's right to a safe home.

Furthermore, the duties placed on the Council will enable it to improve housing standards to ensure properties meet minimum quality standards, reducing health risks such as damp and mould.

This is particularly important for children, as poor housing conditions are linked to respiratory illnesses and developmental issues.

The Act also caps advance rent requests and bans rental bidding wars. For families with limited income, this will result in lower upfront costs, making it easier to secure housing whilst reducing the financial stress.

Stable, safe, and affordable housing is foundational for children's health, education, and emotional well-being. By reducing eviction risks, improving housing standards, and banning discriminatory practices, the Council can create a more secure environment for young people to thrive.

Age 19-64

Positive impact - Positive impact - This age range often includes working professionals, parents, and those transitioning between life stages. The Act supports:

Career mobility: Flexible tenancies allow relocation without penalties.

Financial resilience: Predictable rent and lower upfront costs ease budgeting.

Health and wellbeing: Safer, better-quality homes reduce stress and illness.

As above in relation to greater security and stability, reducing homelessness risk, financial protections, improved housing standards, stronger enforcement and redress and impartial resolution of disputes without costly court action.

Local authority enforcement powers: Tenants can rely on councils to tackle rogue landlords and unsafe housing.

Inclusivity and Equal Access

Ban on discrimination: Landlords cannot refuse tenants based on benefits or family status, ensuring fair access for single adults, couples, and families.

Pet ownership rights: Adults can request to keep pets, improving wellbeing and flexibility.

Age 65+

Positive impact - Positive impact - Older renters are the fastest-growing segment in the rental market, often choosing to rent for flexibility, downsizing, or avoiding home maintenance burdens. The Act ensures:

- * Health and wellbeing: Safer, warmer homes reduce hospital admissions.
- * Financial security: Predictable costs and reduced upfront payments ease budgeting.
- * Dignity and independence: Strong protections allow older adults to age in place without fear of eviction.

Older adults often face anxiety about sudden displacement. The Act abolishes Section 21 “no-fault” evictions, meaning:

- * Tenancies can only end for valid reasons, reducing the risk of abrupt moves.
- * This stability is crucial for older renters who value continuity for health, social ties, and access to local services.

Improved Housing Standards - The Act introduces the Decent Homes Standard into the private rented sector: Homes must meet minimum quality standards, tackling issues like damp, mould, and unsafe conditions. Older people are particularly vulnerable to cold and poor housing, which can exacerbate respiratory and mobility issues.

Disability

Positive impact - Positive impact - Disabled renters often face compounded challenges—limited housing options, higher risk of discrimination, and vulnerability to unsafe conditions. The Renters’ Rights Act addresses these by:
Creating a fairer, more inclusive rental market.
Improving housing quality and security.
Providing accessible enforcement routes without costly litigation.

Gender reassignment

Positive impact - Positive impact - People undergoing gender reassignment often face heightened risks of housing discrimination and instability. The Renters’ Rights Act addresses these by:
Creating a fairer, more inclusive rental market.
Providing robust enforcement and accessible dispute resolution.
Supporting continuity and wellbeing during a critical life stage.
The Act reinforces existing equality protections under the Equality Act 2010, making it unlawful for landlords or agents to discriminate against tenants based on gender reassignment.
It bans blanket policies that indirectly discriminate, such as refusing tenants on benefits or imposing arbitrary restrictions that disproportionately affect marginalised groups.
Tenants who experience discrimination can seek redress through the new Private Rented Sector Ombudsman, offering a quicker and less costly alternative to court action.
The Council will have stronger enforcement powers to protect the rights of people undergoing gender reassignment.

Marriage and civil partnership

Positive impact - Positive impact - The Act supports stability, affordability, and fairness—key priorities for couples building a life together. It reduces financial stress, improves housing quality, and ensures equal treatment in the rental market.

Pregnancy and maternity

Positive impact - Positive impact - Pregnancy is a protected characteristic under equality and housing laws. The Renters’ Rights Act strengthens these protections by:
Creating a fairer, more inclusive rental market.
Providing stability and security during a critical life stage.
Ensuring safe, decent housing for maternal health and wellbeing.

Race

Positive impact - Positive impact - The Act reinforces existing equality laws, making it unlawful for landlords or agents to discriminate based on race or ethnicity.
It bans indirect discriminatory practices, such as blanket bans on certain groups or benefit recipients, which often disproportionately affect minority communities.
Tenants who experience discrimination can seek redress through the new Private Rented Sector Ombudsman, offering a quicker and less costly alternative to court action.
The Council has stronger powers to enforce compliance and protect vulnerable tenants.
The Ombudsman provides an impartial route for resolving disputes, ensuring equal access to justice for all racial groups.
People from minority ethnic backgrounds often face higher risks of discrimination, overcrowding, and poor housing conditions. The Renters' Rights Act addresses these issues by:
Creating a fairer, more inclusive rental market.
Improving housing quality and security.
Providing robust enforcement and accessible dispute resolution.

Religion and belief

Positive impact - Positive impact - People of different religions and beliefs often face subtle or overt discrimination in the rental market. The Renters' Rights Act addresses these issues by:
Creating a fairer, more inclusive rental environment.
Providing robust enforcement and accessible dispute resolution.
Supporting stability and respect for cultural and religious practices.
The Act reinforces existing equality laws, making it unlawful for landlords or agents to discriminate against tenants based on religion or belief.
It bans indirect discriminatory practices, such as blanket restrictions that could disproportionately affect certain faith groups.
Tenants who experience discrimination can seek redress through the new Private Rented Sector Ombudsman, offering a quicker and less costly alternative to court action.
The Council has stronger enforcement powers to support this group.

Sex

Positive impact - Positive impact - People of different sexes may experience systemic inequalities in income, employment, and housing access. The Renters' Rights Act addresses these issues by:
Creating a fairer, more inclusive rental market.
Providing robust enforcement and accessible dispute resolution.
Supporting stability and equal opportunity for all tenants.

Sexual orientation

Positive impact - Positive impact - People of different sexual orientations often face subtle or overt discrimination in the rental market. The Renters' Rights Act addresses these issues by:
Creating a fairer, more inclusive rental environment.
Providing robust enforcement and accessible dispute resolution.
Supporting stability and equal opportunity for all tenants.

Additional groups

Care experienced

Positive impact - Positive impact - Carers often experience housing insecurity and financial strain while supporting dependants. The Renters' Rights Act addresses these challenges by:
Creating a fairer, more inclusive rental market.
Ensuring safe, stable housing for those providing and receiving care.
Offering accessible enforcement mechanisms to uphold rights.

Armed forces

Positive impact - Positive impact - Service personnel and their families often face unique housing challenges due to frequent relocations and deployments. The Renters' Rights Act addresses these by:
Offering flexibility and security in tenancy arrangements.
Ensuring fair treatment and decent living conditions.
Providing accessible enforcement mechanisms for peace of mind.

Socio economic groups

Positive impact - Positive impact - Different socio-economic groups face varied challenges:
All income households will benefit from affordability measures and stronger protections against eviction.
Gain stability and predictability in rent, supporting long-term planning.
Enjoy improved standards and fair dispute resolution without unnecessary costs.
The Act creates a fairer, more inclusive rental market, reducing inequalities and promoting housing security for all.

Next steps

Inequality	Action	Owner	Timescale
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Monitor and evaluation	<p>KPIs will be included within the Safer Housing and Communities performance management system, which will be used to monitor and evaluate the effectiveness of the services being provided to meet the requirements of the Act.</p> <p>A review of the effectiveness of the policy approach for the Council will be carried out in 2027.</p>
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Impact on Council staff

Will there be an impact?	Yes
Nature of impact and any mitigation required	<p>The approval of the policy has the potential to impact the organisation in future years. Although the Safer Housing and Communities service has restructured to plan ahead as the legislation is introduced, there may be future potential human resource implications. These will be monitored and reviewed regularly and, where possible, mitigated through the use of New Burdens funding and income from civil penalties. The current duties will be carried out using existing resources; however, there may be a need to restructure the service in future years. Additional training will also be required which will be funded from income.</p>

Impact on Council staff - Sex

Female	40
Male	57

Impact on Council staff - Disability

Disabled

Not disabled
Prefer not to state
Unknown

Impact on Council staff - Ethnicity

White
Black, Asian, minority ethnic
Prefer not to state
Unknown

Impact on Council staff - Sexual orientation

Heterosexual
LGBT+
Prefer not to state
Unknown

Impact on Council staff - Age

16-24
25-34
35-44
45-54
55-64
65+

Impact on Council staff - Religion

Any other
Buddhist
Christian
Hindu
Jewish
Muslim
No religion
Sikh
Prefer not to state
Unknown

Completion statement

Potential equality impact	Positive impact has been identified for one or more protected groups
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Ethics Committee	19 March 2026
Cabinet Member for Policing and Equalities	23 March 2026
Council	24 March 2026

Name of Cabinet Member:

Cabinet Member for Policing and Equalities – Councillor AS Khan

Director approving submission of the report:

Director of Law, Governance and Safer Communities

Ward(s) affected:

N/A

Title:

Elected Members Training and Development Strategy 2026-30

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:

The environment in which Councillors' work is constantly changing. Ensuring that Councillors are properly supported to help them meet the high demands placed on them to carry out this challenging role effectively is increasingly important. To respond to this need, the Elected Members Training and Development Strategy was agreed at Council on 22 March 2022 which provided a strategic approach to the training and development offer to Elected Members. To ensure that the offer to Elected Members is still relevant the strategy has been refreshed to ensure it still meets those needs.

During the lifetime of the current strategy the offer and uptake of training by Elected Members has increased from 5 courses delivered internally or organised for Elected Members in 2018-19, resulting in 57 attendances to 41 courses delivered or arranged internally resulting in 206 attendances, in 2024-25.

A further consultation with Members took place between December 2025 and March 2026. The result of this suggests there is increased support for a core training programme, as well as improved communication and satisfaction with the offer provided.

The strategy covers:

- Purpose of the Strategy
- Assessing Need and Requesting Training
- Training Matrix
- Governance and Delivery

Recommendations:

The Ethics Committee is requested to:

- 1) Support the refreshed Elected Members Training and Development Strategy
- 2) Agree to receive an annual report on delivery of the Strategy as well as any progress reports as requested

The Cabinet Member for Policing and Equalities is requested to:

- 1) Recommend that Council approve the refreshed Elected Members Training and Development Strategy as appended to the report
- 2) Recommend that Council approve the proposals for core training for Elected Members as identified in Section 3 of the report.

Council is recommended to:

- 1) Approve the refreshed Elected Members Training and Development Strategy as appended to the report
- 2) Approve the proposals for core training for Elected Members as identified in Section 3 of the report.

List of Appendices included:

The following appendices are attached to the report:

Appendix A – Refreshed Elected Members Training and Development Strategy 2026-2030
Appendix B – Data 2026

Background papers:

None

Other useful documents

None

Has it or will it be considered by Scrutiny?

No

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

Yes

Members Training and Development Cabinet Member Advisory Panel – 5 March 2026
Ethics Committee – 19 March 2026

Will this report go to Council?

Yes - 24 March 2026

Report title: Elected Members Training and Development Strategy 2026-30

1. Context (or background)

- 1.1. The Elected Members Training and Development Strategy was agreed at Council on 22 March 2022 and provided a strategic approach to the training and development offer to Elected Members.
- 1.2. In the four years since the Strategy's implementation there has been an increase in the offer of training for Elected Members, as well as a broader offer and a higher uptake of training by Elected Members.
- 1.3. This can be seen in the fact that in the municipal year 2018-19 there were 5 courses delivered internally or organised for Elected Members, resulting in 57 attendances, in 2024-25 there were 41 courses delivered or arranged internally resulting in 206 attendances. The data from 2024-25 does not include one off external training, as this was not recorded during 2018-19, however there were 17 external opportunities taken up, resulting in an additional 43 sessions attended. More detailed data can be found in Appendix B of this report.

2. Options considered and recommended proposal

- 2.1. **Do nothing** (Not recommended)
- 2.2. The current Elected Members Training Strategy was agreed in 2022. It is good practise to review and refresh all strategies to ensure that they reflect changing needs and practice of those intended to benefit from the implementation of the strategy. To ensure that the Strategy remains relevant to Elected Members training needs this option is not recommended.
- 2.3. **Not have an Elected Members Training Strategy** (Not recommended)
- 2.4. Before the implementation of the current Elected Members Training Strategy there was an ad hoc approach to Elected Members training, which resulted in a poor offer and subsequently a poor uptake of training by Elected Members. Therefore, this option is not recommended.
- 2.5. **Approve the refreshed Elected Members Training and Development Strategy** (Recommended proposal)
- 2.6. The role of an Elected Member is ever changing as demands from residents and Council policy and services evolve over time. In addition, there are legislative changes and requirements (for example in relation to planning) that need to be taken in account. Therefore, to be able to ensure that the Elected Members Training and Development Strategy is relevant to those demands and changes it is considered necessary to review and refresh the Strategy which had been in place since 2022.
- 2.7. The timing of this refresh means that all current Elected Members will have served their term of office under the previous Strategy, so are able to contribute to the review of that Strategy through a process of surveys and via the Members Training and Development Cabinet Member Advisory Panel. The proposed refreshed Strategy can be found at Appendix A of this report. The Strategy covers:
 - Purpose of the Strategy
 - Assessing Need and Requesting Training

- Training Matrix
- Governance and Delivery
- Appendix 1 – Example Training Matrix
- Appendix 2 – Revised Terms of Reference for Elected Members Training and Development Advisory Panel

- 2.8. To support the refresh of the strategy, the survey undertaken in 2019 was repeated to provide a comparison on how training is viewed by Elected Members compared to before there was a strategy in place. There has been an increase in support for a core training programme for all Elected Members (94.4% in 2026 compared to 83.3% in 2019).
- 2.9. There has also been improved communication about training. 94% receive information from Internal Communication compared to 78% in 2019. Also, in 2019 28% of respondents said they received no information about training. In 2026 this was 0%.
- 2.10. Elected Members feel the Council is better meeting their training needs. 89% feel the Council is meeting their training needs “A lot” or “A Moderate amount” compared to 62.5% in 2019. Also, in 2019 12.5% said the Council wasn’t meeting their needs at all. In 2026 this was 0%. More information on the results can be found at Appendix B.
- 2.11. As well as being based on more recent Elected Member feedback, the updated Strategy reflects the changes in how the Strategy is administered by Governance Services, as well identifying a process to assess the added value of one-off training requests that have a cost associated with it. It is proposed that this will be assessed by the Monitoring Office in consultation with the Chair of the Member Training and Development Cabinet Member Advisory Panel.
- 2.12. In reviewing the Strategy, it was considered that the terms of reference for the Member Training and Development Cabinet Member Advisory Panel should also be reviewed to ensure that they reflect the way in which the delivery of the Strategy has evolved over time. The membership of the Advisory Panel is cross-party, chaired by a representative from the controlling group, and also invites newly elected Members to attend as observers.
- 2.13. The terms of reference have been amended to include a requirement to submit an annual report to the Ethics Committee who have taken an interest in Elected Member training and have requested regular reports on delivery of the Strategy, including receiving an update of the core training requirements. The amended terms of reference can be found in Appendix 2 of the Strategy.

3. Core Training

- 3.1. In order to ensure that a wide range of training and development is offered to Elected Members, a training matrix will be developed and endorsed by the Members Training and Development Advisory Panel. The training matrix will be regularly reviewed and evaluated to ensure it meets Elected Members’ training needs.
- 3.2. The training matrix will provide a programme of core training which all Elected Members will be required to complete throughout their term of office. In addition to this there will be role specific core training for those Elected Members with special responsibilities, or who sit on specific Committees. An example of the training matrix can be found at Appendix 1 of the Strategy document.

3.3. Core training for all Elected Members will include:

- Code of Conduct
- Induction programme for newly elected Members
- Personal Safety
- Equalities
- Data Protection and Cyber Security
- Health and Safety

3.4. Elected Members appointed to Planning Committee and Licensing and Regulatory Committee will also be required to complete training to sit on those Committees in accordance with the Constitution.

4. Supplementary Training and Development

- 4.1. There will also be a programme of regular in-house supplementary training, identified by regular training needs analysis through consultation with Elected Members. This will be organised and arranged, but not necessarily delivered, internally by Council officers.
- 4.2. In addition to an in-house programme, Elected Members may request to attend ad hoc one-off training requests delivered by external organisations, such as the Local Government Association (LGA). A training request pro-forma will be developed and managed by Governance Services. There will be a budget allocated to enable one-off requests.
- 4.3. Elected Members will also be able to request additional training, where several Elected Members have identified that a greater understanding of an issue is required and is not covered by the current offer. This will enable the training and development programme to be responsive and flexible to Elected Members training needs.
- 4.4. The training strategy provides a framework in which there is flexibility to offer a variety of training methods as well as insight from Members directly through surveys as well as strategic oversight from a Members advisory panel

5. Results of consultation undertaken

- 5.1. Elected Members are regularly consulted on their training needs to ensure that the offer is relevant and accessible. An additional survey repeating the original survey in 2019 was conducted in December 2025- February 2026. The findings of this survey have informed the development of this Strategy. The Members Training and Development Cabinet Member Advisory Panel considered and supported the proposed refreshed Strategy as their meeting on 5 March, 2026.

6. Timetable for implementing this decision

- 6.1. Once agreed by Council the Strategy can be implemented from May 2026.

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

7.1. Financial Implications

There is no cost of developing the strategy other than officer time as this will be delivered by existing officers. There is already a budget allocated for Members training and development. These proposals would be delivered within the existing budget allocation.

7.2. Legal Implications

The provision of a training and development Strategy and core training will further the ability of Elected Members to undertake their roles and make robust and informed decisions

8. Other implications

8.1. How will this contribute to the One Coventry Plan?

By enabling a well-trained cohort of Elected Members with the skills and knowledge to deliver the One Coventry Plan.

How is risk being managed?

By providing the opportunity for Elected Members to have access to good quality training and development, the risk to the organisation is reduced. Elected Members with appropriate skills and knowledge leads to good decision making. In Councils where poor decision making has taken place, this has led to poor management and significant risks to the organisation.

8.2. What is the impact on the organisation?

By delivering the Strategy, Elected Members will continue to have access to relevant training, meaning the Council will be better equipped to deliver the ambitions in the One Coventry Plan. Responsibility for managing the Elected Members Training and Development Strategy lies with the Head of Governance Services.

8.3. Equalities / EIA?

The implementation of an Elected Members Training and Development Strategy will include needs assessment in terms of accessibility, to ensure that there are no negative impacts on any protected group.

8.4. Implications for (or impact on) climate change and the environment?

There will be no implications or impact on climate change or the environment as a result of implementing the Elected Members Training and Development Strategy

8.5. Implications for partner organisations?

None

Report author(s):

Name: Gennie Holmes

Title: Scrutiny Co-ordinator

Service Area:

Governance and Scrutiny

Tel and email contact:

Tel: 024 7697

Email: gennie.holmes@coventry.gov.uk

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, Governance and Safer Communities	27/2/26	27/02/26
Asher Veness	Governance Services Officer	Law, Governance and Safer Communities	27/2/26	27/2/26
Adrian West	Head of Governance Services	Law, Governance and Safer Communities	27/2/26	6/3/26
Other Members				
Names of approvers for submission: (officers and members)				
Finance: Richard Shirley	Lead Accountant	Finance	27/2/26	27/2/26
Legal: Amy Wright	Solicitor	Law, Governance and Safer Communities	5/3/26	5/3/26
Director: Julie Newman	Director of Law, Governance and Safer Communities	-	27/2/26	4/3/26
Members: Councillor AS Khan	Cabinet Member for Policing and Equalities	-	26/2/26	27/2/26
Councillor Nazir	Chair of Ethics Committee	-	27/2/26	2/3/26

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Appendix A - Coventry City Council Elected Members Training and Development Strategy 2026-2030

Introduction

This refreshed Elected Members Training and Development Strategy builds on the work delivered through the original strategy agreed in 2022.

The underlying purpose of the strategy remains – that Elected Members are at the heart of the One Coventry Plan. They need the skills and knowledge to be able to deliver Coventry's ambitions. A well-trained and informed cohort of Elected Members is key to the success of the One Coventry Plan.

Elected Members are also required to work within the 7 Principles of Public Life, also known as the Nolan Principles. These are:

1. Selflessness
2. Integrity
3. Objectivity
4. Accountability
5. Openness
6. Honesty
7. Leadership

The Elected Members Training and Development Strategy will continue to underpin the Nolan Principles, with the Code of Conduct being at the core of the training programme offered.

In order to do this the One Coventry Members Training and Development Strategy aims to provide:

- A clear purpose
- A framework to assess the training and development needs of Members including a clear process for Members to request one off training
- A training matrix that provides a core training programme covering the fundamental skills and knowledge Members need, as well as supplementary training for Members
- Governance and support for the development and delivery of the strategy

Purpose of the Strategy

The environment in which councillors work is constantly changing. Ensuring that councillors are properly supported to help them meet the high demands placed on them to carry out this challenging role effectively is increasingly important.

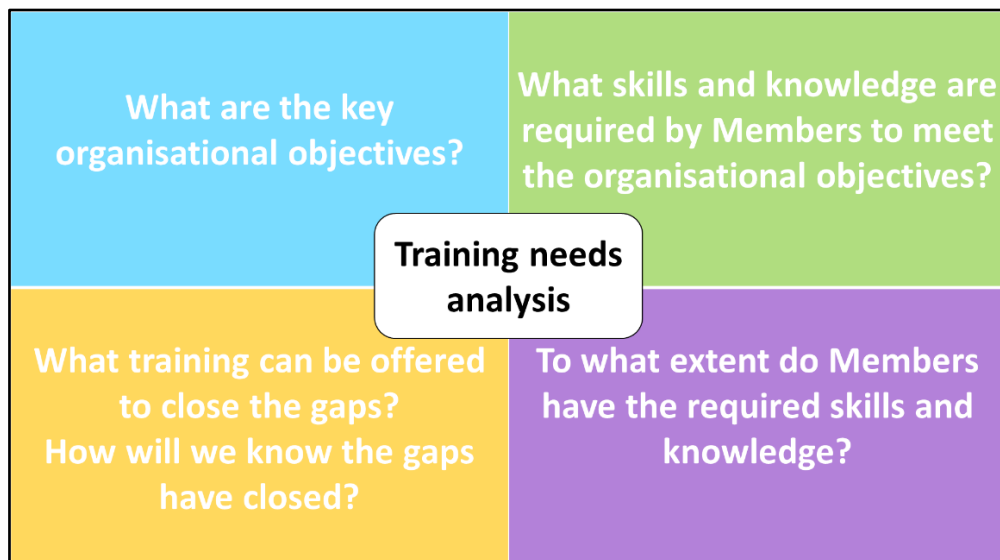
Since the implementation of the current strategy in 2022 the training and development offered to Members has increased significantly and as consequence so has Members engagement and attendance at training increased.

Assessing Need and Requesting Training

Through the training needs assessment, in addition to the core training offer, there will be a supplementary training offer open to those Elected Members who would like to benefit from attending training not offered as part of the core programme.

Appendix A - Coventry City Council Elected Members Training and Development Strategy 2026-2030

Members will also be able to request to attend training offered by external providers, or arrange in-house training not covered by the core or supplementary offer. Where there is a cost associated with external one-off training, this request will be evaluated by the Monitoring Officer in consultation with the Chair of the Members Training Advisory Panel. A pro-forma is available on the Members section of the intranet to request additional one-off training that has a cost.



There will be six different categories of training available to Members. Training will be categorised as either “knowledge based” or “enabling skills”, in the core, role specific and supplementary training offer, as well as training by request. These will be detailed in the training matrix.

Training needs will be assessed through annual consultation with all Elected Members as well as senior officers within the organisation. Consultation will cover accessibility to training as well as the training subject areas, to ensure maximum take up of training by Members. Members will also be able to access one to one training needs analysis.

Training Matrix

In order to ensure that a wide range of training and development is offered to Members, a training matrix has been developed and is endorsed by the Members Training and Development Advisory Panel. The training matrix will be regularly reviewed and evaluated by the Members Training and Development Advisory Panel to ensure it meets Members’ training needs.

The training matrix will provide a programme of *core* training which all Elected Members will be expected to complete during their term of office. In addition to this there will be *committee specific mandatory training* for those Elected Members who sit on committees where this is a requirement.

There will also be a programme of regular in-house *supplementary training*, identified through training needs analysis. This will be organised and arranged, but not necessarily delivered, internally by Council officers within Governance Services.

Appendix A - Coventry City Council Elected Members Training and Development Strategy 2026-2030

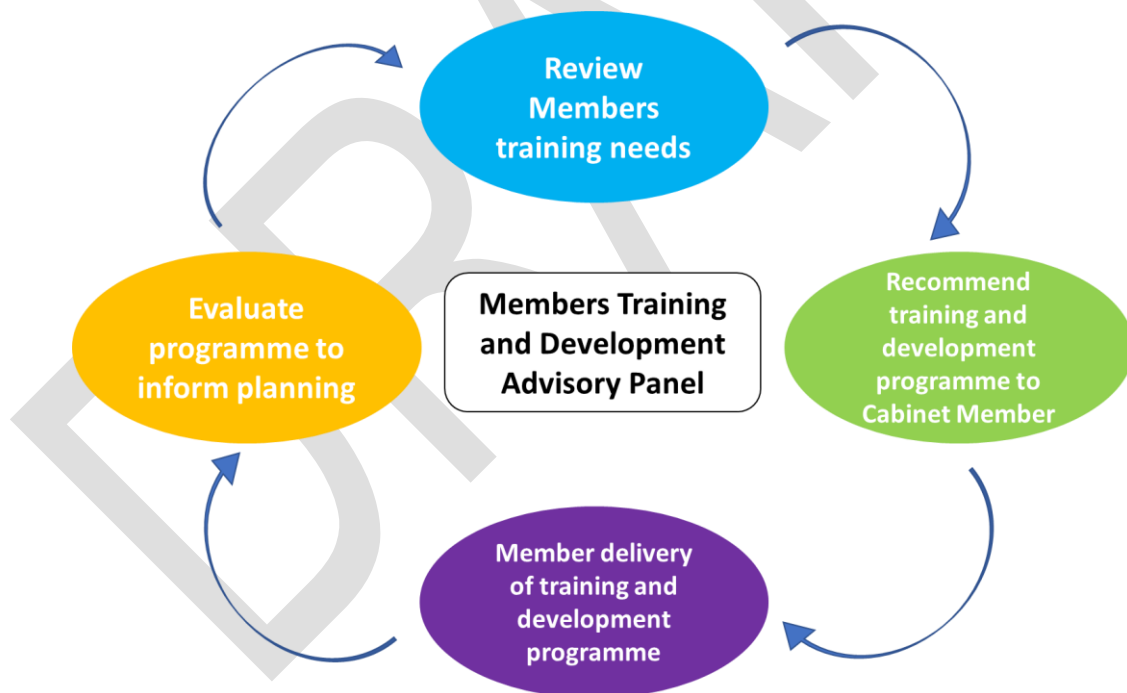
In addition to an in-house programme, Elected Members may request to attend ad hoc *one-off training* delivered by external organisations, such as the LGA. There will be a budget allocated to this and a training request pro-forma managed by Governance Services and requests will be reviewed and considered by the Monitoring Officer following consultation with the Chair of the Advisory Panel (see below)

Members will also be able to request *additional training*, where several Members have identified that a greater understanding of an issue is required and is not covered by the current offer. This will enable the training and development programme to be responsive and flexible to Members training needs.

An example of the training matrix from 2024-25 can be found at Appendix 1

Governance and Delivery

The programme of training and development should be regularly reviewed and evaluated to ensure that it still meets the requirements of Elected Members. In order to do this a Cabinet Member Advisory Panel made up of cross-party Elected Members and senior officers will meet on a regular basis to review Members training needs, recommend a training and development programme to the Cabinet Member, monitor delivery of the training and development programme and evaluate the programme to inform future planning.



Members of the advisory panel will promote the training and development programme to all Elected Members. . Terms of Reference for this panel can be found at Appendix 2.

The Elected Members training and development programme will be delivered and supported by colleagues in Governance Services.

Appendix A - Coventry City Council Elected Members Training and Development Strategy 2026-2030

Appendices

Appendix 1 – Example Training Matrix

	Core Training	Role Specific Mandatory Training	Supplementary Training
Knowledge Based	New Members Induction Programme	Licensing	Scrutiny Work Programming
	Code of Conduct and Declarations	Planning	Audit and Financial Scrutiny Board Training
	Data Protection and Cyber Security	Planning Advisory Service – Making Defensible Decisions	All Scrutiny Financial Training
	Local Government Finance and Budget Setting		Bus Franchising – All Members Seminar x 2
Enabling skills	Case work management tool	Chairing Skills	Pre-election Personal Safety
			Cabinet Member Media Training
			Diversity and Inclusion in Recruitment – All Members Seminar
			LGA – Handling Online Abuse and Harassment
			Windows 11
			West Midlands Police - Operation Ford – Personal Safety
			Public Speaking

Examples of one off or additional training are the LGA run Leadership programmes or regular seminars circulated for Members to sign-up to.

Appendix A - Coventry City Council Elected Members Training and Development Strategy 2026-2030

Appendix 2 - Draft Revised Terms of Reference for the Advisory Panel

1. The Panel will be constituted as a Cabinet Member Advisory Panel with representation from all political groups. Chair to be from majority group.
2. The purpose of the Panel is to:
 - i. review Members training needs,
 - ii. recommend a Members' training and development programme to the Cabinet Member,
 - iii. monitor delivery of the training and development programme,
 - iv. evaluate the programme to inform future planning
3. Elected Members on the advisory panel will promote the training and development programme to all Elected Members.
4. The panel will meet for a minimum of two times, each municipal year
5. The Panel will agree an annual report to be considered by Ethics Committee, as well as any progress reports as requested.

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Introduction and Background

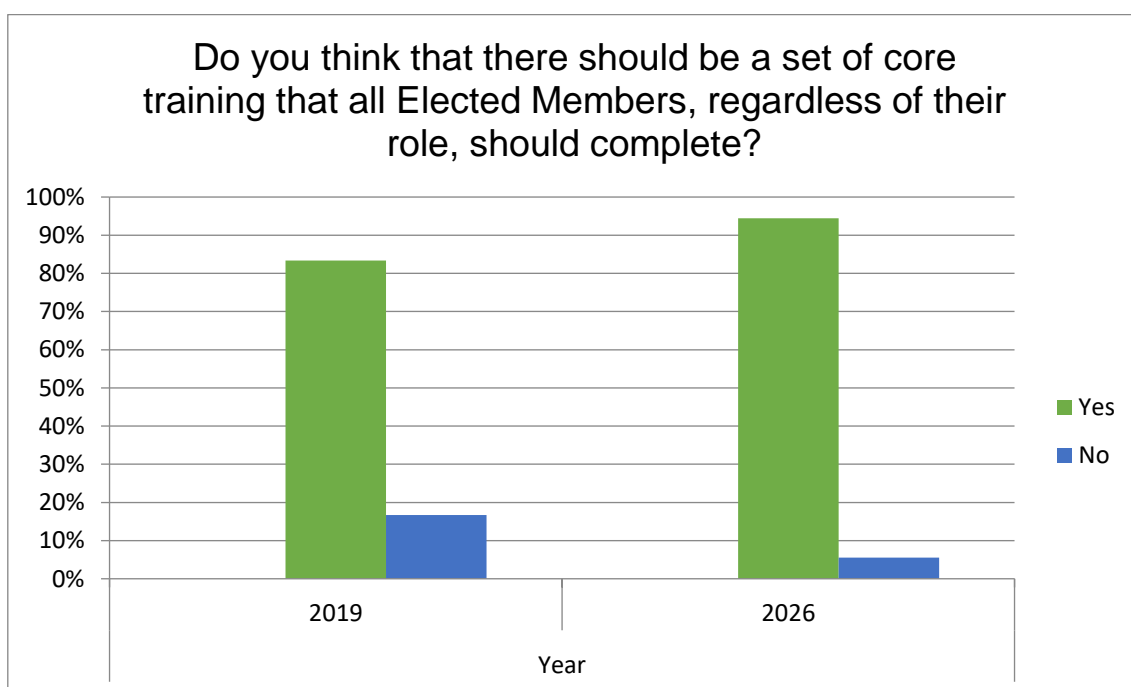
To support the refresh of the training and development strategy for Members, the survey that was originally conducted in 2019 to identify a baseline in terms of training delivered, take-up of training and Members views on training, was repeated. To do this an online questionnaire, was circulated to all Elected Members between December 2025 and March 2026. Hard copies were also made available. The questions in the 2026 version mirrored the original 2019 version, to enable a comparison over time from before the strategy was in place and four years on.

In addition to the data from the questionnaire data on attendance at training was also considered.

The key messages from the data are:

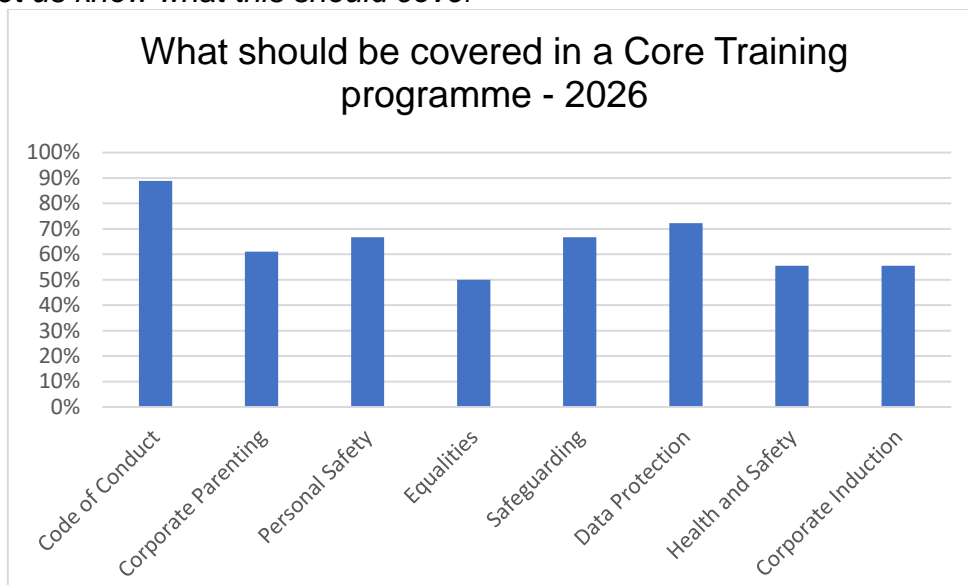
1. There are key skills and knowledge that Elected Members need, to be able to undertake their roles effectively

Do you think that there should be a set of core training that all Elected Members, regardless of their role, should complete? (25/2/26)



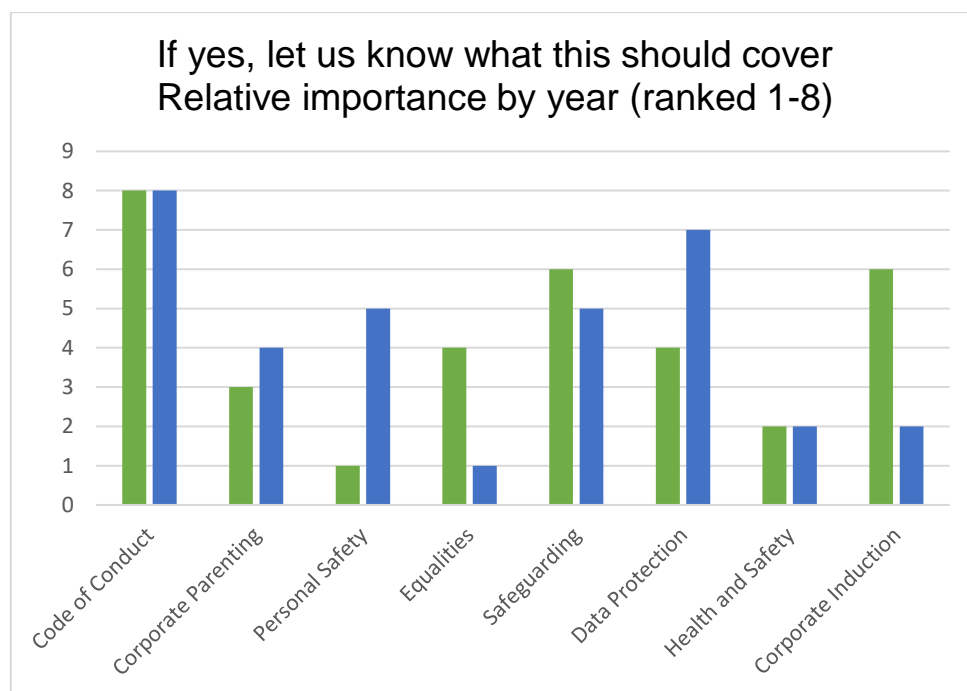
The percentage of Members who consider that there should be a set of core training has increased between 2019 and 2026 from 83% to 94%. This shows an increased support for a core training programme.

If yes, let us know what this should cover



Elected Members who completed the questionnaire were also given several options as to what should be included in a mandatory training programme. 89% of the respondents thought that Code of Conduct should be included in a core training programme.

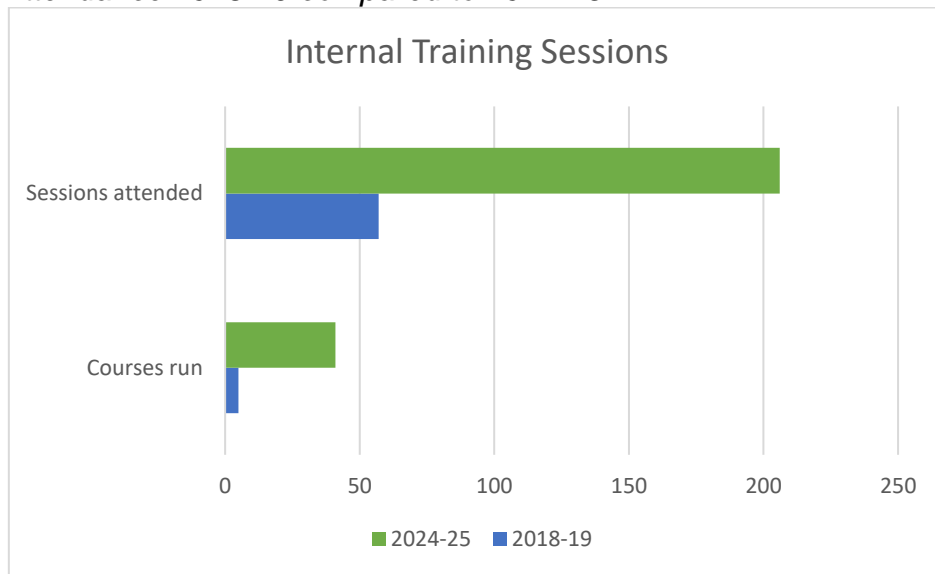
The relative importance of courses in the core offer has changed since 2019, with Personal Safety and Data Protection, being ranked significantly higher in 2026 than in 2019 and Equalities and Corporate Induction being ranked lower.



2. Take up of training and attendance has significantly improved since the introduction of the strategy

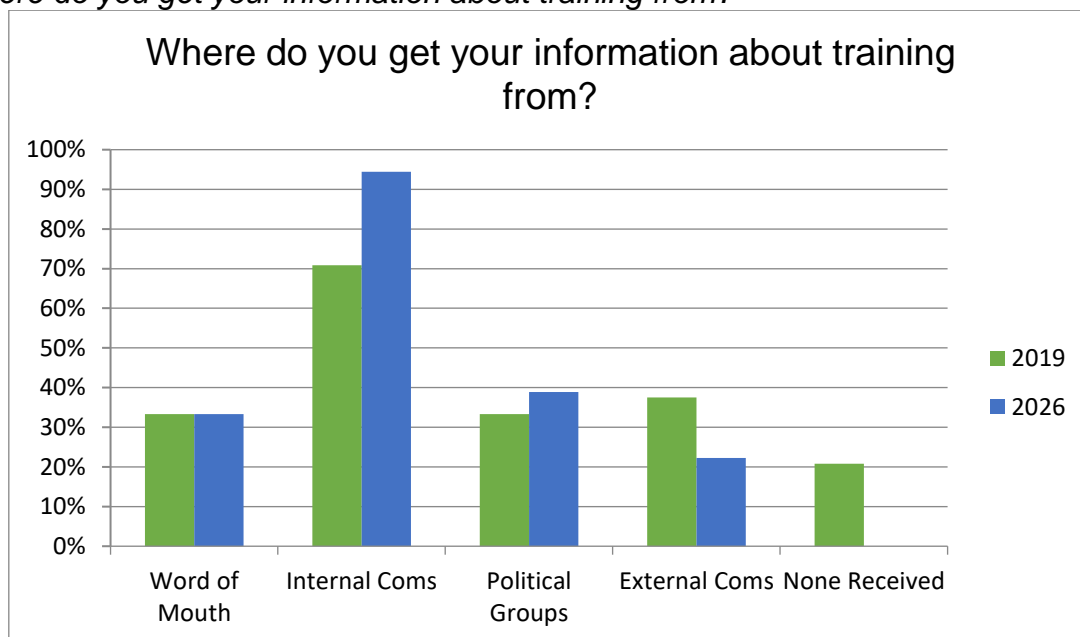
Attendance at training offered was poor in 2019, as was the offer to Members. The highest attendance of 63% of all Elected Members was for Data Protection and Information Security, which was a mandatory training session for all employees and Elected Members. However, this may not reflect a true picture as there could have been training provided which was not included within these figures as there was no co-ordinated approach to training for Members. In total there were 57 recorded training session attendances arising from 5 courses offered to Members. This compares with 41 internally arranged or delivered courses resulting in 206 attendances. In addition to this there were 17 external courses that Members accessed resulting in an additional 43 attendances.

Training Attendance 2018-19 compared to 2024-25



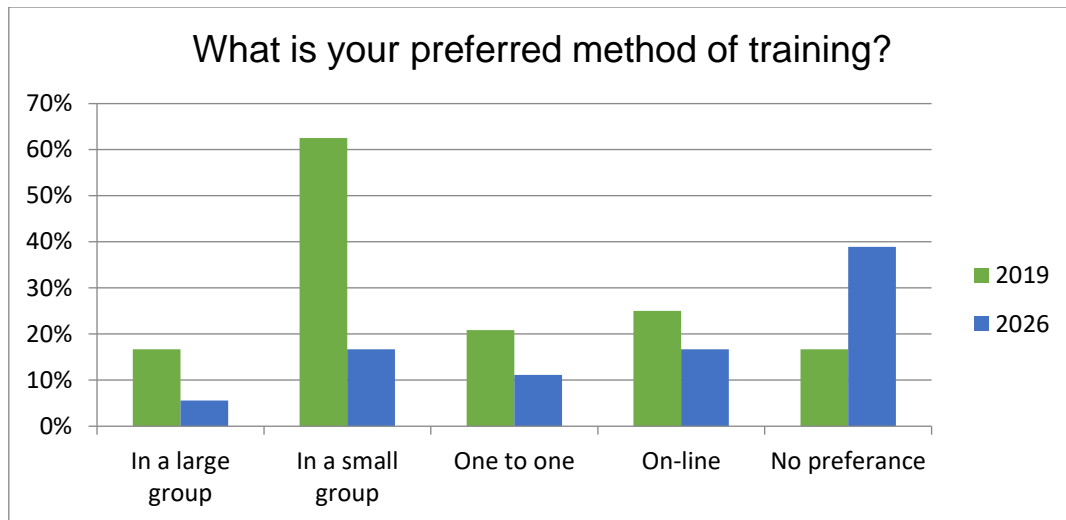
3. Communication with Members about training has improved

Where do you get your information about training from?

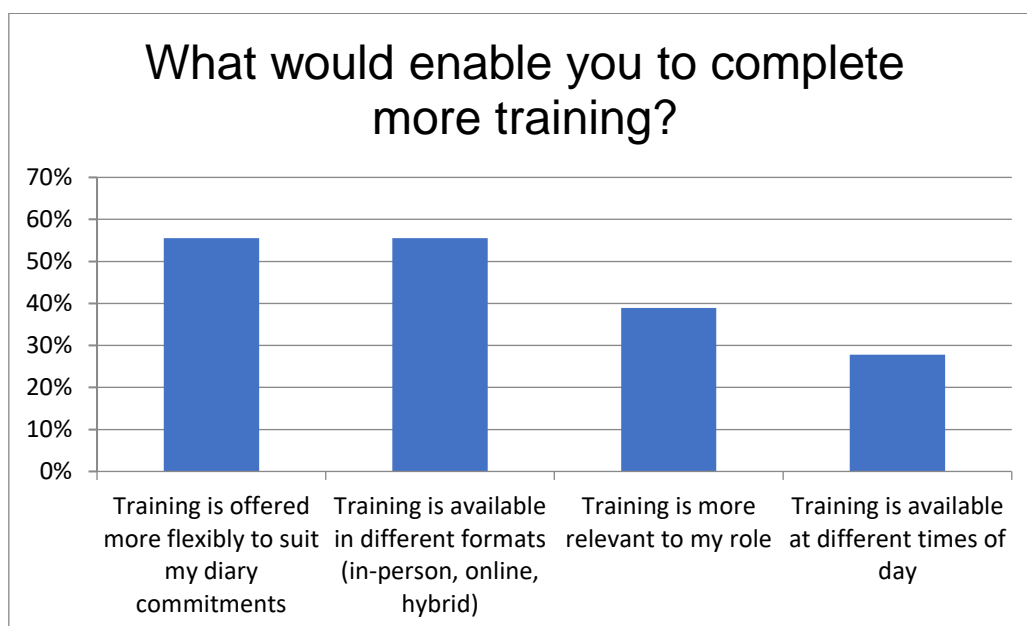


Internal coms is still the highest source of information about training, and no respondents have said they receive no information about training in 2026, whereas in 2019 about 20% chose this option.

4. What type of training do you prefer?

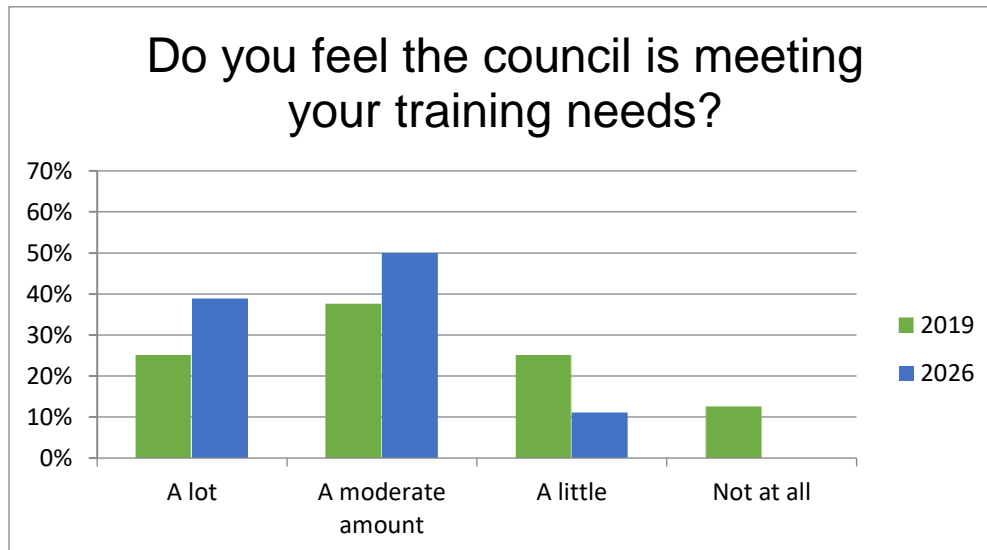


Preference for training delivery has shifted overtime, which reflects the growing confidence in using technology to access training delivery. In 2026, the most popular response was that they had “no preference” on method of training delivery, compared to “In a small group” in 2019. During the lifetime of the previous strategy there has been a moved to offer a wider mix of formats, including hybrid. This mixed offer will increase, including a variety of times of the day. This is to reflect the feedback shown in the chart below from the 2026 survey.



5. Meeting Members Needs

There has also been an increase in the percentage of Members who feel that the Council is meeting their training needs. As can be seen in the chart below in 2019 12.5% of respondents felt that the Council wasn't meeting their training needs at all. No respondents chose this option in 2026. There was also an increase in responses for "A lot" and "A moderate amount".



The training strategy provides a framework in which there is flexibility to offer a variety of training methods as well as insight from Members directly through surveys as well as strategic oversight from a Members advisory panel.

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Public report
Cabinet

Cabinet Member for Policing and Equalities
Council

23 March, 2026
24 March, 2026

Name of Cabinet Member:

Cabinet Member for Policing and Equalities - Councillor AS Khan

Director approving submission of the report:

Director of Law, Governance and Safer Communities

Ward(s) affected:

Not applicable

Title: Proposed Amendments to the Constitution - Various

Is this a key decision? No

Executive summary:

The Constitutional Advisory Panel, at its meeting on 25 February, 2026, considered a number of proposed amendments to the Constitution following a review to ensure that the Constitution is current, effective and meets requirements.

The Advisory Panel agreed with the proposed amendments with some additions. This report seeks approval from the Cabinet Member for Policing and Equalities to recommend those amendments to the Constitution (with the additions requested by the Constitutional Advisory Panel) to Council and for Council to approve those amendments.

Recommendations:

The Cabinet Member for Policing and Equalities is requested to recommend that Council approves:-

- 1) That the following paragraphs be inserted into Parts 1 and 2 of the Constitution:-

Main Opposition Group and Leader of the Main Opposition Group.

The Main Opposition Group is the Political Group that has the numerically largest opposition Group. The Leader of that Group is the Leader of the Main Opposition Group. In the event of there being one than more Group having the same numerically largest number of seats, all of those Groups will be afforded the same rights.

Shadow Cabinet Members

The Leader of the Main Opposition Group will be entitled to nominate Councillors to act as Shadow Cabinet Members. Shadow Cabinet Members have no decision-making powers but will be entitled to attend meetings in their role and speak at the discretion of the Cabinet Member. They will also be entitled to receive briefings in relation to their Shadow Portfolio.

- 2) The amendments to the Member Officer Protocol (Part 4D of the Constitution) as shown as tracked changes in the Appendix to this report.
- 3) That Paragraph 4.1 in Part 2D of the Constitution in relation to membership of the Scrutiny Co-ordination Committee and Scrutiny Boards be amended to read as follows.
 - 4.1 Councillors, except a member of the Cabinet, may be appointed as a member of a Scrutiny Board and the Scrutiny Co-ordination Committee. However, in order to ensure that no Member may be involved in scrutinising a decision in which they have been directly involved, no former Cabinet Member may sit on the Scrutiny Board relevant to the portfolio they held as a Cabinet Member or the Scrutiny Co-ordination Committee (if it relates to their former portfolio) for a period of 12 months. In addition, any Member who is appointed as a Deputy Cabinet Member may not be appointed to the Scrutiny Board or Scrutiny Co-ordination Committee which is relevant to the portfolio for which they have been appointed as a Deputy Cabinet Member.
- 4) That Paragraph 10.1.3 in Part 1 of the Constitution be amended to read as follows:-
 - 10.1.3 The office of Lord Mayor and Deputy Lord Mayor will be offered to the Councillor who has the longest service and has not previously held the office. If that Councillor declines that offer, then it is offered to the next person in order of length of service. Any Councillor who declines the offer may take up the offer in a subsequent year.
- 5) That the following Paragraph be inserted into the Council Procedure Rules (Part 3A of the Constitution) :-
 - 9.11 Every Motion made in pursuance of a Notice of Motion must be lawful and will be regarded as tentative only until this has been confirmed by the Monitoring Officer. If the Motion is considered to be unlawful, the Monitoring Officer will submit a report on this matter to the next meeting of Council. No action may be taken on the matter until the Council has considered the advice of the Monitoring Officer.
- 6) That the Director of Law, Governance and Safer Communities be delegated authority to determine all matters relating to street naming and numbering, including the naming and renaming of streets and the allocation of property numbers, following consultation

with the relevant Ward Councillors and relevant Cabinet Member and that the Scheme of Delegation (Part 2M of the Constitution) be updated accordingly.

Council is recommended to:-

- 1) Approve the amendments to the Constitution as detailed in Recommendations 1) to 6) above.
- 2) Delegate authority to the Director of Law, Governance and Safer Communities to make the necessary amendments to the Constitution.

List of Appendices included:

The following appendices are attached to the report:

Appendix 1 – Proposed amendments to the Member/Officer Protocol (Part 4D of the Constitution)

Background papers:

None

Other useful documents

None

Has it or will it be considered by Scrutiny?

No

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

Yes – The Constitutional Advisory Panel – 25 February, 2026

Will this report go to Council?

Yes - 24 March, 2026

Report title: Proposed Amendments to the Constitution

1. Context (or background)

- 1.1. The Constitution sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that decisions are efficient, transparent and accountable to local people. The purpose of the Constitution is to ensure that the Council's decision-making and governance arrangements help the Council to achieve its corporate aims, objectives and priorities effectively and efficiently. It also ensures the Council meets its legal duties.
- 1.2. The Monitoring Officer has authority to make minor changes (such as changes to Director's titles, updating legislative changes and typographical errors).
- 1.3. The Constitution is a living document and is regularly reviewed and benchmarked against other Local Authorities to ensure that it is current, effective, reflects best practice and is up to date. A number of proposed amendments have been identified as part of this process.

2. Options considered and recommended proposals

2.1 Definition of Main Opposition Group and Shadow Cabinet Members

There is currently no definition of the Main Opposition Group, the Leader of the Main Opposition Group or Shadow Cabinet Members. The Constitution refers to the "numerically largest opposition group" when referring to appointing non-voting reps on Cabinet and Coventry Shareholders Committee.

In relation to the Leader of the Main Opposition Group, they are referred to in the Constitution in relation to adjudication for rejecting petitions. In relation to Shadow Cabinet Members, there is a requirement to consult with them in some instances relating to Government Consultation Papers, however Shadow Cabinet Members are not defined.

It is therefore proposed that the following be inserted into Parts 1 and 2 of the Constitution:-

Main Opposition Group and Leader of the Main Opposition Group.

The Main Opposition Group is the Political Group that has the numerically largest opposition Group. The Leader of that Group is the Leader of the Main Opposition Group. In the event of there being one than more Group having the same numerically largest number of seats, all of those Groups will be afforded the same rights.

Shadow Cabinet Members

The Leader of the Main Opposition Group will be entitled to nominate Councillors to act as Shadow Cabinet Members. Shadow Cabinet Members have no decision-making powers but will be entitled to attend meetings in their role and speak at the

discretion of the Cabinet Member. They will also be entitled to receive briefings in relation to their Shadow Portfolio.

2.2 Amendments to the Member Officer Protocol – Part 4D of the Constitution

The Protocol aims to help elected Members and Senior Officers to set and promote clear expectations about how Members and Officers work together for the benefit of local residents and the good governance of the authority. It is common practice for the Protocol to be part of a Local Authority's Constitution.

The Local Government Association has recently published good practice guidance on Member Officer Protocols and Coventry's Protocol has been reviewed in light of that guidance. The current Protocol is attached as an Appendix to this Briefing Note and proposed amendments identified as part of the review are tracked on that document.

The Constitutional Advisory Panel requested that Paragraph 9 of the Protocol include the following wording (which has been included in the amendments shown in Appendix 1):-

“Chairs of Scrutiny Boards and other Bodies should also receive briefings as appropriate.”

2.3 Membership of Scrutiny Boards and the Scrutiny Co-ordination Committee

Currently the Constitution provides the following paragraph 4.1 in relation to the membership of Scrutiny Boards and the Scrutiny Co-ordination Committee in Part 2D:-

4.1 Any Councillor, except a member of the Cabinet, may be appointed as a member of a Scrutiny Board. However, no Member may be involved in scrutinising a decision in which they have been directly involved.

Approval is sought to the following two proposed amendments to this paragraph.

- a) It has been custom and practise for a number of years that Deputy Cabinet Members (who are Scrutiny Members) are not appointed to the Scrutiny Board that is relevant to the portfolio for which they were appointed as a Deputy Cabinet Member. It is therefore proposed that this arrangement be formalised by the addition of wording as detailed at 4.1 below.
- b) The current wording in 4.1 above would preclude a former Cabinet Member from scrutinising a decision that they had made as a Cabinet Member. However, it would not preclude them from being appointed to a Scrutiny Board that would have responsibility for potentially scrutinising those decisions. This may lead to the former Cabinet Member having to declare and leave meetings for particular items on an agenda. It is therefore proposed to add additional wording as detailed below.

The Constitutional Advisory Panel requested that the proposed amended wording also include reference to former Cabinet Members not being able to sit on the Scrutiny Co-

ordination Committee (as well as Scrutiny Boards) where it relates to their former portfolio.

Taking into account the proposed amendments detailed in a) and b) above, together with the request from the Constitutional Advisory Panel, it is proposed that Paragraph 4.1 in Part 2D be amended to read as follows.

4.1 Councillors, except a member of the Cabinet, may be appointed as a member of a Scrutiny Board and the Scrutiny Co-ordination Committee. However, in order to ensure that no Member may be involved in scrutinising a decision in which they have been directly involved, no former Cabinet Member may sit on the Scrutiny Board relevant to the portfolio they held as a Cabinet Member or the Scrutiny Co-ordination Committee (if it relates to their former portfolio) for a period of 12 months. In addition, any Member who is appointed as a Deputy Cabinet Member may not be appointed to the Scrutiny Board or Scrutiny Co-ordination Committee which is relevant to the portfolio for which they have been appointed as a Deputy Cabinet Member.

2.4 **Appointment of Lord Mayor and Deputy Lord Mayor**

For a number of years, due to the non-political nature of the roles and in recognition of their long serving dedication to public service by Councillors, the office of Lord Mayor and Deputy Lord Mayor has been offered to Councillors on the basis of their length of service.

The relevant paragraph is 10.1.3, Part 1 of the Constitution:-

“The office of Lord Mayor and Deputy Lord Mayor **by convention** will be offered to the Councillor who has the longest service and has not previously held the office. If that Councillor declines that offer, then it is offered to the next person in order of length of service. Any Councillor who declines the offer may take up the offer in a subsequent year.”

It is proposed to delete the words “by convention” from the above paragraph to make this clearer and to reflect the current custom and practise.

2.5 **Motions**

There is currently a paragraph in the Council Procedure Rules (Part 3A - Paragraph 9.9) which ensures that if a Motion adopted at a Council meeting pursuant to a Notice of Motion (which could include an amendment moved at the meeting) would increase expenditure or reduce income, then it is regarded as tentative only and if necessary, will be considered by the appropriate Body, to be referred back to the Council if appropriate. This ensures that if there were financial consequences of any amendment moved at the meeting to a Motion, (which would not be known in advance of the meeting) there is a mechanism to ensure that the decision-making body is fully aware of those consequences on the Council’s budget.

In order to provide a similar mechanism to ensure that any Motion adopted as a result of an amendment moved to a Notice of Motion is lawful, it is proposed to insert the

following paragraph in the Council Procedure Rules, which mirrors Paragraph 9.9 relating to any financial consequences: -

9.11 Every Motion made in pursuance of a Notice of Motion must be lawful and will be regarded as tentative only until this has been confirmed by the Monitoring Officer. If the Motion is considered to be unlawful, the Monitoring Officer will submit a report on this matter to the next meeting of Council. No action may be taken on the matter until the Council has considered the advice of the Monitoring Officer.

2.6 Street Naming and Numbering (SNN)

SNN is a legal function of local authorities, essential for ensuring that streets and properties are clearly identifiable for residents, emergency services, postal services (Royal Mail), and other users. Coventry City Council's approach to SNN has historically been based on long-standing national legislation and established good practice across the sector. Operationally, the Council's Building Control service administers SNN, maintaining the Local Land and Property Gazetteer and coordinating with Royal Mail, fire services, etc., for new address assignments.

Under the Council's Constitution, some aspects of SNN are already delegated to officers. For example, allocation of street numbers is explicitly delegated to the Director of Regeneration & Economy. However, street naming (assigning or changing street names) is not explicitly listed in the scheme of delegation. In practice, this function has been carried out under general officer delegations by the Director of Law, Governance and Safer Communities to ensure that decisions are made lawfully and impartially within the Council's governance arrangements. This means that up to now, officers (rather than Members) make SNN decisions, following policy guidelines and in consultation with relevant parties (e.g. emergency services and local Councillors informally), which helps ensure consistency and avoids politicisation of routine naming decisions.

In the absence of an explicit mention of "street naming" in the Constitution's Scheme of Delegation (Part 2M) and with upcoming changes in legislation and a desire to involve elected Members more formally in the process (without transferring decision-making entirely away from officers), in order to provide clarity and transparency in the Council's Constitution, approval is sought to the following delegation : -

That the Director of Law, Governance and Safer Communities be delegated authority to determine all matters relating to street naming and numbering, including the naming and renaming of streets and the allocation of property numbers, following consultation with the relevant Ward Councillors and relevant Cabinet Member.

3. Results of consultation undertaken

The proposed amendments outlined above were considered by the Constitutional Advisory Panel at their meeting on 25 February, 2026. All Political Group Leaders were invited to attend that meeting.

4. Timetable for implementing this decision

If approved by Council at their meeting on 24 March, 2026, the amendments will come into effect immediately.

5. Comments from Director of Finance and Resources and Director of Law, Governance and Safer Communities

5.1. Financial Implications

There are no specific financial implications arising from the recommendations within this report.

5.2. Legal Implications

There are no specific legal implications arising from the recommendations within this report. The Constitution ensures that the Council fulfils its legal duties.

The proposed amendment in paragraph 4.5 above relating to Motions will ensure that the Council only adopts Motions which are lawful.

6. Other implications

6.1. How will this contribute to the One Coventry Plan?

The Constitution ensures that the Council's decision-making and governance arrangements help the Council to achieve its corporate aims, objectives and priorities effectively and efficiently.

How is risk being managed?

Not applicable

6.2. What is the impact on the organisation?

None

6.3. Equalities / EIA?

Not applicable

6.4. Implications for (or impact on) climate change and the environment?

None

6.5. Implications for partner organisations?

None

Report author(s):

Name: Suzanne Bennett

Title: Governance Services Co-ordinator

Service Area: Law and Governance**Tel and email contact:**

Tel: 02476972299

Email: Suanne.bennett@coventry.gov.uk

Enquiries should be directed to the above person

Contributor/approver name	Title	Service Area	Date doc sent out	Date response received or approved
Contributors:				
Adrian West	Head of Governance	Law, Governance and Safer Communities	26/02/26	26/02/26
Names of approvers for submission: (officers and members)				
Davina Blackburn	Strategic Lead – Regulation and Communities	Law, Governance and Safer Communities	27/02/26	05/03/26
Finance: Ewan Dewar	Head of Finance	Finance	26/02/26	27/02/26
Legal: Shanita Manhertz	Trainee Solicitor	Law and Governance	26/02/26	27/02/26
Director: Julie Newman	Director of Law, Governance and Safer Communities	Law, Governance and Safer Communities	26/02/26	27/02/26
Members: Councillor M Mutton	Chair of the Constitutional Advisory Panel	-	06/03/26	06/03/26
Councillor AS Khan	Cabinet Member for Policing and Equalities	-	06//03/26	10/03/26

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PART 4D: MEMBER OFFICER PROTOCOL

1. Status of this Code

- 1.1 This Protocol seeks to offer guidance on some of the issues which most commonly arise in relation to the relationships between Members and Officers.
- 1.2 The Protocol is partly a statement of current practice and convention. In some respects, however, it seeks to promote greater clarity and certainty. In particular, it covers the behaviour that is expected between Members and Officers.
- 1.3 The Protocol gives guidance only, but it ~~will be~~ ~~may be~~ ~~taken into account~~ considered if there is a complaint about a Member or an Officer. Members must observe the Members' Code of Conduct. Any complaints received in relation to alleged breaches of the Code of Conduct will be considered initially by the Monitoring Officer. Officers are also obliged to comply with the Code of Conduct for Employees. Any complaints received about Officers behaviour or conduct will be considered by the relevant managers.

2. Roles of Members and Officers

- 2.1 Officers and Members both serve the public, but they have different roles. Officers are employees of the Council and are politically neutral. Their role is to advise Members and implement the policies of the Council to the best of their abilities. Members are office holders and will often belong to a political party. They are obliged to exercise their own judgement in respect of matters before them but may also legitimately pursue party political objectives. Officers are answerable to the Chief Executive, not to individual Members (whatever office they hold), but there should be good communication between senior officers and Members with special responsibility for their area of work.

3. Expectations

3.1 What Members can expect from Officers:

- (a) A commitment to the authority as a whole, not to any political group.
- (b) A working partnership.
- (c) An understanding of and support for respective roles, workloads and pressures.
- (d) Timely responses to enquiries and complaints in accordance with agreed standards: (see paragraph 7)

- (e) Professional advice, not influenced by political views or preference.
- (f) Regular up-to-date information on matters that can be reasonably considered appropriate and relevant to the Member's needs, having regard to any individual responsibilities that they have and positions that they hold.
- (g) Awareness and sensitivity to the political environment.
- (h) Respect and courtesy.
- (i) Training and development in order to carry out their roles effectively.
- (j) Not to have personal issues raised with them by Officers outside the agreed procedures.
- (k) Officers should not try to persuade individual Members to make a decision in their personal favour or raise things to do with their employment with individual Members. Nor should they approach individual Members with allegations about other Officers. They should use the Council's grievance, whistle blowing and disciplinary procedures instead; ~~and~~.
- (l) Compliance with the Employee Code of Conduct.

3.2 What Officers can expect from Members:

- (a) A working partnership.
- (b) An understanding of and support for respective roles, workloads and pressures.
- (c) Political policy direction and leadership.
- (d) Respect and courtesy.
- (e) Members should generally restrict their discussion on strategic or significant issues to more senior officers (that is the Chief Executive, Directors or Heads of Service); Members should raise all queries on operational matters initially with Directors or Heads of Service who will ensure that Members receive a prompt response.
- (f) Members are encouraged to use regular briefings and/or normally make appointments before visiting Officers in order to try to avoid frequent unscheduled interruptions; Members wishing to arrange visits to Council services in relation to their role should arrange this with the relevant senior officer and not visit unannounced.

- (g) Members should not pressure Officers to work outside their normal hours or to do anything they are not allowed to do or that is not part of their normal work.
- (h) Not to be subject to bullying, harassment or intimidation. Members should have regard to the seniority and experience of Officers in determining what constitutes a reasonable request. Members with special responsibilities should be particularly aware of this.
- (i) Members should not use their position or relationship with Officers to advance their personal interests or those of others or to influence decisions improperly.
- (j) Members may occasionally find that they have a personal interest in a matter that needs to be raised with Officers. Members should be clear about their personal interest and use appropriate and formal language when contacting Officers in this instance. Close personal familiarity between individual Members and Officers can damage the relationship of mutual respect and prove embarrassing to Members and Officers. Members and Officers are encouraged to contact the Monitoring Officer for advice if they are concerned about this.
- (k) Members should not make detrimental remarks about individual Officers during meetings, in public or to the media, and.
- (l) Members should at all times comply with the Member Code of Conduct.

4. Limitations on behaviour

4.1 The distinct roles of Members and Officers necessarily impose limitations upon behaviour. By way of illustration and not as an exclusive list:

- (a) Personal relationships between individual Members and Officers can confuse the separate roles and get in the way of the proper discharge of the authority's functions. In this situation, others may feel that a particular Member or Officer may be treated more favourably.
- (b) Personal relationships should be avoided. Where they do exist, the Officer concerned must notify their manager.
- (c) The need to maintain the separate roles means that there are limits to the matters on which Members may seek the advice of Officers, both in relation to personal matters and party-political issues.
- (d) Relationships with particular individuals or party groups should not be such as to create public suspicion that an employee favours that Member or group above others.

5. Politeness and respect

- 5.1 Members and Officers should show each other politeness and respect. Members have the right to challenge Officers' reports or actions, but they should avoid personal and/or public attacks; and ensure their criticism is fair and constructive.
- 5.2 Officers should not publicly criticise Council decisions even if they do not personally agree with those decisions.

6. Complaints about Members or Officers

- 6.1 If an Officer feels a Member is not treating them with politeness and respect, they should consider talking to the Member directly. If they do not feel they can talk to the Member or talking to the Member does not help, they should talk to their Head of Service or Director immediately. The manager approached will talk to the Member or the Leader of their political group and may also tell other senior officers. The Officer will be told the outcome. Officers may also make a complaint alleging a breach of the Members' Code of Conduct
- 6.2 If a Member feels an Officer is not treating them with politeness and respect, they should consider talking to the Officer directly. If they do not feel they can talk to the Officer or talking to the Officer does not help, they should talk to the Officer's Head of Service or Director immediately. If the problem continues the Head of Service or Director approached will consider whether to use the Council's disciplinary procedures.

7. Members' enquiries

- 7.1 Officers should answer Members' enquiries, in whatever form, within five working days. If that is not possible, they should send a holding reply. Members should contact a more senior officer in the event that a response is not received within this time. Where a ~~Senior Officer~~Head of Service considers that the enquiry received is inappropriate, the Member should be advised of this and the reason or reasons why the enquiry is considered to be inappropriate. ~~Members should contact a more senior officer in the event that a response is not received within this time. The Chief Executive may be asked to resolve any issues arising from unreasonable delays in responding to Members' enquiries.~~

- 7.2 Members have a right to information that is reasonably necessary to enable them to perform their duties. This is often described as the 'need to know'. This principle balances transparency and data protection (GDPR).

So, councillors:

- May access information relating to committees they sit on, or decisions they must make.

- May not access confidential or personal data unrelated to their role or ward casework.

Requests should be **specific** and **relevant** to the member's role.

Officers should respond **promptly** and **respectfully** but can ask for clarification.

7.3 When disclosing information, officers should make it clear whether the information should be treated as confidential or can be shared with members of the public and the Member should treat the information accordingly.

7.4 The Chief Executive may be asked to resolve any issues relating to Members' enquiries arising from unreasonable delays or dispute about the reasonableness of requests or the need to know principle in responding to Members' enquiries.

8. Casework

8.1 Where a Member is making an enquiry of Officers as part of their ward casework, Officers will normally assume that they have the implicit consent of an individual to disclose personal information about them to the Member but only where:-

- the Member represents the ward in which the individual lives;
- the Member makes it clear that they are representing the individual in any request for their personal information to the local authority; and
- the information is necessary to respond to the individual's complaint.

8.2 In all other cases Officers may need to seek the explicit consent of the individual to share their personal data with the Member in order to comply with ~~the~~ Data Protection Legislation.

8.3 Personal information about third parties (i.e. individuals who have not sought the Member's assistance) may only be shared with a Member where the law permits this. See also paragraphs 9.1.3 and 9.1.4 below.

8.4 In particular, Members should forward only the minimum information required to only the people that need to see it and be very careful not to forward email chains or attachments which may contain personal data to a wide group of people who should not have access to it.

~~8.3~~8.5 Members should always follow data protection requirements as set out the guidance for Members.

9. Information and advice

9.1 Requests for written information

9.1.1 Members should be provided with adequate information about services or functions on which they may be called upon to make decisions or to scrutinise the decisions of others, or which affect their constituents. This information will normally be made routinely available by Officers in the form of reports, departmental plans etc. Members are encouraged to make use of existing sources of information wherever possible.

9.1.2 Written information supplied to a Member regarding the implications of current Council policies or containing statistical information about Council services may be copied to the relevant Cabinet Member.

9.1.3 The Leader of the Council or Leader of any other political group may request the Chief Executive or other designated Officer to prepare reports on matters relating to the authority for consideration by the group. Such requests must be reasonable and should not seek confidential information in relation for instance to casework or personal details of applicants for services.

9.1.4 Wherever possible, such requests will be met. However, if the Officer considers that the cost of providing the information, or the nature of the request is unreasonable or inappropriate, the request will be referred to the Chief Executive for determination, where necessary in consultation with the Leaders of the political groups. Requests will also only be met where they comply with Data Protection or other legal requirements.

9.1.5 Officer reports to political groups should be limited to a statement of relevant facts, identification of options and the merits and demerits of such options for the authority. Reports should not deal with any political implications of the matter.

9.2 Briefings

9.2.1 In order for them to discharge their responsibilities Cabinet Members and Deputy Cabinet Members will be briefed by senior officers (Chief Executive, Directors or Heads of Service) on service issues, proposals and policy development ~~either on an ad hoc or a regular basis~~ or when urgent issues require it. Regular briefings should normally be monthly but may be agreed in accordance with the requirements of the Member involved but should be proportionate and reasonable.

Chairs of Scrutiny Boards and other bodies should also receive briefings as appropriate.

9.2.2 ~~The other political party groups may also have nominated Shadow Cabinet Members and, if those so request, the r~~ Relevant senior officers will make themselves available to meet with Shadow Cabinet Members ~~meet with~~

~~them~~ to brief them on service issues on a regular basis (no more than monthly) or as requested. ~~The other political party groups~~ Shadow Cabinet members should be aware that at times the amount of information that officers can share with them may be limited due to issues of confidentiality.

9.2.3 The content of these informal briefing sessions shall remain confidential ~~as~~ between Officers and the political group concerned.

9.3 News Items

9.3.1 When an event or development occurs in the city which has or will have a significant impact on the Council or city residents, the Chief Executive will ensure that the Leaders of all political groups are informed as soon as possible.

9.4 Ward Members

9.4.1 Senior officers should ensure that Ward Members are given information relevant to their ward where appropriate. As well as letting Ward Members know when there has been a significant incident in their ward, Ward Members should be notified about the following types of issue:-

- (a) Public consultation events affecting their wards;
- (b) Proposed changes to services sited within their wards;
- (c) Applications and proposals in their wards

9.4.2 Ward Members should be invited by Officers to public events, such as openings, festivals etc., in their Wards regardless of political affiliation.

9.4.3 The ~~Media and~~ Communications Team will advise Cabinet Members of 'photo shoots' taking place. The Team will aim to give 48 hours' notice of any photo shoot to the Cabinet Member.

9.4.4 If Officers organise a public meeting about a specific Ward issue, all the Ward Members should be invited and given as much notice as possible.

9.4.5 If Officers undertake consultation about specific ward issues they should consult the Members for that ward at the start of the consultation.

9.4.6 Ward Members should be told in advance about anything which particularly affects their ward and which is potentially controversial.

9.5 Officer Attendance at Group Meetings

9.5.1 The Leader of the Council or Leader of any other political group may ask the Chief Executive or relevant Director to give or arrange a private briefing for the party group on a matter of relevance to the Council.

9.5.2 Any briefings offered to ~~or requested by~~ a party group will be offered to the other party groups.

9.5.3 While Officers may attend political group meetings at which individuals who are not elected Members may be present, Members need to understand that those Officers' ability to share confidential information with the Group may be limited. In particular Officers will not be able to share personal information with third parties present if to do so would cause the Council to breach Data Protection Legislation.

9.5.4 Decisions at group meetings are not Council or Cabinet decisions and party groups do not have any delegated authority to make formally binding decisions.

9.6 **Advice for Members with Special Responsibilities**

9.6.1 The Lord Mayor, Cabinet Members and Committee Chairs can ask the Chief Executive, Directors and Heads of Service for extra background information and advice on different courses of action.

9.6.2 Although these Members have additional responsibilities and different relationships because of their more frequent contact with Officers, these Members must still respect the impartiality of Officers. This includes not asking them to undertake work of a party-political nature, or to do anything which would prejudice that impartiality.

9.6.3 The Leaders of ~~minority any opposition political~~ groups can ask the Chief Executive, Directors or Heads of Service for background information or more details about items coming to the next meeting of a Committee or Cabinet. The appropriate Chair or Cabinet Member will be entitled to receive the same information.

9.6.4 Party Group Leaders can ask for advice on presenting their budget in a correct and accurate form. This will be given in confidence.

10. **Members' Briefings on AgendasMeetings and Reports**

10.1 **Briefings on agendasMeetings**

10.2 The Directors and Heads of Service will give briefings on full Council, Cabinet and Committee agendasmeetings to the Leader and Deputy Leader and Committee Chairs as appropriate.

~~10.3 **Consultation on agendas**~~

~~10.3.1 **The Leader will be consulted on agendas for the Cabinet. Committee Chairs will be consulted on agendas for their Committees.**~~

10.4.10.3 Requests for reports

10.4.10.3.1 Instructions for reports to come to Cabinet or Committees can only come from the Leader, Cabinet, a Cabinet Member in respect of the Cabinet and a Committee or a Committee Chair in respect of Committees. Cabinet Members may ask for reports to come to their Cabinet Member meetings.

10.4.210.3.2 Whilst Cabinet Members have political responsibility for drawing up proposals for consideration or for the agenda for a forthcoming meeting, it must be recognised that in some situations an Officer will be under a professional duty to submit a report. Similarly, Senior Officers will always be fully responsible for the contents of any report submitted in [his/her/their](#) name. This means that any such report will be amended only where the amendment reflects the professional judgement of the author of the report. Any issues arising between a Cabinet Member and a Senior Officer in this respect should be referred to the Chief Executive for resolution in conjunction with the Leader of the Council.

11. Support services to Members and Political Groups

11.1 Support services should only be used for Council business. They should never be used for private purposes, for party political or campaigning activity.

12. Correspondence

12.1 Between Members and Officers

12.2 If emails or letters between Officers and Members are copied to someone else, they should say so. Blind copies should not be sent. Members should not forward information received from an Officer to a constituent or member of the public if that information is expressed to be private or confidential.

12.3 Letters on behalf of the Council

12.4 Letters on behalf of the Council will normally be sent by Officers rather than Members. The Leader or Committee Chairs may write some letters on behalf of the Council, for example representations to government ministers. Members must never send letters that create obligations or give instructions on behalf of the Council.

13. The Council as an Employer

13.1 The Council as a whole employs its Officers. The appointment and dismissal of Officers and any disciplinary or grievance proceedings will be carried out in accordance with the Employment Procedure Rules and any other agreed policies and procedures.

14. Responsibility for this Code

- 14.1 The Monitoring Officer has overall responsibility for this Protocol and will periodically review how it is working.



Public report
Cabinet Member

**Cabinet Member for Policing and Equalities
Council**

**23 March 2026
24 March 2026**

Name of Cabinet Member:

Cabinet Member for Policing and Equalities – Councillor AS Khan

Director approving submission of the report:

Director of Law, Governance and Safer Communities

Ward(s) affected:

None

Title:

Proposed Amendments to the Constitution – Contract and Finance Procedure Rules

Is this a key decision?

No

Executive summary:

The Constitutional Advisory Panel, at its meeting on 25 February 2026, considered proposed amendments to the Constitution in relation to changes to the Contract Procedure Rules, Part 3G and the Financial Procedure Rules, Part 3F.

The Advisory Panel agreed with the proposed amendments. This report seeks approval from the Cabinet Member for Policing and Equalities and Council to the proposed amendments to the Constitution.

The report also outlines minor amendments and corrections required to ensure that the Constitution is up to date.

Recommendations:

The Cabinet Member for Policing and Equalities is requested to:-

- 1) Recommend that Council approves the proposed amendments to the Contract Procedure Rules, Part 3G of the Constitution as detailed in Appendix A to the report and delegates authority to the Director of Law, Governance and Safer Communities to make the necessary amendments to the Constitution.
- 2) Recommend that Council approves the proposed amendments to the Financial Procedure Rules, Part 3F of the Constitution as detailed in Appendix B to the report

and delegates authority to the Director of Law, Governance and Safer Communities to make the necessary amendments to the Constitution.

Council is recommended to:-

- 1) Approve the proposed amendments to the Contract Procedure Rules (Part 3G of the Constitution) as detailed in Appendix A to the report and delegate authority to the Director of Law, Governance and Safer Communities to make the necessary amendments to the Constitution.
- 2) Approve the proposed amendments to the Financial Procedure Rules (Part 3F of the Constitution) as detailed in Appendix B to the report and delegate authority to the Director of Law, Governance and Safer Communities to make the necessary amendments to the Constitution.

List of Appendices included:

The following appendix is attached to the report.

Appendix A - Details of the proposed amendments to the Contract Procedure Rules (Part 3G)

Appendix B - Details of the proposed amendments to the Financial Procedure Rules (Part 3F)

Background papers:

N/A

Other useful documents

N/A

Has it or will it be considered by Scrutiny?

No

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

Yes – Constitutional Advisory Panel – 25 February 2026

Will this report go to Council?

Yes – 25 March 2026

Report title: Proposed Amendments to the Constitution

1. Context

- 1.1 The Council's Constitution sets out how the Council carries out its business and makes decisions. It is a living document and is reviewed and updated from time to time to ensure that it meets changing legislative requirements and reflects changes in practise within the Council.
- 1.2 The Constitutional Advisory Panel at its meeting on 25 February 2026 considered proposed changes to the Constitution. These were amendments to the Contracts Procedure Rules as set out in Part 3G of the Constitution and amendments to the Financial Procedure Rules as set out in Part 3F of the Constitution.

2. Options considered and recommended proposals

2. Contracts Procedure Rules – Part 3G

- 2.1 The proposed amendments to the Contract Procedure Rules as set out in Appendix A are to align to the introduction of the Local Government (Exclusion of Non-Commercial Considerations) (England) Order 2026.
- 2.2 Government have introduced a new voluntary policy that permits in-scope contracting authorities such as Coventry City Council to reserve competitions for below-threshold contracts. Such reservations can be made for:
 - a) Businesses based within the local area or United Kingdom; and/or
 - b) Small and Medium-Sized Enterprises (SMEs) and/or Voluntary and Community Social Enterprises (VCSEs).
- 2.3 Previously, authorities were prevented from reserving below-threshold contracts by reference to the location of contractors as a consequence of section 17(5)(e) of the Local Government Act 1988. To bring the policy about, legislation has been made that disapplies the restriction in section 17(5)(e) of the Act, but only in specific circumstances.
- 2.4 While the policy is voluntary, when in-scope authorities do opt to use it, they must adhere to the provisions set out in the Local Government (Exclusion of Non-Commercial Considerations) (England) Order 2026 and ensure that notice requirements are followed in accordance with the Procurement Act 2023 and Procurement Regulations 2024.
- 2.5 The Order defines a 'relevant contract' as a contract that is a below-threshold contract for the supply of goods, services or works to a contracting authority, a framework or a concession contract.
- 2.6 The 'local area' (3.1(a)) is defined as the City of Coventry or the City of Coventry together with any areas of the counties bordering the City of Coventry. Where a joint procurement exercise is being undertaken with two or more Authorities, the local area is defined as the

areas of the Authorities or the areas of the Authorities together with any areas of the counties bordering the relevant Authorities.

- 2.7 'Based within' (3.1(a)) is defined by the Order as being "where that contractor is based or has established substantive business operations, not taking account of the location of the corporate ownership or control of the contractor".
- 2.8 The option to reserve competitions for below-threshold contracts should be considered on a case-by-case basis and shall be made only where sufficient market intelligence exists in order to deliver value for money through a competitive procurement exercise, and not as a way to de facto directly award contracts.
- 2.9 The proposed changes to the Contract Procedure Rules can be summarised as follows:
 - Inclusion of Reserving Competitions for Below-Threshold Contracts at Rule 20 of the Contract Procedure Rules (Part 3G).
 - In accordance with paragraph 2.8 above and new Rule 20.5 of the CPRs, Directors - in conjunction with the Head of Legal and Procurement Services - shall ensure that a Preliminary Market Engagement Notice is published and market engagement held prior to the reservation of any below-threshold contracts in the subsequent Tender Notice.
- 2.10 The Constitutional Advisory Panel agreed that all of the proposed amendments, as detailed in Appendix A, should be recommended to the Cabinet Member for Policing and Equalities for approval.

3. Financial Procedure Rules – Part 3F

- 3.1. The Council periodically receives grant allocations from central government that are paid directly into the Council's bank account. In these circumstances, there is often no requirement to sign a funding agreement and, in some cases, no discretion for the Council to refuse the funding.
- 3.2. Where such grants must be accepted at pace, the current constitutional arrangements do not explicitly set out a clear approval route, creating a degree of ambiguity in what is effectively an unavoidable transaction.
- 3.3. Appendix B introduces a process within the grant income and expenditure provisions of Part 3F of the Constitution in order to address this. The amendment confirms that where:
 - 3.3.1. a grant allocation is received by the Council from central government,
 - 3.3.2. no agreement is required to be signed, and
 - 3.3.3. acceptance is not discretionary,

approval of the grant (irrespective of value) will be delegated to the Director of Finance and Resources (Section 151 Officer), or in his/her absence, the Head of Finance.

- 3.4. The amendment:

- 3.4.1. Strengthens financial governance by clearly identifying the accountable decision-maker;
 - 3.4.2. Reflects the practical reality that some grants must be accepted without delay or choice; and
 - 3.4.3. Retains flexibility where speed is required, while ensuring Section 151 oversight.
- 3.5. The change does not reduce transparency or accountability and sits alongside existing reporting and monitoring arrangements.
- 3.6. The Constitutional Advisory Panel agreed that all of the proposed amendments, as detailed in Appendix B, should be recommended to the Cabinet Member for Policing and Equalities for approval

4. **Results of consultation undertaken**

- 4.1 The proposed amendments have been considered by the Constitutional Advisory Panel to which all Group Leaders were invited to attend.

5. **Timetable for implementing this decision**

- 5.1 It is proposed that following Council approval, authority be delegated to the Director of Law, Governance and Safer Communities to make the amendments to the Contract Procedure Rules, Part 3G, and the Financial Procedure Rules, Part 3F.

6. **Comments from the Director of Finance and Resources and the Director of Law, Governance and Safer Communities**

a. Financial Implications

There are no specific financial costs arising from the recommendations within this report. The changes proposed to contract procedure rules are a legislative change with no additional financial implications.

b. Legal Implications

There are no specific legal implications arising from the recommendations within this report. The proposed changes to the Contract Procedure Rules, Part 3G reflect a change in legislation.

7. **Other implications**

a. **How will this contribute to the One Coventry Plan?**

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

Not applicable.

b. How is risk being managed?

There is no direct risk to the organisation as a result of the contents of this report.

c. What is the impact on the organisation?

Not applicable

d. Equalities / EIA?

Not applicable

e. Implications for (or impact on) climate change and the environment?

None

f. Implications for partner organisations?

None

Report author(s):

Name: Rob Amor / John Redfern

Title: Deputy Head of Procurement / Corporate and Commercial Lawyer

Service Area:

Law, Governance and Safer Communities

Tel and email contact:

Tel: 02476 971 956 / 02476 972 067

Email: rob.amor@coventry.gov.uk / john.redfern@coventry.gov.uk

Enquiries should be directed to the above person

Contributor/approver name	Title	Service Area	Date doc sent out	Date response received or approved
Contributors:				
Rob Amor	Deputy Head of Procurement	Law, Governance and Safer Communities	27-02-26	27-02-26
John Redfern	Corporate and Commercial Lawyer	Law, Governance and Safer Communities	02-03-26	02-03-26

Names of approvers for submission: (officers and members)				
Lara Knight	Governance Services Co-ordinator	Member Services	03.03.26	10.03.26
Finance: E Dewar	Head of Finance	Finance	03.03.26	03.03.26
Director: Julie Newman	Director of Law, Governance and Safer Communities	Law, Governance and Safer Communities	03.03.26	09.03.26
Councillor M Mutton	Chair of the Constitutional Advisory Panel	-	03.03.26	10.03.26
Councillor A S Khan	Cabinet Member for Policing and Equalities	-	03.03.26	12.03.26

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PART 3

RULES OF PROCEDURE

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PART 3G: CONTRACT PROCEDURE RULES

1. Introduction

- 1.1. These Contract Procedure Rules (CPRs) are the standing orders required by the Local Government Act 1972. They are part of the Council's Constitution and are, in effect, the instructions of the Council to officers and councillors for making contracts on behalf of the Council. The purpose of these CPRs is to set clear rules for the procurement of works, goods and services for the Council and to ensure a system of openness, integrity and accountability, in which the probity and transparency of the Council's procurement process will be beyond reproach. Accordingly, these CPRs must be followed for **all** contracts (but excluding the categories listed in Rule 6.2, grants and land contracts which are dealt with under different rules) for:-
- the supply of goods to the Council;
 - the supply of services to the Council; and
 - the execution of works for the Council.
- 1.2. The Council has a Procurement Strategy, setting out how the Council intends to go about procuring works, goods and services. Conformity to these CPRs, and the Council's Employee Code of Conduct and relevant associated employment policies, will ensure that contracts are let in accordance with the 'Procurement Strategy and any associated User Guides and Procedures'.
- 1.3. The Council is subject also to the following regulations:
- (a) The Procurement Act 2023 ("[PA2023](#)") and supplementary Procurement Regulations 2024.
 - (b) the Health Care Services (Provider Selection Regime) Regulations 2023, (introduced by the Health Care Act 2022 for the procurement of in-scope health care services and public health services in England.
- 1.4. For contracts entered in to prior to the commencement of the Procurement Act and supplementary Regulations, the Council is also subject to the Public Contracts Regulations 2015 in relation to the management of contracts for goods, services and works, and the Concession Contracts Regulations 2016 in relation to the management of concession contracts.
- 1.5. These legislations require contract letting procedures to be open, fair and transparent. These CPRs provide a basis for true and fair competition in contracts, by providing clear and auditable procedures, which, if followed, will give confidence that the Council has a

Part 3G – Contract Procedure Rules

procurement regime that is fully accountable and compliant with the legislation.

Part 3G – Contract Procedure Rules

2. Summary of CPRs – Governance Process
Governance process for goods, services and works (other than Health Care Services)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
Financial Value (per Contract) for Governance	Approval to Procure	Minimum Process	Advertising opportunity on the Central Digital Platform	Advertising award on the Central Digital Platform	Minimum Tender/Quote Timescales	Contract Terms	Opening of tenders	Authority to Award Contract	Contract Signing
£1,000,000 and above	Procurement Board. In addition, unless acting within approved budgets, Cabinet where the Contract Value (not estimated framework agreement value) is £1m and above on a per annum basis	Competitive tenders in compliance with the Procurement Act 2023 (PA2023) (Note 1 below) Or direct appointment of a Local Authority Trading Company (LATC) in accordance with the Teckal arrangement contained in PA2023 where best value can be demonstrated.	Yes, where over £100k estimated contract value and 'open market'. No, where between £100k and PA2023 threshold and closed exercise.	Yes	Minimum fifteen (15) working days between £100,000 and relevant PA2023 threshold. Where above the relevant threshold, as prescribed by the PA2023.	Standard or Bespoke Form of Contract, or framework order form. Where contracts are in the form of Deeds, they must be sealed by Legal Services. Contracts over £1,000,000 will need to be in the form of a Deed	Electronic tenders via the Council's e-tendering system	If within approved tolerance agreed at Column 2, e.g. <10% above estimated price, or report back to relevant body in Column 2 for approval	Monitoring Officer or authorised deputy
£100,000 up to £999,999	Procurement Panel					Standard or Bespoke Form of Contract, or framework order form. Contracts in the form of Deeds must be executed by Legal Services.			Director and/or Head of Service

Part 3G – Contract Procedure Rules

£10,000 to £99,999	Director approval or delegated authority to budget holder (Copies of Quotations MUST be forwarded to Legal and Procurement Services for order to be approved)	Minimum of five (5) written or oral quotations (see 3 below for thresholds). Where possible, a minimum of three (3) should be from local suppliers or social enterprises. Or appointment of a Local Authority Trading Company (LATC) in accordance with PA2023 where best value can be demonstrated.	Yes, where over £25k estimated contract value and 'open market'. No, where under £25k or closed exercise. (i)	Yes, where over £25k estimated contract value. Optional, where under £25k estimated contract value. (i)	Minimum five (5) working days between £10,000 - £24,999. Minimum ten (10) working days between £25,000 - £99,999.	Standard or Bespoke Form of Contract, or framework order form. Contracts in the form of Deeds must be executed by Legal Services.	Officers must use the electronic Quotations Pack via the Council's e-tendering system for contract values £25,000 - £99,999	Director or authorised deputy	Endorsed/ Signed by Director or authorised deputy
Below £10,000	Budget holder	Use of corporate contract or demonstrable value for money	(i) Not Required (ii) Not Required	(i) Not Required (ii) Not Required	Not Applicable	Purchase Order terms & conditions, framework order form or supplier official order form, or Council Procurement Card.	N/A	Authorised by Budget Holder	Authorised by Budget Holder
<p>Note 1 – Where PA2023 thresholds are not exceeded, a minimum of five (5) competitive tenders must be sought or the tender advertised on the Central Digital Platform</p> <p>Note 2 – Framework agreements need approval by the relevant Procurement Panel or Procurement Board only, based on the total estimated/potential expenditure. Cabinet Approval will also be required for each individual Contract placed against a framework agreement where the annual value is £1,000,000 or over.</p>									

Part 3G – Contract Procedure Rules

Governance process for Health Care Services under the Provider Selection Regime

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
Financial Value (per Contract) for Governance	Approval to Procure	Minimum Process	Advertising opportunity on Find a Tender	Advertising award on Find a Tender	Minimum Tender/Quote Timescales	Contract Terms	Opening of tenders	Authority to Award Contract	Contract Signing
£1,000,000 and above	Procurement Board. In addition, unless acting within approved budgets, Cabinet where the Contract Value (not estimated framework value) is £1m and above per annum basis	The most appropriate provider selection process in accordance with the Health Care Services (Provider Selection Regime) Regulations 2023. The default position for new and re-procured services is that of the Competitive Process.	Direct Award A - No Direct Award B - No Direct Award C - Yes Most Suitable Provider - Yes Competitive Process - Yes	Direct Award A - Yes Direct Award B - Yes Direct Award C - Yes Most Suitable Provider - Yes Competitive Process - Yes	Where utilising the Competitive Process, a minimum of fifteen (15) working days.	Standard or Bespoke Form of Contract. Where contracts are in the form of Deeds, they must be sealed by Legal Services. Contracts over £1,000,000 will need to be in the form of a Deed	Electronic tenders via the Council's e-tendering system	If within approved tolerance agreed at Column 2, e.g., <10% above estimated price, or report back to the relevant body in Column 2 for approval	£1m and above - Monitoring Officer or authorised deputy £100,000 to £999,999 – Director and/or Head of Service £10,000 to £99,999 – Endorsed/signed by Director or authorised deputy Below £10,000 – authorised by Budget Holder
Up to £999,999	Procurement Panel					Standard or Bespoke Form of Contract. Contracts in the form of Deeds must be executed by Legal Services.			

Part 3G – Contract Procedure Rules

Note 2 – Framework agreements need approval by the relevant Procurement Panel or Procurement Board only, based on the total estimated/potential expenditure. Cabinet Approval will also be required for each individual Contract placed against a framework agreement where the annual value is £1,000,000 or over.

Part 3G – Contract Procedure Rules

3. Financial Thresholds for Procedure

Contract Procedure Rules (CPRs)	
Quick Reference Guide Table – Financial Thresholds	
Above PA-2023 thresholds (Note 2 below)	
£4,327,500+ (£5,193,000 including VAT)	Competitive tenders in compliance with the Procurement Act 2023 required for Works, and Concession contracts.
£552,950+ (£663,540 including VAT)	Competitive tenders in compliance with the Procurement Act 2023 required for Supplies and Services contracts that are deemed to be Light Touch contracts.
£173,100+ (£207,720 including VAT)	Competitive tenders in compliance with the Procurement Act 2023 required for Supplies and Services contracts.
<p>Form of Contract: Contracts for £999,999 or less in value can be signed for and on behalf of the Council under hand by Directors and Heads of Service.</p> <p>As a general rule, any works contract and high value contract with a value equal to or exceeding £1,000,000 which are to be expressed to be executed as deeds must either be:</p> <ul style="list-style-type: none"> • made under the Council's seal attested by the Monitoring Officer or authorised signatory; or • signed by at least two officers of Legal Services duly authorised by the Monitoring Officer 	
Below PCR-2015PA2023 thresholds	
£100,000 – up to PA2023 thresholds as listed above (relevant to spend type, e.g., Goods, Services, Works, Concessions)	<p>At minimum of five (5) potential suppliers, should be invited to tender. Where possible those invited to tender should include at least three (3) local suppliers i.e., office based within CV1-CV6 postcodes.</p> <p>Or MUST be advertised on the Central Digital Platform. Refer to Appendix 4 for legislative notice information.</p> <p>Or direct appointment of a Local Authority Trading Company (LATC) in accordance with PA2023 where best value can be demonstrated.</p>

Part 3G – Contract Procedure Rules

<p>£10,000 - £99,999</p>	<p>MUST use corporate contracts where one exists.</p> <p>Competitive quotations £10,000 and up to £24,999 - a minimum of five (5) verbal quotations (which must be confirmed by email) must be sought - quotation pack use is optional.</p> <p>£25,000 and up to £99,999 - a minimum of five (5) quotations MUST be requested in writing using quotation pack (via the Council's e-tendering system with option to publish on the Central Digital Platform. Where possible those invited to tender should include at least three (3) local suppliers i.e., office based within CV1-CV6 postcodes.</p> <p>Or direct appointment of a Local Authority Trading Company (LATC) in accordance with PA2023 where best value can be demonstrated.</p>
<p>Below £10,000</p>	<p>Must use corporate contracts where one exists or show value for money.</p> <p>All contracts valued at £5,000 or above must be included on the Contracts Register in accordance with the Local Government Transparency Code.</p>
<p>Health Care Services (Provider Selection Regime) Regulations (no threshold)</p>	<p>Must use corporate contracts where one exists. Must follow provider selection processes outlined in the Regulations. Must follow corporate guidance and governance process in accordance with these CPRs.</p>
<p>Note 3: PA2023 Thresholds</p>	<p>PA2023 Thresholds are revised every 2 years on 1st January. Figures quoted above for Works and Concessions (£4,327,500 plus VAT), Light Touch Regime Services (£552,950 plus VAT) and Supplies and Services (£173,100 plus VAT) are applicable from 1st January 2026 – 31st December 2027.</p>

- 3.1. The Director responsible for Legal and Procurement Services and the Director for Finance and Resources (if they are not the same officer) or their authorised deputy, subject to conditions, may authorise a contract as an exception to the CPRs if the works or goods/services are below PA2023 thresholds. An exception cannot be granted where a breach of any UK legislation would be incurred.

Part 3G – Contract Procedure Rules

4. Objectives

- 4.1. The CPRs exist to achieve the aims set out below and to assist and protect the interests of the Council and individual Officers.
- 4.2. It is important that they are viewed as **an aid to good management and not as a hindrance**. Followed properly, they provide protection for Officers against criticism and support good procurement practice.
- 4.3. Officers must be able to demonstrate that they followed procedure or had obtained the necessary authority for not doing so, in order to:-
- ensure value for money is obtained;
 - ensure probity in the award of Council contracts;
 - ensure fairness, equity, openness and transparency in the treatment of contractors/suppliers in particular SMEs;
 - ensure that procedures for placing contracts/orders comply with legislation;
 - ensure records are kept which demonstrate compliance with CPRs.

5. Scope of CPRs

- 5.1. All purchases and contracts made in the name of and binding the Council must comply with these CPRs, and also any contract that involves income to the Council. This includes contracts where the expenditure is grant aided by a third party. These rules also apply to a company which is owned or controlled by the Council or is funded by public money. Any arrangement where the Council pays or receives money or equivalent value, other than a contract to employ staff, must comply with these Rules. This includes contracts for:
- (a) buying and selling goods;
 - (b) any work being carried out;
 - (c) services (including financial and consultancy services);
 - (d) hire, rental or lease (of goods)
 - (e) concession agreements
- 5.2. To receive and deal with expressions of interest (through the Procurement Board or the Panels as appropriate) from relevant bodies in providing or assisting in providing a relevant service on

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behalf of the Council in accordance with Part 5, Chapter 2 of the Localism Act 2011 and to consult with the relevant Cabinet Member on each expression of interest that is received.

6. Compliance

- 6.1. Every contract entered into on behalf of the Council must comply with these CPRs and all relevant UK legislation.
- 6.2. The only areas excluded from these Rules are:
 - (a) Internally recharged services;
 - (b) Schemes where the Council has delegated a function to a third party to perform and where a contract makes separate provision for procurement rules
 - (c) Test purchasing in the course of an Officer's duty. (e.g. Trading Standards).
 - (d) Land transactions
 - (e) Property transactions
 - (f) Grants
- 6.3. All contracts must be in writing. Except in an emergency situation which has been approved by the Head of Legal and Procurement Services (or in their absence, the Deputy Head of Procurement), contracts under £100,000 in value must be made on an official Council Form of Agreement or standard form of contract, as appropriate, approved by a designated Authorising Officer, with the Council's standard terms of trading endorsed or referred to. For works contracts, one of the standard forms of contract, such as the NEC, JCT or ICE forms may be appropriate. The Legal and Procurement Services Team, in consultation with Legal Services, will advise on other suitable forms of contract.
- 6.4. Responsibility for compliance with CPRs remains at all times with Council officers. Directors and the Head of Legal and Procurement Services will be responsible for monitoring compliance against these rules, aided by internal or external audits or inspections which will be carried out as appropriate.
- 6.5. See Rule 8 regarding approvals required before a Relevant Procedure (as defined in Rule 8.1.1) may be commenced.

7. Justification of Need

- 7.1. Before any Relevant Procedure (as defined in Rule 8.1.1) is commenced consideration must be given to:
- (a) whether the expenditure is really necessary, and/or can demonstrate benefit to residents or the Council;
 - (b) whether a critical review has been carried out to identify if the requirement can be met from within existing resources or whether it is being funded through grants or other approved income sources;
 - (c) the revenue consequences of any capital investment;
 - (d) the national priorities contained within the National Procurement Policy Statement; and
 - (e) in any case, whether the necessary approvals in Rule 8 have been obtained.

8. Approvals Required before Certain Relevant Procedures are Commenced

- 8.1. Rule 8 applies to any Relevant Procedure:
- 8.1.1. Relevant Procedure: means any procedure conducted by or on behalf of the Council for the genuine purpose of the Council (alone or with others) entering into a contract for the purchase of goods, services and/or works, subject to the following:
- (a) This shall include (without limitation), the seeking of quotations, the conduct of any tender exercise via the Open or Competitive Flexible Procedure, including those as prescribed under the Provider Selection Regime, the conduct of any direct award or mini-competition exercise under a framework agreement, the making of a purchase under a dynamic market or off an approved list (or the like).
 - (b) This shall not include any genuine exercise to research market conditions (including without limitation, any soft market testing or benchmarking exercise) which is not in itself genuinely intended to directly result in the Council entering into a contract for the purchase of goods, services and/or works or concession arrangement.
- 8.1.2. This Rule 8 only applies to conduct involving Council members and

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its officers and does not apply as between the Council and the public at large. Accordingly (and without limiting the implications of this), non-compliance by the Council or by any of its members or officers with all or any part of this Rule 8 shall not in itself result in any of the following:

- (a) Any act by or on behalf of the Council resulting from that non-compliance being invalid for any reason (including without limitation, any assertion that the Council has acted beyond its powers).
- (b) Any member of the public (including any person to who takes part in a Relevant Procedure which is conducted in breach of this Rule 8) having any claim of any kind whatsoever against the Council, including any claim for compensation.

8.2. Requirements before a Relevant Procedure may be commenced:

8.2.1. All of the following, to the extent relevant, and without limiting other requirements elsewhere in the Council's Constitution but subject to the exceptions in Rule 8.5 must be completed before a Relevant Procedure may be commenced:

- (a) The expenditure must be within approved budget and policy framework which has been approved by Members.
- (b) The use of expenditure must have been approved by the Procurement Board (or on the Procurement Board's behalf by the Procurement Panel where relevant) in accordance with Rule 8.3.
- (c) Where the Relevant Procedure is a sensitive matter (see Rule 8.4), the Procurement Board shall consider and give its approval or delegate the approval to the Procurement Panel.

8.3. Delegation by the Procurement Board of the task of considering whether to approve a prospective Relevant Procedure for the purposes of Rule 8.2(b).

8.3.1. The Procurement Board may (but shall not be obliged to) delegate that task to Procurement Panel (or any other relevant subcommittees the Procurement Board has in place from time to time), **but only if both of the following conditions** apply to the prospective Relevant Procedure under consideration:

- (a) The reasonably estimated total value of the contract or contracts for goods, services and/or works expected to be entered by the Council at the conclusion of the Relevant Procedure (whether

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under a single contract, as aggregated under a framework agreement across its full term, across two (2) or more lots contained in the same Relevant Procedure, or as aggregated under a series of reasonably connected contracts) is **less than** £1,000,000 (one million pounds). Where there is reasonable doubt about whether the value is to exceed that figure, there shall be a presumption for the purposes of this Rule 8.3 (a) that it does exceed that figure; **and**

(b) The Relevant Procedure is **not** a sensitive matter (see Rule 8.4).

8.3.2. Any of the following may constitute a 'sensitive matter' for the purposes of this Rule 8 but the Procurement Board or Procurement Panel will make the decision.

(a) There is a significant risk (on a reasonable view) that the Relevant Procedure (and/or any purchase of goods, services and/or works resulting from it) will create serious adverse publicity for the Council.

(b) Under the proposed contract for the purchase of goods, services and/or works expected to result from the Relevant Procedure, the Council would be required to deal with a particular supplier or provider on an exclusive basis.

8.4. Exceptions to obtaining any of the approvals required in Rule 8: only with the written consent of the Director responsible for Legal and Procurement Services and the Director of Finance and Resources (if they are not the same person).

9. The Procurement Board and Procurement Panel

9.1. Composition of the Procurement Board:

(a) Appointment and removal of Procurement Board members: from time to time in accordance with its approved terms of reference and its members must include the Director for Finance and Resources, a minimum of two (2) Directors and the Head of Legal and Procurement Services.

(b) How the Procurement Board is to conduct itself: as determined by the Procurement Board's Terms of Reference, acting reasonably and in good faith, and in any case, lawfully.

(c) The Procurement Panel shall include Directors, Head of Function and other officers of the Council appointed or removed in accordance with its approved terms of reference.

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- 9.2. The Procurement Board shall have the following powers:
- (a) To determine whether to approve or refuse any proposed Relevant Procedures which it has not otherwise delegated according to Rule 8.3;
 - (b) To monitor compliance with contract rules and monitor spend and contracts; to achieve savings;
 - (c) The status of the Procurement Panel in place from time to time shall be as a sub-committee of the Procurement Board;
 - (d) To establish and dissolve the Procurement Panel or similar sub-committee;
 - (e) To establish the composition of members of the Procurement Panel or similar sub-committee, including appointment and removal of members, including any substitutes;
 - (f) The conduct of the proceedings of the Procurement Panel or similar sub-committee from time to time;
 - (g) Any act of the Procurement Panel or similar sub-committee (including any approval or refusal of a Relevant Procedure) shall be regarded as if it were the direct act of the Procurement Board itself;
 - (h) To deal with expressions of interest from a relevant body exercising the right to challenge for a relevant service under Part 5, Chapter 2 of the Localism Act 2011;
 - (i) To provide an annual report on the activities of the Procurement Board and Procurement Panel to Cabinet Member Portfolio Holder and to the Audit and Procurement Committee; and
 - (j) The Director of Finance and Resources has the power to vary the terms of reference of the Procurement Board and Procurement Panel.

9.3. The Procurement Panel shall have the following powers:

9.4. (a) (b) (e) (g) (h) and (i) detailed in Rule 9.2.

10. Exceptions to CPRs

10.1. An exception to the CPRs is a permission to let a contract without complying with one or more of the Rules. An exception to CPRs may be granted subject to conditions. An exception cannot be granted

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where a breach of any UK legislation would be incurred.

- 10.2. Any Director may grant an exception to these CPRs where the value is below £100,000, except for contracts captured by the Provider Selection Regime. Any exception to CPRs of £100,000 and above (and up to PA2023 thresholds) will need the approval of the Director responsible for Legal and Procurement Services or his/her authorised deputy who may grant an exception to these CPRs. Applications for exceptions must be made in writing to the appropriate Director and include the exception rule that is requested and the justification for the exception. All Directors granting an exception or exceptions will notify Legal and Procurement Services of all exceptions granted at a frequency to be determined by the Director responsible for Legal and Procurement Services.
- 10.3. The Director responsible for Legal and Procurement Services will keep a register of all exceptions to CPRs, which shall be available by appointment for inspection by members of the Council and the public. An annual report on exceptions granted in the previous financial year will be presented to the Procurement Board.
- 10.4. An application for an exception to CPRs to allow a contract to be let without genuine competition will not be granted without a cogent reason. A lack of time caused by inadequate forward planning is not a cogent reason and will not permit an exception to CPRs. If an application is granted, the Director responsible for the contract must demonstrate that the price obtained is not in excess of the market price and that the contract represents best value for money.
- 10.5. Where an exception has been granted in line with these rules, a further exception must be sought if the value of the original exception has been exceeded **or** the time period granted for the exception has elapsed.
- 10.6. An exception to the requirements to follow the tender or quotation procedure may be granted in the following circumstances:
- (a) an unforeseeable emergency involving danger to life or health or serious damage to property, in which the work, goods or services are required more urgently than would be possible if the tender or quotation procedure were followed;
 - (b) for justifiable technical reasons, the works, goods or services can be obtained from only one supplier;
 - (c) acquiring goods or services from a different supplier would result in incompatibility with existing goods or service or disproportionate technical difficulties;

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- (d) the proposed contract is an extension to or variation of, the scope of an existing contract, if permitted by the public procurement legislation i.e. below the required threshold, unless the existing contract provides for an extension;
- (e) there is a need to develop and influence the market by extending the range and provision of services, provided the contract is for a fixed term of no more than three years;
- (f) it is necessary to enable the continuation of a new service, development of which was initially grant-aided, provided the contract is for a fixed term of no more than three years;
- (g) when a grant from a public body includes a recommendation as to the supplier or is time limited;
- (h) in furtherance of the Council's social enterprise policy, or other economic development aims, subject to the prevailing financial support limits for this type of activity and without breaching public procurement rules;
- (i) if there are exceptional circumstances in which it would not be in the Council's best interests to follow the tender or quotation procedure or another Contract Procedure Rule.

10.7. An exception to Contract Procedure Rules is granted and separate authorisation is not required in the following circumstances:

- (a) placing an order against a contract/framework agreement let by another Public Body where contracts have been let to allow collaboration, e.g., Eastern Shires Purchasing Organisation (ESPO), Central Buying Consortium (CBC, Buying Solutions, etc.), where the value is below £100,000. If £100,000 or above, approval should be sought via the Procurement Panel or Procurement Board;
- (b) as part of a partnering contract that contemplates a series of contracts with a single supplier;
- (c) legislation requires the Council to let a contract differently from these Contract Procedure Rules;
- (d) value for money can be achieved by the purchase of second hand/used vehicles, plant or materials
- (e) the purchase of works of art, museum artefacts, manuscripts, archive collection items or the services of artistic and cultural

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performers;

- (f) Residential Placements for an individual with a registered care provider of their choice under the Care Act 2014; and
- (g) -for decision making on utilities contracts. Due to the volatile nature of utilities markets and the need for expedient decision making, authority has been delegated through the approval of these Rules to the Director responsible for Legal and Procurement Services in consultation with the Director for Finance and Resources. If the Director for Finance and Resources is also the Director responsible for Legal and Procurement Services, then the decision will be made by the Director for Finance and Resources in consultation with the Chief Executive or his nominated representative. All utilities contracts will be let through Legal and Procurement Services and in line with the procedures dictated by the Head of Legal and Procurement Services.

11. Valuation of Contracts and Aggregation of Requirements

- 11.1. The Director responsible for each contract must record an estimated value for the contract before any offers are sought.
- 11.2. The total value of the contract is the total amount that the Council expects to pay for the contract includes the following:
 - (a) the value of any goods, services or works provided by the Council other than for payment
 - (b) amounts that would be payable if an option in the contract to supply additional goods, services or works were exercised
 - (c) amounts that would be payable if an option in the contract to extend or renew the term of the contract were exercised
 - (d) amounts representing premiums, fees, commissions or interest that could be payable under the contract
 - (e) Amounts representing prizes or payments that could be payable to participants in the procurement.
- 11.3. In estimating the value of a contract, the Council must take into account all of the facts which are material to the estimate and available to the Council at the time is makes the estimate.
- 11.4. In estimating the value of a framework, the Council must estimate the value as the sum of the estimated values of all the contracts that have

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or may be awarded in accordance with that framework.

- 11.5. In estimating the value of an open framework, the Council must estimate the value as the sum of all frameworks awarded, or to be awarded, under the Open framework.
- 11.6. In estimating the value of a Concession contract, the Council must estimate the value as the maximum amount the supplier could expect to receive under or in connection with the contract including, where applicable, amounts already received.
- 11.7. Where it is not possible to estimate the value of a contract in accordance with Schedule 3 of the Procurement Act 2023, the Council is to treat the contract as having been estimated to be of an amount of more than the threshold amount for the type of contract.
- 11.8. Contracts for the same works, goods or services must not be split into smaller, separate contracts to avoid compliance with these CPRs or the Procurement Act 2023.

12. Duties of Directors and the Head of Legal and Procurement Services

- 12.1. The Director is responsible for ensuring that all expenditure involving procurement activity complies with the CPRs and is responsible for ensuring that contracts within his/her division are managed and operated within the terms of the contracts themselves.
- 12.2. The Head of Legal and Procurement Services is responsible for maintaining a register of contracts and for providing an up-to-date copy of the register. Contracts in excess of £5,000 total contract value shall be added to the Contracts Register, which is to be published on the Council's website in accordance with the Local Government Transparency Code. Directors responsible for entering into contracts for £5,000 or more must notify the Director responsible for Legal and Procurement Services of contracts entered into at a frequency determined by the Director responsible for Legal and Procurement Services.
- 12.3. As soon as practicable after the Council's budget has been set and in any event before the end of March in each financial year, the Director must notify the Head of Legal and Procurement Services of all contracts (including their values) that his/her division plans to enter into during the following financial year.
- 12.4. The Director must use corporate contracts, where they are in place. To do otherwise would be unlikely to give value for money for the Council and may be in breach of the Procurement Act 2023.

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12.5. If there is an in-house service available that operates as a trading unit, the Director must consider, in accordance with Value for Money principles, whether that service should be used or whether a contract should be let to an external provider, although all resource implications (e.g. TUPE implications and/or redundancies for directly employed staff), must be considered as part of the best value assessment.

13. Selection of Procurement Route

13.1. When selecting the most appropriate procurement route to secure value for money, the Director, in consultation with the Head of Legal and Procurement Services, shall adhere to the following principles:

- (a) All practical options for contract packages and methods of procurement should be analysed and evaluated, with the object of selecting the option that most effectively ensures value for money is achieved. The preferred option must provide full, fair, transparent and open competition and be identified as the most advantageous bid.
- (b) The scope of contract packages should take into account cross-cutting themes and outcomes identified by strategic, policy and service reviews. Stakeholders within and outside the Council should be consulted about service standards and specifications and investigation of the market undertaken. Performance under any current contract should be appraised and prospective performance considered in the light of consultations and investigations.
- (c) The Council is not required to conduct preliminary market engagement. However, preliminary market engagement is beneficial to the Council and the market in preparing for the procurement and developing the requirement. Where preliminary market engagement is to be undertaken, the Head of Legal and Procurement Services shall ensure that the necessary Preliminary Market Engagement Notice is published in accordance with the Procurement Act 2023.
- (d) The contract package should seek to stimulate diversity and innovation, enhance choice for service users and attract new suppliers.
- (e) Partnerships between the public, private and voluntary sectors should be sought, which demonstrate a shared commitment to objectives that benefit users of the Council's services.

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- (f) Consideration of reducing and/or removing barriers to entry in the procurement process for SMEs, VCSEs and start-ups.

14. Authority to Enter into a Contract

- 14.1. Officers may only enter into a contract if authority is delegated to them or by specific decision of the Council, the Cabinet or Cabinet Member or Procurement Board or Procurement Panel.
- 14.2. Unless an officer has been given authority to enter into a contract, all contracts involving capital expenditure must be authorised by a specific decision of the Cabinet or a Cabinet member.
- 14.3. Unless an officer has been given authority to enter into a contract, all contracts involving revenue expenditure must be authorised by a specific item in the approved revenue budget for the relevant year. A specific item in the approved revenue budget is deemed to be an authority for the relevant Director to enter into a contract up to the value estimated.
- 14.4. All contracts will be let with the involvement of Legal and Procurement Services in consultation with service users and technical experts.

See Appendix 1 for Governance Flowchart

15. Specifications

- 15.1. The Director, in conjunction with the Head of Legal and Procurement Services, must ensure that an appropriate specification is prepared for every contract, which sets out clearly the Council's requirements with regard to the works, goods or services to be supplied.
- 15.2. The Director, in conjunction with the Head of Legal and Procurement Services shall ensure that specifications do not unnecessarily narrow the competitive pool of suppliers, and suppliers are treated equally.
- 15.3. Where applying standards applicable to the goods, services or works, the Director shall ensure that the specification is clear when referring to UK standards that if it is considered that equivalent standards from overseas have been satisfied, this will be treated as having satisfied the UK standard.
- 15.4. Specifications should incorporate measurable and, so far as is possible, objective quality and performance criteria (Key Performance Indicators or clearly defined milestones/deliverables) to enable the contract to be monitored and managed and should build in a capacity for flexibility and innovation, to secure sustained improvements and the ability to meet changing local and national

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circumstances.

- 15.5. Where appropriate, specifications should identify and allocate the risks inherent in the contract.
- 15.6. If a contract may involve the transfer of employees (from the Council to a contractor or from one contractor to another), the tender documents should, if the contractor has assured confidentiality of personal information, include all relevant information relating to those employees.
- 15.7. The Director must obtain all necessary professional and technical advice and assistance in preparing a specification, to ensure a comprehensive document that expresses the Council's requirements and protects its interests. Consultants or other third parties who assist in the preparation of a specification must not be invited to tender or quote for the contract.

16. Contract Procedures

- 16.1. If a corporate contract is in place for the supply of any works, goods or services, the Director must place orders under that contract. Legal and Procurement Services publishes data to enable Directors to order from corporate contracts.
- 16.2. The Director in conjunction with the Head of Legal and Procurement Services must establish whether the public procurement legislation or the Provider Selection Regime applies to a proposed contract. If in doubt, Legal Services will advise whether either legislation applies. When public procurement legislation does apply, the Director/ Head of Legal and Procurement Services must use the Open procedure or the Competitive Flexible procedure unless Legal & Procurement Services agree to the use of a Direct Award procedure. Where the Provider Selection Regime applies to a proposed contract, the Director/Head of Legal and Procurement Services must use one of the provider selection processes in accordance with the Provider Selection Regime guidance. In order to drive competitive procurement and value for money on all contracts, the default position of the Council is that a competitive procedure must be adopted.
- 16.3. The Head of Legal and Procurement Services will place all notices relating to contracts on the Central Digital Platform where applicable and will ensure compliance with all applicable laws and regulations relating to the Council's procurement activities.
- 16.4. The Director need not obtain competitive quotations for contracts of less than £10,000 in value but must demonstrate in any event that the Council is receiving value for money. All contracts entered in to

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at £5,000 or more must be added to the Contracts Register and published in accordance with the Local Government Transparency Code.

17. Invitation to Formal Tender

- 17.1. If the public procurement legislation applies to a contract, the selection of suppliers to be invited to tender for the contract must follow the requirements of that legislation.
- 17.2. Prior to the publication of the relevant Tender Notice or Transparency Notice, the Head of Legal Services shall ensure that the appropriate conflict assessment has been prepared and that it is maintained/revised accordingly until such time that the Council enters in to contract.
- 17.3. If the estimated total contract value for the procurement is between £100,000 and PA2023 thresholds, a minimum of five (5) potential suppliers must be invited to tender using the Council's e-tendering system. Where possible those invited to tender should include at least three (3) local suppliers. The number of suppliers invited to tender should ensure full competition is achieved.
- 17.4. Where the Authorising Officer does not believe it possible to invite five (5) suppliers to tender, the Invitation to Tender must be published to the open market.
- 17.5. Where the Health Care Services (Provider Selection Regime) Regulations apply, the selection of suppliers to be awarded or invited to tender for the contract must follow the requirements of that legislation. No financial thresholds apply to the Provider Selection Regime.
- 17.6. Companies expressing an interest in being invited to tender in response to an advertisement, must satisfy the Council as to their legal, financial and technical capacity (including but not limited to their Health & Safety and Equal Opportunities policies) to undertake the contract by satisfying the conditions of participation of the procurement procedure used, in a form approved by the Head of Legal and Procurement Services.
- 17.7. The Head of Legal and Procurement Services shall be responsible for ensuring that an "Invitation to Tender" procedure – that demonstrates public sector best practice – is available and adhered to, at all times, ensuring that the award criteria, weightings and assessment methodology is stipulated in the Invitation to Tender documentation and Tender Notice, and is sufficiently clear, measurable and relates to the subject matter of the contract.

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17.8. The Head of Legal and Procurement Services shall be responsible for ensuring that the appropriate Procurement Termination Notice is published on the Central Digital Platform in the event of an abandoned procedure unless exemptions apply.

18. Opening Formal Tenders

18.1. The information obtained at the opening of tenders is confidential to those involved in the opening process and those directly involved in evaluation of the tenders. Confidentiality must be maintained, and any breach reported to the Monitoring Officer.

18.2. The Council uses an *electronic tendering platform*. The tender opening process must be appropriate to the specific electronic software employed and its facilities for guaranteed receipt of tenders.

19. The Quotation Procedure

19.1. ~~19.1~~ Where the Health Care Services (Provider Selection Regime) Regulations apply, the selection of suppliers to be awarded or invited to tender for the contract must follow the requirements of that legislation. No financial thresholds apply to the Provider Selection Regime.

19.2. Except for services which are captured by the Provider Selection Regime, where the contract value is £10,000 and up to £24,999, a minimum of five (5) verbal quotations (which must be confirmed by email) shall be sought and the use of the quotation pack is optional. Where the contract value is £25,000 up to £99,999, a minimum of five (5) quotations MUST be requested via the Council's e-tendering system using the quotation pack. Where possible those invited to quote where the contract value is between £10,000 and £99,999 should include a minimum of three (3) local suppliers.

19.3. The Authorising Officer must satisfy themselves as to the legal, financial and technical capacity of suppliers invited to quote to undertake the contract for the Council, through seeking appropriate in-house professional advice, and that they will provide value for money.

19.4. Five (5) or more suppliers must be invited to quote to ensure genuine competition. Where the Authorising Officer does not believe it possible to invite five (5) suppliers to quote, the Request for Quotation must be published to the open market.

19.5. The Head of Legal and Procurement Services shall be responsible for all procedural aspects of seeking quotations, ensuring that probity and proper public accountability standards are in operation.

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Monitoring shall be carried out periodically by either the internal or external auditor.

20. Reserving Competitions for Below-Threshold Contracts

20.1. Directors may, in accordance with the Local Government (Exclusion of Non-commercial Considerations) (England) Order 2026, reserve competitions for below-threshold contracts (refer to Rule 3 Financial Thresholds for Procedure) relating to the supply of goods, services or works, frameworks and concession contracts.

20.2. Such reservations can be made for:

- (a) Businesses based within the local area or United Kingdom; and/or
- (b) Small and Medium-Sized Enterprises (SMEs) and/or Voluntary and Community Social Enterprises (VCSEs)

20.3. The 'local area' is defined as the City of Coventry or the City of Coventry together with any areas of the counties bordering the City of Coventry. Where a joint procurement exercise is being undertaken with two or more Authorities, the local area is defined as the areas of the Authorities or the areas of the Authorities together with any areas of the counties bordering the relevant Authorities.

20.4. 'Based within' is defined by the Order as being "where that contractor is based or has established substantive business operations, not taking account of the location of the corporate ownership or control of the contractor".

20.5. The option to reserve competitions for below-threshold contracts should be considered on a case-by-case basis and shall be made only where sufficient market intelligence exists in order to deliver value for money through a competitive procurement exercise, and not as a way to de facto directly award contracts.

20.6. In accordance with Rule 20.5, Directors - in conjunction with the Head of Legal and Procurement Services - shall ensure that a Preliminary Market Engagement Notice is published and market engagement held prior to the reservation of any below-threshold contracts in the subsequent Tender Notice.

20.7. Contracts that are subject to the Health Care Services (Provider Selection Regime) Regulations 2023 are not in scope of the Order.

20-21. Acceptance of Formal Tenders and Quotations

20-21.1. Where expenditure has been approved through the budget

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setting process, the Procurement Panel or Board has given approval to proceed and these CPRs have been followed, the Procurement Board or Procurement Panel shall receive notification of the contract award.

20.2-21.2. 20.2 Where the Health Care Services (Provider Selection Regime) Regulations apply, the appropriate provider selection process shall be followed. Where the Competitive Process is followed, contracts shall be awarded according to the basic selection criteria and key criteria of the Provider Selection Regime. The Procurement Panel/Board shall receive a written report of the contract award from the responsible officer seeking approval for such award where outside of the delegated authority granted at the approval to proceed stage. In extreme urgency the Head of Legal and Procurement Services may agree to a verbal report from the responsible officer with a written report being presented to Procurement Panel/Board within a calendar month. All papers/electronic files will be stored in line with the document retention policy.

20.3-21.3. When using the Provider Selection Regime, the criteria for evaluation must be set out in the invitation to tender or equivalent document depending on which procedure is used, in descending order of priority, with the weightings to be given to them. The criteria must also be set out in the required Tender Notice, Contract Award Notice and Contract Details Notice unless exemptions apply. Whole life and environmental costs may be included in criteria for evaluation.

20.4-21.4. Excluding services captured by the Provider Selection Regime, for contracts of £100,000 or more, contracts are to be awarded under the “most advantageous” criterion. The Procurement Panel/Board shall receive a written report of the contract award from the responsible officer seeking approval for such award where outside of the delegated authority granted at the approval to proceed stage. In extreme urgency the Head of Legal and Procurement Services may agree to a verbal report from the responsible officer with a written report being presented to Procurement Panel/Board within a calendar month. All papers/electronic files will be stored in line with the document retention policy.

20.5-21.5. Tenders or quotations must be evaluated on the basis of which is most advantageous to the Council. When using the PA2023, the criteria for evaluation must be set out in the associated tender or quotation documents, in descending order of priority, with the weightings to be given to them. The criteria must also be set out in the required Tender Notice, Contract Award Notice and Contract Details notices unless exemptions apply. Whole life and environmental costs may be included in criteria for evaluation.

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~~20.6-21.6.~~ The Head of Legal and Professional Services shall ensure that the appropriate assessment summaries are provided to tenderers, informing them of the contract award outcomes at the conclusion of the procurement exercise.

~~21.22.~~ Electronic Tendering and Quotations

~~21.4-22.1.~~ The Head of Legal and Procurement Services is responsible for the procedure for these processes.

- (a) tenders and quotations over £25,000 must be invited electronically through the Council's e-tendering system. Support must be found for suppliers that do not have access.
- (b) invitations to tender and quotes submissions over £25,000 must be submitted electronically through the Council's e-tendering system. Where electronic submissions have been approved by the relevant Procurement Officer to be made outside of the approved system (i.e., via email), submissions must be made before the official opening deadline.
- (c) the procedure will also include arrangements for e-auctions.

~~22.23.~~ Amendments and Alterations to Tenders and Quotations

~~22.4-23.1.~~ Amendments to invitation to tender or Request for Quotation (RFQ) documents, made after the invitations have been sent out, must be clearly headed "Tender Amendment" or "Quotation Amendment" as appropriate and sent to all suppliers who have been invited to tender or quote. If there is more than one amendment, they should be numbered consecutively. Amendments should be sent out in sufficient time to allow suppliers to adjust their tenders or quotations as appropriate.

~~22.2-23.2.~~ A supplier's tender or quotation is its offer to the Council, which the Council may accept as it stands. Once a tender or quotation has been submitted, alterations will only be accepted through formal clarifications under the competitive process undertaken.

~~22.3-23.3.~~ In all other situations, if a supplier attempts to alter their offer after the last date for receipt of tenders or quotations, they must be given the opportunity to stand by or withdraw their original offer. Correction of an obvious arithmetical error, which would reduce the price to be paid by the Council or increase the price to be paid to the Council, may be accepted.

~~22.4-23.4.~~ Where performance specifications are used, a tender or quotation that is expressed to be conditional upon the Council's

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acceptance of alterations to the specification or the terms and conditions of contract, may be treated as non-compliant and rejected. This does not prevent the Council inviting variant bids (that is an invitation to submit an alternative bid that could then be considered as being to the Council's benefit provided that the condition applying to the mandatory reference bid is followed). If variant bids are invited, suppliers must be required to submit a mandatory reference bid based on the specification and terms and conditions included in the invitation to tender or invitation to quote, so that all bids may be compared fairly.

~~22.5-23.5.~~ Where outcome-based specifications are used it will be for the bidder to decide the method of service delivery. Tenders or quotations will be evaluated fairly against published evaluation criteria.

~~22.6-23.6.~~ A properly approved and compliant competitive process involving dialogue or negotiation will normally result in one or more Best and Final Offers as a result of negotiation with selected bidders. No alteration to the Best and Final Offer, in terms of outcomes or contract price, is permitted without the specific approval of the Monitoring Officer.

~~23-24.~~ Contract extensions

~~23.1-24.1.~~ Where extensions to contracts have been included in the original advert, tender documentation and contract, subject to Procurement Panel/Board approval, the extensions may be agreed; where performance is satisfactory and the original contract terms are to continue (including price variations in line with the original contract) through the issuing of a contract change note or variation schedule. The contract change note / variation schedule must be kept with the original contract in line with the document retention policy and must be signed by the officer who signed the original contract, or in their absence for whatever reason, by another officer authorised to sign the original contract.

~~23.2-24.2.~~ For Contracts of £100,000 in value and over, or irrespective of value where captured by the Provider Selection Regime, these will be approved by Procurement Panel/Board as set out in Appendix 2.

~~24-25.~~ Contract Variations

~~24.1-25.1.~~ For contract variations, if a contract variation is proposed where the terms and conditions of the original contract will be changed, the Head of Legal and Procurement Services or relevant Panel/Board shall require a written report from the responsible officer requesting approval in line with Appendix 3 for acceptance, detailing the reasons

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for doing so, and clearly outlining the relevant legislative regime applicable and the satisfaction thereof. –This shall be recorded in writing.

~~24.2-25.2.~~ In relation to the procurement of goods, services and works, the Head of Legal and Procurement Services shall ensure that the Contract Change Notice is published prior to the variation being executed and becoming effective unless exemptions apply.

~~24.3-25.3.~~ A contract change note will be issued and kept with the original contract documentation. All written reports will be stored in line with the document retention policy. If a contract is executed as a deed, a short supplemental deed may be drafted, and this will be dealt with on request to Legal Services.

~~24.4-25.4.~~ Where a contract modification results in the revised total contract value exceeding £5m, the contract is known as a 'convertible contract' and is subject to the additional notice requirements found at [278.2](#) - [2728.4](#).

~~25-26.~~ Form of Contract

~~25.1-26.1.~~ Legal Services will decide whether a contract is to be executed as a deed or under hand as a simple contract. As a general rule, any works contracts, and high value contracts equal to or exceeding £1,000,000 and which are expressed to be executed as deeds must either be:

~~25.1.1-26.1.1.~~ made under the Council's seal attested by the Monitoring Officer or authorised signatory; or

~~25.1.2-26.1.2.~~ signed by at least two officers of Legal Services duly authorised by the Monitoring Officer.

~~25.2-26.2.~~ All contracts created as deeds must be made in accordance with the provisions of Rule ~~26~~5.1 above, witnessed in accordance with the relevant provision of the Scheme of Functions Delegated to Employees by an Officer authorised to do so.

~~25.3-26.3.~~ A contract executed as a deed is retained for twelve years to enable any action to be taken under it, if required

~~25.4-26.4.~~ Contracts of up to £999,999 in value can be signed under hand for and on behalf of the Council by Directors and Heads of Service, or an authorised signatory.

~~25.5-26.5.~~ Any contracts entered into on behalf of the Council which are being executed by electronic means (using an electronic execution

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software tool) shall be undertaken in accordance with the process set out in the Contract Execution Process.

26-27. Social Value

26-4-27.1. The Public Services (Social Value) Act 2012 and the National Procurement Policy Statement requires the Council to consider delivering Social Value through contracts. The Council encourages consideration of social value outcomes in all contracts, where it can be evidenced that it is relevant to the subject matter of the contract.

26-2-27.2. For those contracts that fall below the threshold, the approach should be to maximise outcomes where possible.

26-3-27.3. In order to ensure that the Council adheres to the Act and the National Procurement Policy Statement, the social value sought from a contract must be relevant and proportionate in respect of the proposed contract.

27-28. Contract Administration and Management

27-1-28.1. In relation to the procurement of goods, services and/or works and concession arrangements, the Head of Legal and Procurement Services shall arrange for publication of a Contract Details notice for contracts valued in excess of £25,000 no later than 30 days after contract award, if appropriate, and shall keep a register of the notified information, which shall be available for inspection by appointment by any Member of the Council, internal and external auditors and any member of the public.

27-2-28.2. In relation to the procurement of goods, services and works above £5m, the Head of Legal and Procurement Services shall ensure that the Contract Details Notice contains details of no less than three Key Performance Indicators in accordance with the PA2023 unless exemptions apply.

27-3-28.3. In relation to the procurement of goods, services and works above £5m, the Head of Legal and Procurement Services shall arrange for the publication of a redacted copy of the contract unless exemptions apply,

27-4-28.4. In relation to the procurement of goods, services and works above £5m, the Head of Legal and Procurement Services shall arrange for the publication of the Contract Performance Notice not less than once every twelve (12) months) unless exemptions apply.

27-5-28.5. In relation to the procurement of goods, services and works, the Head of Legal and Procurement Services shall arrange for the

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publication of the Contract Termination Notice (including through natural expiry) unless exemptions apply.

~~27.6-28.6.~~ In relation to the procurement of health care services captured by the Provider Selection Regime, the Head of Legal and Procurement Services shall arrange for publication of a contract award notice for all contracts irrespective of value no later than 30 days after contract award and shall keep a register of the notified information, which shall be available for inspection by appointment by any Member of the Council, internal and external auditors and any member of the public.

~~27.7-28.7.~~ The Head of Legal and Procurement Services shall be responsible for ensuring that a procedure on “Contract Administration and Management” is made available to all officers and partners managing contracts on the Council's behalf.

~~28-29.~~ Prevention of fraud and corruption

~~28.1-29.1.~~ All purchases, contracts and income covered by these rules must be let in line with the Council's Anti-fraud and Corruption Policy and Strategy and in line with the requirements of the PA2023 and Provider Selection Regime.

~~28.2-29.2.~~ If an officer of the Council has a pecuniary interest in a contract or proposed contract, he/she must in accordance with Section 117 of the Local Government Act 1972 register the interest with the Monitoring Officer and declare it at any meeting at which the officer is present and the contract is discussed and thereafter leave the room and take no further part in the discussion.

~~28.3-29.3.~~ If an officer of the Council has a personal or non-pecuniary interest in a contract or proposed contract, they must declare that interest to the Chief Executive or to their Director, as appropriate, as required by the Council's Code of Conduct for Employees and relevant employee policies.

~~28.4-29.4.~~ If a Member of the Council has a disclosable pecuniary interest or other relevant interest in a contract as defined in the Code of Conduct for Elected and Co-opted Members, the member must take such action as is required by that Code.

~~28.5-29.5.~~ A contract must be terminated immediately, and any losses to the Council arising from the termination recovered from the supplier, if the supplier, or anyone acting on their behalf:

- (a) offers or gives or agrees to give any member or officer of the Council any gift, benefit or consideration of any kind or value as

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an inducement or reward with regard to the contract; or

- (b) commits any offence under the Bribery Act 2010 or section 117 of the Local Government Act 1972.

NOTE: A declaration to this effect must be contained in all invitations to tender or quote.

~~28.6-29.6.~~ The attention of officers is drawn to the Council's Code of Conduct for Elected and Co-opted Members, Whistleblowing Policy, Disciplinary Policy and Procedures and the Code of Conduct for Employees and relevant employee policies. Non-compliance with these CPRs constitutes grounds for disciplinary action.

~~28.7-29.7.~~ All of the requirements in Rule ~~298.1~~ to ~~298.6~~ above will apply to any third party acting on the Council's behalf in a contractual situation e.g. consultants and community representatives on evaluation panels.

~~29.30.~~ Freedom of Information Act 2000

~~29.1-30.1.~~ When entering into contracts the Council will refuse to include contractual terms that purport to restrict the disclosure of information held by the Council and relating to the contract beyond the restrictions permitted by the Act. Unless an exemption provided for under the Act is applicable in relation to any particular information, the Council will be obliged to disclose that information in response to a request, regardless of the terms of any contract.

~~29.2-30.2.~~ When entering into contracts with non-public authority contractors, the Council may be under pressure to accept confidentiality clauses so that information relating to the terms of the contract, its value and performance will be exempt from disclosure. As recommended by the Information Commissioner, the Council will reject such clauses wherever possible. Where, exceptionally, it is necessary to include non-disclosure provisions in a contract, the Council will investigate the option of agreeing with the contractor a schedule of the contract that clearly identifies information which should not be disclosed. The Council will take care when drawing up any such schedule and be aware that any restrictions on disclosure provided for could potentially be overridden by obligations under the Act, as described in the paragraph above. Any acceptance of such confidentiality provisions must be for good reasons and capable of being justified to the Information Commissioner. When entering into the above contracts the Council will make it clear that these restrictions apply to sub-contractors also and that the Secretary of State has the powers to designate them as 'public bodies' for the purpose of making them comply with the Act.

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~~29.3~~30.3. The Council will not agree to hold information 'in confidence' which is not in fact confidential in nature. Advice from the Information Commissioner indicates that the exemption provided for in section 41 only applies if information has been obtained by a public authority from another person and the disclosure of the information to the public, otherwise than under the Act, would constitute a breach of confidence actionable by that, or any other person.

~~29.4~~30.4. It is for the Council to disclose information pursuant to the Act, and not the non-public authority contractor. The Council will take steps to protect from disclosure by the contractor information that the authority has provided to the contractor (which would clearly be exempt from disclosure under the Act) by appropriate contractual terms. In order to avoid unnecessary secrecy, any such constraints will be drawn as narrowly as possible and according to the individual circumstances of the case. Apart from such cases, the Council will not impose terms of secrecy on contractors.

~~29.5~~30.5. The Head of Legal and Procurement Services will be responsible for advising on the application of the Freedom of Information Act and contracts, in conjunction with the Council's Head of Information Governance, where circumstances arise that are not specifically covered by Council policy. He/she will also be responsible for updating procedure following any case law that materially amends or augments Council policy in this area.

~~30.31.~~ **Management of Risk in Contracts**

~~30.1~~31.1. For contracts of strategic importance, a risk register will be drawn up for the contract letting process. Once the contract is awarded, a risk register to cover the implementation and successful ongoing management of the contract will be drawn up by the Head of Service or authorised deputy. This risk register will be monitored in line with the corporate guidance on risk throughout the life of the contract.

~~31.32.~~ **Impact of Other Legislation**

~~31.1~~32.1. In addition to what has already been mentioned in these Rules, there is other legislation that may impact on the supplies, services and works required when following a contract tender or quotation procedure such as Health & Safety, Safeguarding, Modern Slavery, to name but a few. This legislation must be incorporated where relevant and appropriate. In particular, the Director must consider whether the contract needs to include, or be subject to, a Data Sharing Agreement where the nature of the contract services is such that personal data is likely to be shared.

32.33. Definitions

32.4.33.1. In these CPRs:

- Authorising Officer means: an officer authorised to approve the placement of orders or invoices for payment.
- Cabinet means: the Leader of the Council and the other members of the Council's Executive.
- Director for Finance and Resources means: the officer appointed under section 151 of the Local Government Act 1972.
- Contract means: the agreement between the Council and a contractor/supplier/provider for the supply of works, goods or services, or for any activity that generates income for the Council.
- Contractor means: a supplier or provider of works, goods or services to the Council.
- Contract change note means: the document that describes changes to the original contract which have been agreed by both parties.
- Contract package means: the scope for amalgamating like requirements/services currently operating at different parts of the organisation, to suit the supply market to achieve overall better value.
- Corporate contract means: a contract or framework agreement for the supply of works, goods or services to the Council e.g. for computer consumables, stationery, legal and financial services.
- Decision making body means: the body responsible for decisions in the described situation under the Council's Constitution.
- Director(s) means: a member(s) of the Leadership Team (OCLT) or Senior Leadership Team (SLT).
- Framework Agreement means: an agreement between the Council and a contractor for the provision of estimated quantities of goods or services. This becomes a contract when an order for a specific quantity is placed either after further competition or through the most competitive source identified in the original tender.

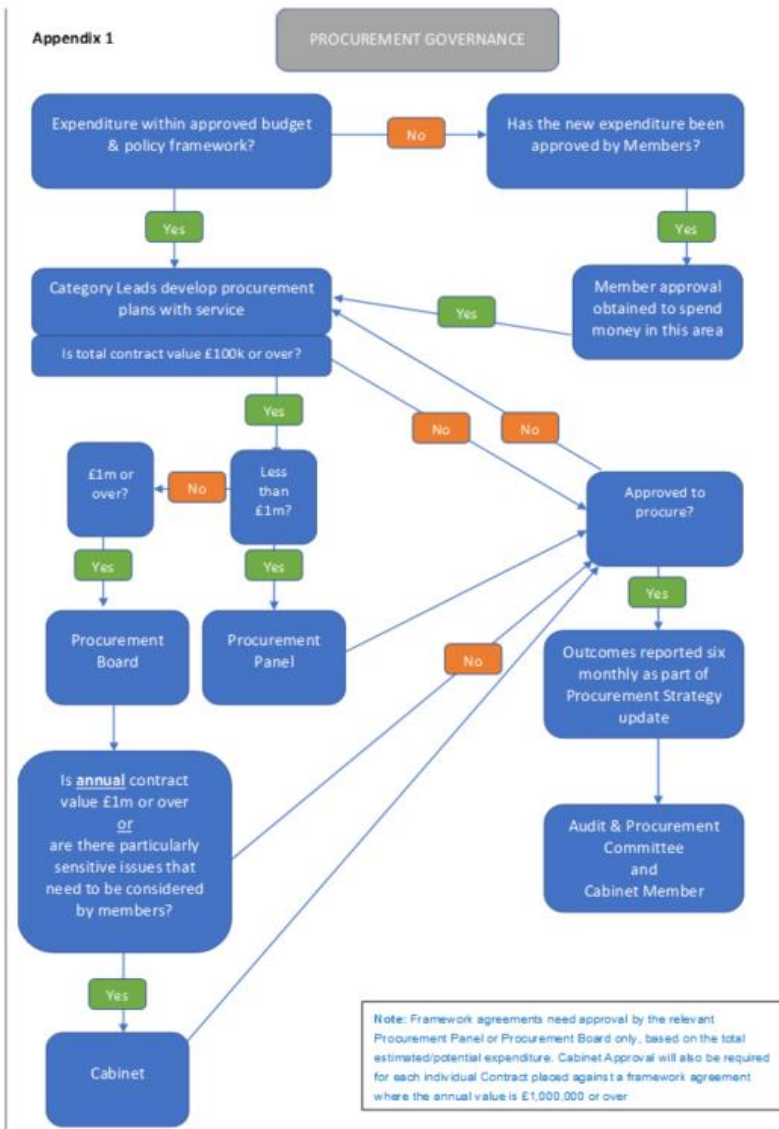
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- Head of Legal and Procurement Services means: the Head of Legal and Procurement Services or their authorised representative.
- Monitoring Officer means: the officer designated as such under Section 5 of the Local Government and Housing Act 1989 or their deputy.
- Outcome based specifications means: a specification that describes the required outcomes through service delivery and leaves the method of delivery to the third-party provider.
- Panels means: Procurement Panel.
- Performance Specifications means: a specification that provides details of the methods to be adopted when delivering the requirements.
- Procurement Board means: the officer board responsible for all procurement decisions.
- Legal and Procurement Services means: the centralised legal and procurement service for Coventry City Council.
- Provider Selection Regime means: the Health Care Services (Provider Selection Regime) Regulation 2023, the legislation which governs the arrangement of health care services in England, introduced under the Health Care Act 2022. The Provider Selection Regime only applies to those services for healthcare services and public health services (as defined in section 1(1) of the National Health Service Act 2006:) which are arranged by NHS bodies and local government, provided directly to individuals or patients and have a direct impact in the prevention, diagnosis, and treatment of physical and mental illness.
- Public procurement legislation means: The Procurement Act 2023, UK legislation affecting public sector contracts and any amendment, re-enactment or replacement of any of them.
- Quotation means: an offer to undertake a contract of £10,000 or more but less than £100,000 in value.
- Right to challenge means: the right to challenge for services under Part 5 of the Localism Act 2011.

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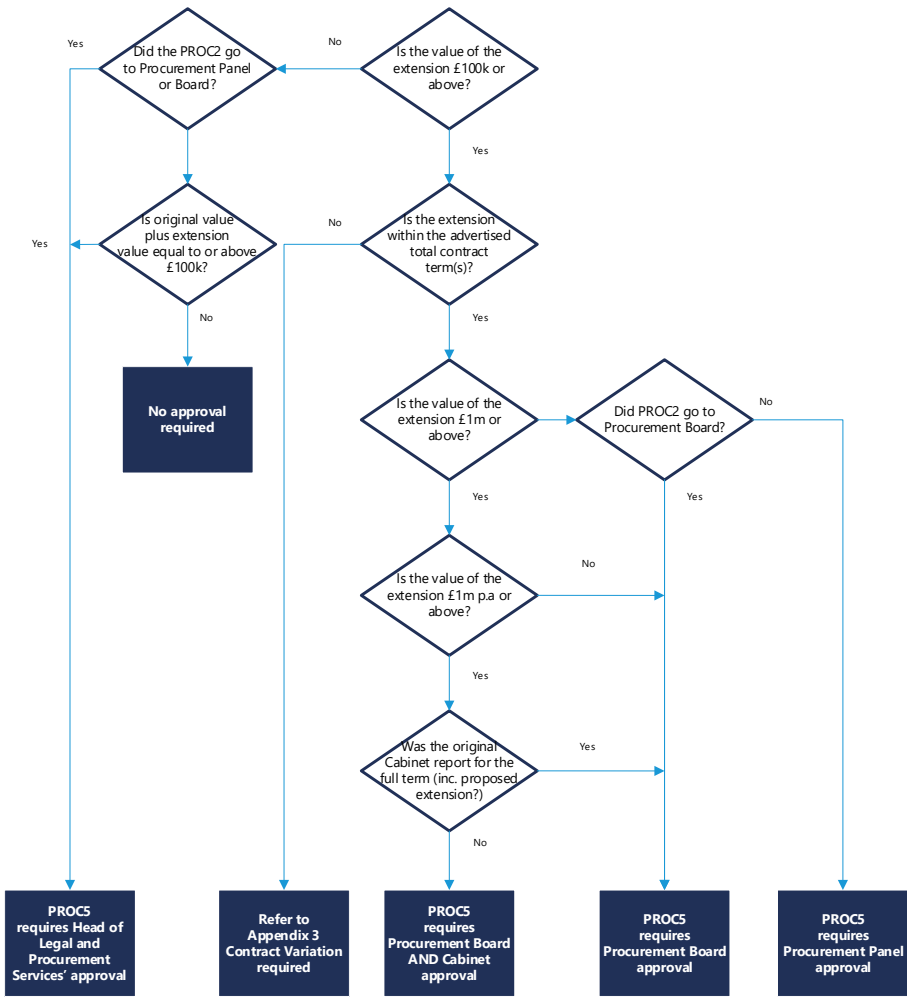
- Services contract means: a contract or framework agreement for the provision of services to the Council.
- Supplies contract means: a contract or framework agreement for the sale or hire of goods to the Council and includes, where appropriate, installation of goods.
- Tender means: an offer to undertake a contract of £100,000 or more in value.
- TUPE Regulations means: the Transfer of Undertakings (Protection of Employment) Regulations 2006 and any amendment, re-enactment or replacement of the same.
- Works contract means: a contract for the construction, repair or maintenance of a physical asset not defined as Services in the Procurement Act 2023.

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Appendix 2

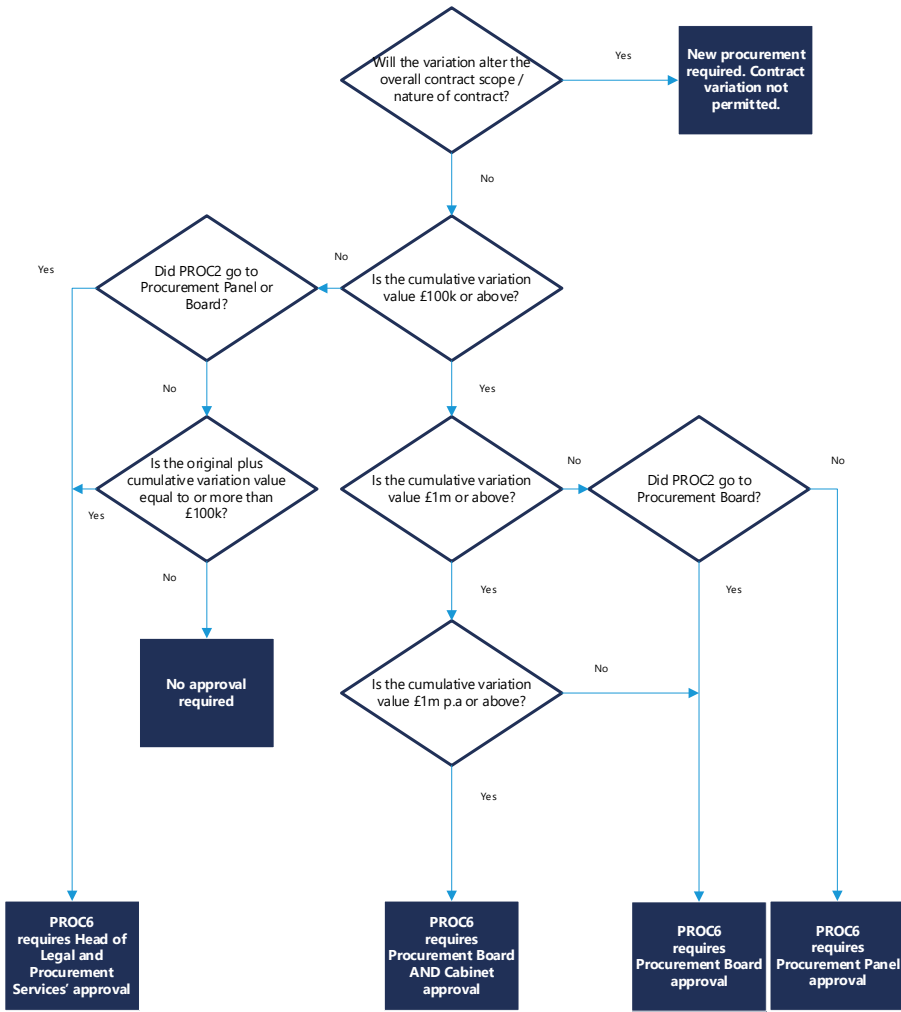
PROCS for extension to contract



Note:
 PROC2 – Request for Permission to Procure
 PROCS – Request for Permission to Extend a Contract

Appendix 3

PROC6 for variation to contract



Note:
 PROC2 – Request for Permission to Procure
 PROC6 – Request for Permission to Vary a Contract

Appendix B – Proposed amendments to Part 3F Financial Procedure Rules of the constitution

4. Grant Income

4.1. Approval prior to submitting a grant bid:

(a) Where the submission of the bid requires that it must be match funded ~ joint approval in writing by the relevant Director and the Director of Finance and Resources (Section 151 Officer) or Head of Finance (in the absence of the Director of Finance and Resources) and following consultation with the relevant Cabinet Member;

(b) Where there is no requirement of the submission of the bid to be match funded ~ approval by the relevant Director and relevant Finance Manager in writing or their respective nominees and following consultation with the relevant Cabinet Member.

4.2. ~~Approval prior to signature of grant agreement (total grant value):~~ Approval prior to entering into any agreement which requires signature (total grant value):

(a) Where a successful bid up to the value of £1,000,000 includes the requirement that it must be match funded by the Council, the approval of the relevant Cabinet Member to accept the grant must be obtained before signature;

(b) Up to £500,000 ~ approval in writing by relevant Director with notification to Director of Finance and Resources (Section 151 Officer) or nominees;

(c) Above £500,000 up to £1,000,000 ~ approval in writing by the Director of Finance and Resources (Section 151 Officer) or Head of Finance (in the absence of the Director of Finance and Resources);

(d) Over £1,000,000 and up to £2,500,000~ to Cabinet, if time permits; if no time to go to Cabinet, joint approval in writing by the Chief Executive and the Director of Finance and Resources (Section 151 Officer) or nominee following consultation with the relevant Cabinet Member and relevant Scrutiny Chair (or in the absence of the relevant Scrutiny Chair to the Chair of Scrutiny Co-ordination Committee) to be reported to Cabinet retrospectively;

(e) Over £2,500,000 ~ to Council, if time permits; if no time to go to Council, joint approval in writing by the Chief Executive and the Director of Finance and Resources (Section 151 Officer) following consultation with the relevant Cabinet Member and Leader to be reported to Council retrospectively, and each following consultation with legal and financial services.

4.3. The relevant Director will be responsible for ensuring that a copy of the completed grant agreement entered into with the Council is forwarded to Procurement Services at Procurement.Services@coventry.gov.uk in order for the details of the grant agreement to be updated on the register of grants.

4.4. Acceptance and expenditure of grant allocation(s) (where no agreement is required to be signed and irrespective of value) – approval in writing by the Director of Finance and Resources (Section 151 Officer) or Head of Finance (in the absence of the Director of Finance and Resources).

4.5. Grant Expenditure

4.5.1. Approval to award grants to an external body (total grant value per external body):

- (a) Up to £500,000~ approval in writing by relevant Director following consultation with the relevant Cabinet Member with notification to Director of Finance and Resources (Section 151 Officer) or nominees;*
- (b) Above £500,000 up to £1,000,000 ~ approval in writing by the Director of Finance and Resources (Section 151 Officer) or Head of Finance (in the absence of the Director of Finance and Resources) following consultation with the relevant Cabinet Member;*
- (c) Over £1,000,000 and up to £2,500,000 ~ to Cabinet, if time permits; if no time to go to Cabinet, joint approval in writing by the Chief Executive and the Director of Finance and Resources (Section 151 Officer) or nominee following consultation with the relevant Cabinet Member and relevant Scrutiny Chair (or in the absence of the relevant Scrutiny Chair to the Chair of Scrutiny Co-ordination Committee to be reported to Cabinet retrospectively);*
- (d) Over £2,500,000 ~ to Council, if time permits; if no time to go to Council, joint approval in writing by the Chief Executive and the Director of Finance and Resources (Section 151 Officer) following consultation with the relevant Cabinet Member and Leader to be reported to Council retrospectively, and each following consultation with legal and financial services.*

4.5.2. The relevant Director will be responsible for ensuring that a copy of the completed grant agreement entered into with the Council is forwarded to Procurement services at Procurement.Services@coventry.gov.uk in order for the details of the grant agreement to be updated on the register of grants.

NOTE: Where Grant Income is being received and it is known that Grant Expenditure to third parties will result from the utilisation of such Grant Income, approval should be sought for both the acceptance of the Grant Income and delegated authority to facilitate the Grant Expenditure at the same time.



Coventry City Council

Public Report

Council

Council

24 March, 2026

Name of Cabinet Member:

Cabinet Member for Strategic Finance and Resources – Councillor R Brown

Director Approving Submission of the report:

Director of People and Facilities

Ward(s) affected:

None

Title:

Annual Pay Policy Statement 2026/27

Is this a key decision?

No

Executive Summary:

Local Authorities are required by Sections 38 and 39 of the Localism Act 2011 to produce an annual Pay Policy Statement. The Statement must articulate the City Council's policies towards a range of issues relating to the pay of the workforce, particularly the most senior staff (or "Chief Officers") and the relationship of their pay to the lowest paid employees. The proposed annual Pay Policy Statement for 2026/27 is attached as Appendix 1.

Recommendations:

1. Council is recommended to approve the Annual Pay Policy Statement 2026/7 attached at Appendix 1.

List of Appendices included:

Appendix 1 Annual Pay Policy Statement 2026/7

Appendix 2 Local Government Pension Regulations Statement

Other useful background papers:

None

Has it been or will it be considered by Scrutiny?

No

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

No

Will this report go to Council?

Yes – 24 March, 2026

Report title: Annual Pay Policy Statement 2026/27

1. Context (or background)

- 1.1 The Pay Policy Statement ensures transparency and accountability regarding the Council's approach to setting pay rates. The Pay Policy Statement when approved by Council, is published on the Council's website in accordance with the requirements of the Localism Act 2011. The Policy Statement requires the Council to particularly highlight the relationship between the pay and remuneration of the most senior staff (Chief Officers) and the general workforce. The Council's Statement of Policy on the Local Government Pension Scheme (LGPS) Regulations 2013 is also attached at Appendix 2.
- 1.2 Guidance on the development of Pay Policy Statements states authorities should explain their policy in respect of Chief Officers who have been made redundant and later re-employed or engaged under a contract of service, as well as their approach to any shared arrangements in place. Currently there are no shared arrangements in place.
- 1.3 It is the City Council's policy is to not re-employ or re-engage previous employees within five years, if they have left as part of any voluntary redundancy/early retirement.

It is not envisaged that any Chief Officer who leaves the Council with a severance or redundancy payment will be considered for further employment with Coventry or for the hiring of their services in another capacity save in exceptional circumstances.

2 Options considered and recommended proposal

- 2.1 Council is recommended to approve the annual Pay Policy Statement for 2026/7 to ensure compliance with the Localism Act 2011.

3 Results of consultation undertaken

- 3.1 There is no requirement to consult on the Pay Policy Statement.

4. Timetable for implementing this decision

- 4.1 The proposed Pay Policy Statement will be effective for the financial year 2026/27. Where actual earnings levels are referred to therein, these represent the latest figures available for the year 2026/7.

5. Comments from Director of Finance and Resources and Director of Law, Governance and Safer Communities

5.1 Financial Implications

The costs associated with the implementation of the Pay Policy are built into the City Council's budget planning process. One-off costs arising from the termination of employment are met from specific reserves set aside for this purpose.

5.2 Legal implications

The agreement to and the publication of an Annual Pay Policy Statement is a requirement of Sections 38 and 39 of the Localism Act, 2011.

6. Other implications

6.1 How will this contribute to achievement of the One Coventry Plan

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

To help effectively deliver key objectives and corporate priorities, the City Council must ensure key principles provide the foundation for the determination of the pay and grading of employees.

6.2 How is risk being managed?

By adopting a Pay Policy Statement as attached at Appendix 1 the City Council is compliant with the Localism Act 2011.

6.3 What is the impact on the organisation?

This document outlines the key principles for Coventry City Council's pay policy for 2026/27

6.4 Equalities / EIA

In accordance with the Equality Act and the National Joint Council (NJC) Conditions of Service, the City Council is committed to equal pay principles and practice. The Council also publishes its Gender Pay Gap in accordance with statutory requirements

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

None

Report author(s):

Name and job title: Susanna Chilton – Director – People and Facilities

Tel and email contact: 024 7697 8216 Susanna.Chilton@coventry.gov.uk

Enquiries should be directed to the above person.

Contributor/approver name	Title	Service Area	Date document sent out	Date response received or approved
Contributors:				
Nicole Powell	Employee Relations Lead	People and Facilities	08/03/26	10/03/26
Liz Read	Head of Electoral Services	Law, Governance and Safer Communities	10/03/26	10/03/26
Suzanne Bennett	Governance Services Co-ordinator	Law, Governance and Safer Communities	10/03/26	12/03/26
Names of approvers for submission: (officers and members)				
Susanna Chilton	Director of People and Facilities	People and Facilities	08/03/26	09/03/26
Barry Hastie	Director of Finance and Resources	Finance	12/03/26	16/03/26
Julie Newman	Director of Law, Governance and Safer Communities	Law, Governance and Safer Communities	10/03/26	10/03/26
Members: Councillor R Brown	Cabinet Member for Strategic Finance and Resources		13/03/26	16/03/26

Appendix 1

Coventry City Council – Annual Pay Policy Statement 2026/27

1. Introduction and Purpose

1.1 Under Section 112 of the Local Government Act 1972, the Council has the power “to appoint officers on such reasonable terms and conditions as the authority thinks fit”. This Pay Policy Statement sets out the Council’s approach to setting the pay of its employees as required.

1.2 Coventry City Council is committed to operating consistent and equitable pay arrangements for all employees. The Pay Policy Statement is required to set out the Authority’s policies for the financial year relating to:

- The remuneration of its Chief Officers (this includes Chief Executive, Chief Officers, Directors, and other senior Managers)
- The remuneration of its lowest paid employees
- And the relationship between them

1.3 The Pay Policy Statement is required to state:

- The definition of ‘lowest paid employees’ for the purposes of this statement
- The Authority’s reasons for adopting this definition

1.4 The Statement is also required to state the level and elements for each Chief Officer on the following:

- Remuneration on recruitment
- Increases and additions to remuneration
- The use of bonuses
- The approach to payment on their ceasing to hold office under the authority or being employed by the authority
- The publication of and access to information relating to their remuneration

Note: The Pay Policy Statement does not include information relating to the pay of Teachers or Support Staff in schools outside the scope of the Localism Act.

2. Current Pay Structure

2.1 The Council uses the National Joint Council (NJC) for Local Government Services Job Evaluation Scheme and the national pay spine as the basis for its local grading structure to determine the salaries of most of the non-school-based workforce.

2.2 Progression within the grading structure is based on the payment of increments until the top of the grade is reached.

2.3 Any changes to the current grading structure during the year 2026/27 will be subject to approval of Council.

2.4 A similar incremental approach is also applied to other groups of employees who are governed by relevant national negotiating bodies, including the Soulbury Committee.

2.5 Increments for those centrally employed on teachers’ terms and conditions are based on performance in accordance with their national agreement.

- 2.6 Chief Officers and other senior managers' posts are evaluated in accordance with the Local Government Job Evaluation Scheme for senior managers. Performance is reviewed annually and may result in an increment award within the respective grade.
- 2.7 The above policies apply except where the operation of the Transfer of Undertakings (Protection of Employment) Regulations, or other statutory provision, dictate otherwise.
- 2.8 Where a Chief Officer or senior manager is appointed under a 'contract for service' rather than as an employee, the Council's 'contracts for services' arrangements are in place to ensure that maximum value for money is secured. Currently, Coventry City Council does not currently employ any Chief Officers or senior managers under a contract for service but if this was the case, we would apply the 'contracts for services' arrangements.

3. Legal Context

- 3.1 This policy is in operation to ensure that Coventry City Council meets its obligations under relevant legislation including the Localism Act 2011.
- 3.2 With regard to the equal pay requirements contained within the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000 and Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 and the Agency Workers Regulations 2010, the Council ensures there is no pay discrimination in its pay structures and that all pay differentials are objectively justified through the use of an equality- proofed job evaluation mechanism, which directly relates salaries to the requirements, demands and responsibilities of the role.
- 3.3 The Council also publishes its Gender Pay Gap annually.

4. Chief Officers Remuneration

- 4.1 For the purposes of this statement, Chief Officers are defined within S43 of the Localism Act and by Section 2 of the Local Government and Housing Act 1989, as the Chief Executive, Chief Officers, Directors and Heads of Service.

4.2 Chief Officers' Salaries

Salary Grade	Salary Range
<u>CX1</u>	£214,176 - £220,232
<u>D1/ D2</u>	£125,430 - £152,730
<u>AD1/AD2</u>	£95,450 - £123,288
<u>SM – ½</u>	£67,904 – £89,098

- 4.3 The Chief Executive's salary is £220,323, up to 28th February 2026
- 4.4 Council elections were not held in 2025; therefore, no Returning Officer fees were paid. The Chief Legal Officer was also the Returning Officer for local elections held in Coventry in 2025. This is a separate appointment made in accordance with the Representation of the People Act 1983 and places a personal liability on the post holder. Therefore, a separate responsibility payment is made.
- 4.5 Chief Officer and Senior Manager remuneration currently falls within the range determined by the Council. These salary scales will be increased for 2026/7 in line with the relevant national pay award, if made.

5. Recruitment of Chief Officers and senior managers

- 5.1 The determination of the remuneration offered to any newly appointed Chief Officer or senior manager will be in accordance with the pay structure and relevant policies in place at the time of recruitment. The Council's policy and procedures regarding recruiting Chief Officers or Senior Managers are set out in the Council's Constitution.
- 5.2 Chief Officers and senior managers' jobs are allocated to a salary range in accordance with the job evaluation scheme.
- 5.3 Where the Council is unable to recruit to a particular post, it will consider the use of temporary market force supplements. Where the Council remains unable to recruit Chief Officers under an employment contract, or there is a need for interim cover for a Chief Officer or senior manager post, the Council will consider engaging individuals under 'contracts for service'.
- 5.4 The Council considers that decisions on salary level for a new post over £100,000 per annum or any existing post regraded to over £100,000 pa should be subject to accountability and scrutiny. The Council considers that it would be preferable for scrutiny of these decisions to take place in Committee rather than by full Council, and that the Audit and Procurement Committee is the appropriate forum.

6. Increases and additions to Remuneration of Chief Officers or senior managers

- 6.1 The Council does not award any bonuses to its Chief Officers or senior managers.
- 6.2 Incremental progression within salary scales for Chief Officers and senior managers is based upon an annual performance-based assessment.
- 6.3 It is the Council's policy to pay a temporary and reviewable 'market supplement' to Chief Officer or senior manager salary levels where there is clear and demonstrable evidence that the salary level otherwise attached to the post creates substantial recruitment or retention difficulties.
- 6.4 In 2025/2026, eight Chief Officers or senior managers have received market supplements in addition to their basic salary, ranging from £3999.96 to £4084.92.
- 6.5 Additional allowances will only be paid to Chief Officers and senior managers where they undertake additional duties that fall outside their substantive role.
- 6.6 Eight Chief Officers or Senior Managers received payments of between £2,500 and £22,500 during 2025/26 for additional hours and work undertaken as Directors of Council-owned companies.

7. Payments on Termination

- 7.1 The Council's approach to discretionary payments on termination of employment of Chief Officers or senior managers in a redundancy situation is set out within its Security of Employment Agreement. In accordance with the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006, the Council has used its discretion to calculate redundancy payments in accordance with the Security of Employment Agreement.
- 7.2 The Council does not exercise the discretion available to grant 'additional pension'

under the Local Government Pension Scheme.

7.3 The City Council will not re-employ or re-engage previous employees within three years, if they have left as part of any voluntary redundancy/early retirement programme. It is not envisaged that any Chief Officer who leaves the Council with a severance or redundancy payment will be considered for further employment with Coventry or for the hiring of their services in another capacity save in exceptional circumstances.

8. Publication

8.1 Upon approval by the full Council, this Statement will be published on the Council's Website.

9. Lowest Paid Employees

9.1 At present, the lowest paid employees of Coventry City Council are paid £12.65 per hour. This figure will be reviewed following announcement of the national pay award for 2026/27

9.2 The City Council employs a number of modern apprentices who are not included within the definition of "lowest paid employees" as they are employed under specific trainee contract terms. We also do not include trainees and interns within this definition.

9.3 The Code of Recommended Practice on Data Transparency recommends the publication of the ratio between the highest paid salary, the median average salary of the whole of the Council's workforce and the lowest salary level paid.

The current Council pay levels define the following rates of pay:-

- Chief Executive - £ 220,232
- Median employee - £32,597
- Lowest paid employee - £24,413

9.5 The current pay ratios are as follows :-

- Chief Executive to lowest paid employee = 1 : 9.0
- Chief Executive to median employee = 1: 6.8

10. Monitoring and Review

10.5 Once approved by Full Council, the Pay Policy statement will come into effect and will be reviewed annually in accordance with the relevant legislation at the time.

**3. The Local Government Pension Scheme Regulations
Statement of Policy**

• February 2022

Under Regulation 60 of the Local Government Pension Scheme (LGPS) Regulations 2013 each employer must formulate, keep under review and publish their policies on certain discretions contained within the LGPS Regulations.

This Statement is applicable to all employees of Coventry City Council who are eligible to be members of the LGPS and, where applicable, deferred or pensioner members.

1. Regulation 30 – Members request for early payment of benefits

Explanation

From age 55, members who leave or have left local government employment have the right to apply for early payment of their retirement benefits subject to the consent of their employer. However, members aged 60 and over do not need their employer's consent.

The pension benefits must be reduced in accordance with guidance provided by the Government actuary. Employers may determine on compassionate grounds that the benefits are not reduced.

Coventry City Council's Policy

- **Active Members (current employees) - The City Council will allow early retirements on the grounds of redundancy/efficiency of the service. This discretion will otherwise only be used in rare and exceptional circumstances.**

It would need to be funded by a lump-sum contribution into the Pensions Fund by the City Council. Each specific request raised under this Regulation will be judged equally and fairly on its own merits.

- **This discretion will be exercised by those officers nominated to approve existing severance packages.**
- **Deferred Members (Pre April 2014) – Early release of retirement benefits may be allowed in exceptional circumstances. The former employee must make an application in writing to the City Council. Each specific case will be judged equally and fairly on its own merits and where appropriate approved by the appropriate Cabinet Member.**
- **Waiver or reduction – Each specific case will be judged equally and fairly on its own merits and where appropriate approved by the appropriate Cabinet Member. Any cost would need to be funded by a lump-sum contribution into the Pension Fund by the City Council.**

2. The Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 Schedule 2 - The rule of 85 for members drawing benefits between age 55-59.

Explanation

The rule of 85 applies to those members who joined the LGPS before 2006 and allows them to retire earlier than their normal pension age, taking their pension benefits in full. Under the LGPS 2014 Regulations members may lose some of the rule of 85 protections if they wish to access their benefits and they are aged 55-59. An employer may resolve to reinstate the protection which would have cost implications.

Coventry City Council's Policy

Each specific case will be considered on the grounds of efficiency of the service, having fully considered service delivery and financial costs.

3. Regulation 31 – Award of Additional Pension of an active member

Explanation

An employer may resolve to award a member additional pension of not more than £6,500 per year (as at 1st April 2014). An employer may make decisions on awarding additional pension for up to six months after termination of employment in cases of redundancy, in the interests of efficiency of the employing authority's functions or at the ending of a joint appointment because the other appointment holder has left.

Coventry City Council's Policy

This discretion will not be exercised by the City Council in any circumstances.

4. Regulation 16(2)e & Regulation 16(4)d – Additional Pension Contribution (APC)

Explanation

An employer may make either a regular or lump sum Additional Pension Contribution (APC) to a member's account. This may be part or whole funded.

Coventry City Council's Policy

This discretion will not be exercised by the City Council in any circumstances.

5. Regulation 30(6) and Regulation 30 (8) – Flexible Retirement

Explanation

A member who is aged 55 or over and with their employer's consent reduces their hours and/ or grade can then, but only with the agreement of their employer, make a written application to the administering authority (West Midlands Pension Fund) for payment of all or part of their accrued benefits without having retired from that employment.

If payment of benefits occurs before normal retirement age the benefits can be actuarially reduced in accordance with guidance issued by the Government actuary.

The employer may choose to waive the reduction in whole or in part. If the employer chooses to do so, then the cost of waiving the reduction in whole or in part has to be paid to the Fund.

Coventry City Council's Policy

Each specific case will be judged equally and fairly on its own merits, having fully

considered service delivery and financial costs. The Council will normally only approve the payment of benefits where there is no additional cost to the Council.

6. **Regulation 17 – Shared Cost AVC**

Explanation

Employers may resolve to establish and maintain a Shared Cost Additional Voluntary Contribution Scheme (SCAVC). Who can join, how much the employer and employee will jointly contribute and the type of benefits provided must be considered.

Coventry City Council's Policy

Coventry City Council will allow a Shared Cost Additional Voluntary Contribution Scheme.

7. **Regulation 16 – Optional contributions during absence**

Explanation

Employing authorities have the discretion to extend beyond 30 days the period where a member can make a written request to make contributions. These contributions will cover a period of absence where pension contributions would otherwise not have been made.

Coventry City Council's Policy

Coventry City Council will extend the period of 30 days in rare and exceptional circumstances or where it was beyond the member's control.

8. **Regulation 22 – Re-employed and rejoining deferred members**

Explanation

Where a deferred member becomes an active member again, before becoming entitled to the immediate payment of retirement benefits in respect of former membership(s), he/she may elect to have former membership(s) aggregated with their current active membership. An election must be made in writing to the member's appropriate administrating authority (West Midlands Pension Fund) before the expiry of the period of 12 months, beginning with the date that the employee again became an active member (or any such longer period as the employer may allow).

Coventry City Council's Policy

Coventry City Council will extend the period of 12 months in rare and exceptional circumstances or where it was beyond the member's control.

9. **Regulation 100 – Inward transfers of pension rights**

Explanation

A person who becomes an active member who has relevant pension rights may request their fund authority to accept a transfer value for some or all of their former rights. An election must be made in writing before the expiry of the period of 12 months beginning with the date that he/she became an active member (or any such longer period as his employer may allow).

Coventry City Council's Policy

Coventry City Council will extend the period of 12 months in rare and exceptional circumstances or where it was beyond the member's control.

10. Regulation 9 (3) - Contributions payable by active members

Explanation

Employing Authorities must review the contribution band to which they assign members each April, employers can also review band levels during the year

Coventry City Council Policy

An employee's contribution percentage will be determined each pay period (e.g. each months pay) based on the following:

- a) The pensionable pay to be paid in the pay period will be multiplied by 12 to give an annual equivalent and the contribution rate for that pay period determined according to the relevant tables.
- b) Any lump sums or retrospective arrears payments covering more than one pay period would be excluded from the calculation.

Employees will be notified of their pension contribution percentage on their payslip each month.

Details of the contribution rates can be found at About Your Scheme on the West Midlands Pension Fund's website by following the link <http://www.wmpfonline.com/activemember>

Members of the pension scheme have the right to appeal the pension banding decision within 6 months of the change of contribution rate; in the first instance they should contact Employment Services so that the matter can be reconsidered.

If they are still dissatisfied with this decision they can make a written application to the specified person, appointed by Coventry City Council, to give a decision under dispute.

11. Regulation 91-95 Forfeiture of pension

rights Explanation

If a member is convicted of a relevant offence committed in connection with their employment the former Scheme employer may apply for a forfeiture certificate. A forfeiture certificate certifies that the offence was 'gravely injurious to the state' or is liable to lead to a 'serious loss of confidence in the public service'. Where issued the former Scheme employer may direct that the member's rights under the regulations are forfeited.

Coventry City Council Policy

Coventry City Council will apply the provisions of regulations 91 to 95.

12. Regulation 7 – The Internal Dispute Resolution Procedure

Explanation

An Internal Dispute Resolution Procedure applies to active members of the LGPS and to

others such as deferred and pensioner members, whose position may be affected by decisions taken by their former employer or LGPS administrating authority.

Responsibility for determinations under the first stage of the procedure rests with a “specified person” appointed by the employer. The employer must specify the job title and address of the person to whom applications should be directed.

Coventry City Council's Policy

The specified person is:

**Director – People and Facilities
Coventry City Council
PO Box 15
Earl Street
COVENTRY
CV1 5RR**



Council

24 March 2026

Name of Cabinet Member:

Cabinet Member for City Services - Councillor P Hetherton

Director approving submission of the report:

Director of Law, Governance and Safer Communities

Ward(s) affected:

All

Title:

Consultation Response - Local Transport Authorities and the Licensing of Taxis and Private Hire Vehicles

Is this a key decision?

No – This is a response to a national consultation.

Executive summary:

The Council is requested to consider this report in response to the recent Government consultation regarding the role of Local Transport Authorities (LTAs) in the licensing of taxis and private hire vehicles. The Department for Transport (DfT) proposes to transfer taxi and private hire vehicle (PHV) licensing responsibilities from district councils to LTAs. The move forms part of the wider English devolution programme, which is reshaping how transport is planned and regulated across larger, strategic areas.

The consultation proposes reforms aimed at improving consistency, transparency, and safety across licensing regimes, including enhanced data sharing between authorities, stricter background checks, and potential new national standards. However, there will be an impact on the licensing authority and although the current licensing regime is self-funding, transitional costs and organisational changes are likely, alongside the need to align differing existing policies and support licence holders through reasonable periods of adjustment should the move to LTA's be implemented.

The Council's input in response to the consultation is crucial to ensure local needs are represented in the national response and that implementation is managed effectively and within budget.

Recommendations:

Council is recommended to

- 1) Approve the Council's proposed response to the Local Transport Authorities and the licensing of taxis and private hire vehicles consultation, as attached as Appendix 1 to the report.
- 2) Approve that the response also includes the letter from the Chair of the Communities and Neighbourhoods Scrutiny Board in response to the Task and Finish Group mandatory CCTV in taxis and PHVs recommendations attached as Appendix 2 to the report.

List of Appendices included:

The following appendices are attached to the report:

Appendix 1 – Proposed LA response to the Local Transport Authorities and the licensing of taxis and private hire vehicles Consultation.

Appendix 2 – Letter to Government Ministers, Police and Crime Commissioner (PCC) for West Midlands and the Mayor of West Midlands Combined Authority (WMCA) regarding the need for CCTV in taxis.

Background papers:

None

Other useful documents

<https://www.gov.uk/government/consultations/local-transport-authorities-and-the-licensing-of-taxis-and-private-hire-vehicles/local-transport-authorities-and-the-licensing-of-taxis-and-private-hire-vehicles>

<https://www.gov.uk/government/publications/english-devolution-white-paper-power-and-partnership-foundations-for-growth/english-devolution-white-paper>

Has it or will it be considered by Scrutiny?

No

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

Yes – Task & Finish Group for mandatory CCTV in taxi's – 2nd March 2026.

Will this report go to Council?

Yes – 24 March 2026

Report title: Consultation Response - Local Transport Authorities and the Licensing of Taxis and Private Hire Vehicles

1. Context (or background)

- 1.1 The UK Government has launched a consultation on proposed changes to how taxis and private hire vehicles are licensed by Local Authorities. The consultation explores the possibility of moving the taxi licensing function to LTAs in England (excluding London), which was proposed in the English Devolution White Paper (December 2024).
- 1.2 This change aims to improve consistency, reduce out-of-area working, and integrate taxi and private hire vehicle services into wider local transport planning. The consultation focuses on identifying the right level of regulation for taxis and private hire vehicles.
- 1.3 Currently the responsibility for the licensing of taxis and private hire vehicles in Coventry falls to the local licensing authority (Council). There are currently 263 local Councils administering the licensing function and the proposal is move the licensing function to 70 LTAs.
- 1.4 The consultation is seeking views on the proposals from the trade, licensing officers and the public. Within the consultation there are specific questions for licensing authorities to respond to in relation to costs, economic benefits, and provides an opportunity for the Council to comment on whether they support the proposals, and if so, why.
- 1.5 Should the proposal be taken forward then there would be an impact on licensing authorities (relating to costs and staffing arrangements) and although the consultation document outlines it, the impact at this stage this is not completely clear, hence the - requirement to seek views through the consultation.
- 1.6 The Councils proposed response (Appendix 1), provides an opportunity to outline the Councils views on the proposed move to LTAs, and highlights areas for consideration by the DfT. The proposed response, (particularly in relation to question 13 of the consultation) outlines the Councils concerns with the move to LTA's, focussing on the potential risks, particularly in relation to public safety and safeguarding.
- 1.7 A Task and Finish Group, established by the Communities and Neighbourhoods Scrutiny Board, to consider whether taxis licensed in Coventry should require CCTV considered the consultation as part of their review. It is also proposed that the Councils response to the consultation includes the letter sent to Government Ministers, the Police and Crime Commissioner for West Midland and the Mayor of the West Midlands Combined Authorities from the Chair of Communities and Neighbourhoods Scrutiny Board 4 following the Scrutiny Board's consideration of the recommendations of the Task and Finish Group. (see Appendix 2)

2. Options considered and recommended proposal

- 2.1. Options available are to respond to the Government's consultation, or not to respond.
- 2.2. It is recommended that a response is made to the consultation setting out Coventry City Council's view on the consultation proposals (Appendix 1).

3. Results of consultation undertaken

- 3.1. None required for this report, although the proposed response did take into account views from the Communities and Communities Scrutiny Board Task and Finish Group on mandatory CCTV in taxis and PHVs.

4. Timetable for implementing this decision

- 4.1. If approved the Coventry City Council response to the LTAs and the licensing of taxi's and private hire vehicles will be submitted to the DfT by the consultation close date of 1st April 2026.

5. Comments from Director of Finance and Resources and Director of Law, Governance and Safer Communities

5.1. Financial Implications

The majority of the proposals contained within this DfT consultation are not fully developed nor do they contain any financial modelling; and as such it is not possible to be specific about their direct impact should they be implemented. However, the proposals do reveal a likely direction of travel on some key issues and the responses to the Questions 1 and 2 highlight the potential impact that these could have, although the exact details remain unknown at this stage.

5.2. Legal Implications

None identified for this report as it is a response to a consultation. .

6. Other implications

6.1. How will this contribute to the One Coventry Plan?

The proposed response represents views which are in the best interests of Coventry's licensing authority, representing local needs and demands, therefore will contribute to the One Coventry Plan.

How is risk being managed?

There is no risk to the Council in submitting this consultation response.

6.2. What is the impact on the organisation?

There is no impact on the organisation submitting this consultation response.

6.3. Equalities / EIA?

No equalities impact assessment has been completed in relation to this report.

6.4. Implications for (or impact on) climate change and the environment?

None

6.5. Implications for partner organisations?

None

Report author(s):

Name: Debbie Cahalin-Heath

Title: Strategic Manager – Regulation & Communities

Service Area: Regulatory Services

Tel and email contact:

Tel: 024 7697 2220

Email: debbie.cahalin-heath@coventry.gov.uk

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	Governance Services	12/03/26	13/03/26
Davina Blackburn	Strategic Lead – Regulation & Communities	Regulatory Services	06/03/26	11/03/2026
Gennie Holmes	Scrutiny Co-ordinator	Governance Services	13/03/26	13/03/26
Names of approvers for submission: (officers and members)				
Richard Shirley	Lead Accountant	Finance	11/03/26	11/03/26

Amy Wright	Regulatory Team Leader	Legal Services	09/03/26	11/03/26
Julie Newman	Director	Law, Governance & Safer Communities	12/03/26	16/03/26
Cllr P Hetherton	Cabinet Member for City Services	City Services	12/03/26	16/03/26

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

Appendix 1

Consultation questions for local authorities

Question 1: Any one-off costs? If so, what would the one-off costs your authority be for? How much would the costs be? Please provide a monetary value in pounds, if possible, otherwise the resource time required in hours.

One off costs are likely to be restricted to TUPE and other related staffing costs if staff are required to relocate working locations. It is assumed that these costs would be funded centrally and would not be required to be funded by Local Authorities. These costs are unknown until staff are formally consulted on potential workplace moves. Depending on timing of the proposal there may also be one off ICT contract costs.

Question 2: Any ongoing costs? If so, what would the ongoing costs to your authority be for? How much would the additional costs be? Please provide a monetary value in pounds, if possible, otherwise the resource time required in hours.

It's possible there will be unforeseen ongoing costs, as with any other change in practice, but until implemented these will not be known. Although Taxi licensing is a ringfenced financial service, the income provides a contribution to the general overhead running costs of the Authority (heating, lighting of accommodation, HR, finance, etc.) and this contribution would be lost if the service was taken out of Local Authority control. The contribution is based on a percentage of expenditure budget and is in the region of £50k for FY 2026-27.

Question 3: Any one-off savings? If so, what would the savings to your authority be for? How much would the savings be? Please provide a monetary value in pounds, if possible, otherwise the resource time required.

None anticipated.

Question 4: Any ongoing savings? If so, what would the savings to your authority be for? How much would the savings be? Please provide a monetary value in pounds, if possible, otherwise the resource time required.

None anticipated.

Consultation questions for all respondents

Consultation questions on proposals

Question 13 – Should all local transport authorities be responsible for taxi and private hire vehicle licensing? Why?

Coventry City Council welcomes the opportunity to respond to the Government's consultation. We have significant concerns regarding the proposal to transfer taxi and private hire vehicle (PHV) licensing responsibilities from existing licensing authorities to Local Transport Authorities (LTAs), and we do not support the proposal in its current form. Concerns and comments are outlined as follows:

1. Safeguarding and National Audit Office (Casey) Findings - The consultation does not adequately address whether the proposals will improve safeguarding, despite the National Audit Office's findings on group-based child sexual exploitation and the Casey Report's Recommendation 11, which calls for more rigorous and consistent approaches across local authorities. The current proposals do not address the core issue of inconsistency, as currently there is no requirement for national licensing standards. LTAs could still licence to differing standards, meaning problems such as 'out-of-area' working will persist. Without statutory mandatory national standards, including measures such as mandatory CCTV, recommendation 11 cannot be met. Coventry City Council does not currently operate a mandatory CCTV policy for licensed vehicles (only a voluntary policy). The introduction of such a condition at local level would require a full public consultation, consideration of proportionality, and assessment of costs and privacy implications for both drivers and passengers.

However, the lack of national consistency continues to result in safeguarding disparities across licensing authorities, particularly relating to out-of-area working. If Government considers CCTV to be an appropriate safeguarding tool, introducing it through national legislation—rather than relying on individual local schemes would create the necessary consistent baseline envisaged by Recommendation 11 of the Casey report.

2. Passenger Safety and Capacity of LTAs - Passenger safety must remain the primary objective of taxi and PHV regulation. Many LTAs currently do not employ specialist licensing officers, lack established enforcement and compliance frameworks, and have no history of handling safeguarding-related licensing decisions. Transferring responsibility risks diluting safety oversight at a time when public protection—particularly for women, children, lone travelers and late-night users—must be strengthened, not weakened.

Appendix 1

3. Loss of Local Responsiveness and Policy Flexibility - The proposal assumes that harmonisation is best delivered through LTAs. However, Coventry's experience demonstrates that local licensing conditions must be responsive to local demand, geography and demographics. Blanket or region-wide licensing risks, removing the flexibility necessary to address local concerns and may lead LTAs to prioritise strategic transport goals over day-to-day public protection.

4. Impacts on Environmental and Decarbonisation Policies - A shift to LTA control may create fragmentation if environmental requirements differ between neighbouring LTAs, and it must ensure consistency with the position on environmental policies and incentive schemes.

5. Implications for Drivers and their Livelihoods - Taxi and PHV drivers in Coventry are predominantly self-employed and rely on a stable, predictable licensing regime. A sudden shift to LTAs creates uncertainty about future fees, potential changes to conditions, risks to income stability, and confusion during the transition. This instability could disproportionately impact part-time and vulnerable workers.

6. Night-Time Economy and University City Demands - Coventry's thriving night-time economy, including its Purple Flag accreditation, relies on a well-regulated taxi and PHV network. As a major university city, demand for safe transport late at night is high. Any disruption to licensing operations risks undermining public confidence, the safety of students and night-time workers, and the city's ongoing accreditation and reputation. CCTV has been highlighted in various national discussions as a potential measure to support safety within the Night Time Economy. Should Government determine that CCTV is necessary to support safeguarding and public confidence nationally, implementation through legislation would ensure consistency across boundaries and prevent the inequity that arises when individual authorities introduce different requirements.

7. Priorities Around Violence Against Women and Girls (VAWG) - Taxi and PHV licensing is a critical safeguarding tool in Coventry's strategy to tackle Violence Against Women and Girls. Reduced local oversight or inconsistent standards across LTAs could weaken protective measures and create gaps in safeguarding. CCTV is one of several measures that may contribute to strengthening protections for women and girls, particularly where journeys take place late at night or across local authority borders.

Appendix 1

If Government concludes that CCTV is an appropriate safeguarding measure, a national approach would provide clarity and consistency for drivers, operators and passengers, ensuring expectations are fair and aligned.

8. Wheelchair Accessible Vehicles and Accessibility - Coventry continues to address unmet demand for wheelchair accessible vehicles (WAVs). Licensing authorities can respond quickly through targeted incentives, specific conditions, and local enforcement. A centralised LTA approach risks slower responses and inconsistent action across regions, potentially widening accessibility gaps.

9. Impact on Existing Licensing Staff and Transition Risks - Specialist licensing officers have significant experience and local knowledge. The proposed transfer raises serious concerns about staff retention, TUPE arrangements, potential loss of expertise, and disruption to live applications and compliance work. Transition risks could lead to reduced service quality, processing delays and loss of trust from drivers and the public.

10. Overall Position and Recommendations - Coventry City Council does not support the blanket transfer of taxi and PHV licensing responsibilities to LTAs.

We recommend:

- Retaining the current licensing authority structure
- Government must introduce comprehensive legislative reform to establish mandatory national safeguarding standards, including mandatory CCTV.
- Addressing out-of-area working through legislative reform, not structural re-organisation. The current legislation governing taxi and private hire licensing is not fit for purpose, is out of date and requires updating as it doesn't fit with modern practices.
- Strengthening cross-boundary collaboration rather than removing local accountability
- Engaging directly with councils, drivers, and stakeholders before determining any further reforms
- Request that the Government publish clear timelines for next steps once this Consultation questions on economic benefits and costs

Question 14: Are there wider economic benefits in making all local transport authorities responsible for taxi and private hire vehicle licensing? If so, what are they?

N/A

Appendix 1

Question 15: Are there other costs in making all local transport authorities responsible for taxi and private hire vehicle licensing? If so, what are they?

N/A

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**Councillor Maya Ali
Radford Ward**

To:

Rt Hon Heidi Alexander MP, Secretary of State for Transport
Simon Foster, West Midlands Police and Crime Commissioner
Richard Parker, Mayor of the West Midlands
Jess Philips MP, Minister for Safeguarding and Violence
Against Women and Girls

Coventry City Council
PO BOX 7097
Coventry
CV6 9SL

www.coventry.gov.uk

CC: taxisandphvs@dft.gov.uk

Email: maya.ali@coventry.gov.uk
Phone: 024 7697 5555

Date:

Re: Proposed Taxi Licensing Reforms

In January 2025, a taxi driver from Coventry was jailed for sexually assaulting a woman in the back of his cab. As a result of this, the Communities and Neighbourhoods Scrutiny Board of Coventry City Council, agreed to establish a task and finish group to consider whether taxis licensed in Coventry should require CCTV.

However, Members were concerned that even if Coventry required CCTV cameras in taxis licensed in Coventry, this would not affect taxis operating in Coventry which are licensed with other local authorities, a consequence of “out of area” hiring.

While the task and finish group was running, the Government launched a consultation on making all local transport authorities in England responsible for taxi and private hire vehicle licensing. The task and finish group welcomed the consultation, however identified some issues and gaps within the scope of the consultation.

The consultation is limited to asking questions about cost implications to local authorities, transport authorities and taxi license holders and wider economic benefits. There are no questions about whether respondees consider that the proposals will address the issues of safeguarding raised by the National Audit on Group-based Child Sexual Exploitation and Abuse (Casey Report).

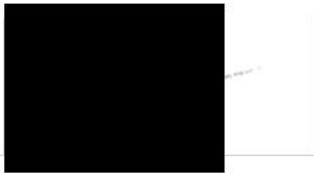
The proposals suggested in the consultation will not address the issue of “out of area” hiring, as there is nothing proposed that standardises licensing requirements nationally. For example, taxis licensed in Warwickshire could still operate in the West Midlands region with different licensing requirements. Therefore, the Communities and Neighbourhoods Scrutiny Board do not consider that making all local transport authorities responsible for taxi and

PHV licensing will meet recommendation 11 in the Casey report, that “*more rigorous approaches – and consistency in those approaches across local authorities – is necessary*”¹, unless national standards for licensing are introduced.

The Communities and Neighbourhoods Scrutiny Board also request clear timescales for progress on this matter following the closure of the public consultation.

The Council will submit a formal response to the current consultation, but the Communities and Neighbourhoods Scrutiny Board wanted to take this opportunity to raise their concerns on the limitations of the proposals being consulted on.

Yours sincerely,



Councillor Maya Ali
Chair of Communities and Neighbourhoods Scrutiny Board (4)

¹ Recommendation 11 - [National Audit on Group-based Child Sexual Exploitation and Abuse \(accessible\) - GOV.UK](#)

Council Meeting

24 March 2026

Booklet 1

Written Questions

1.	<p>QUESTION SUBMITTED BY: Councillor G Lewis</p> <p>TO BE ANSWERED BY: Councillor N Akhtar, Cabinet Member for Housing and Communities</p>
<p>TEXT OF QUESTION:</p> <p>“There are reports of proposed job losses at the Herbert Gallery and Coventry Transport Museum. Was the Cabinet Member made aware of them by CV Life/involved in this decision making? And is the Cabinet Member concerned that the reduced staffing numbers will impact the services provided to residents, as they look to be concentrated around front-line staff and not senior management?”</p>	

2.	<p>QUESTION SUBMITTED BY: Councillor T Sawdon</p> <p>TO BE ANSWERED BY: Councillor N Akhtar, Cabinet Member for Housing and Communities</p>
<p>TEXT OF QUESTION:</p> <p>“When the late Bill Sheridan was Lord Mayor (1973-4) Courtaulds, for whom he worked, donated a tapestry screen which was positioned at the rear of St Mary's Hall. What happened to it when the hall was renovated?”</p>	

3.	<p>QUESTION SUBMITTED BY: Councillor J Lepoidevin</p> <p>TO BE ANSWERED BY: Councillor AS Khan,</p>
<p>TEXT OF QUESTION:</p> <p>"Could the Cabinet Member advise Council how the additional street wardens will be deployed across the City?"</p>	

4.	<p>QUESTION SUBMITTED BY: Councillor J Lepoidevin</p> <p>TO BE ANSWERED BY: Councillor K Caan, Cabinet Member for Public Health, Sport and Wellbeing</p>
<p>TEXT OF QUESTION:</p> <p>"Could the Cabinet Member provide a report to council on the current condition of the tennis courts at the War Memorial Park?"</p>	

5.	<p>QUESTION SUBMITTED BY: Councillor J Gardiner</p> <p>TO BE ANSWERED BY: Councillor AS Khan, Cabinet Member for Policing and Equalities</p>
<p>TEXT OF QUESTION:</p> <p>" Subject: Fly Tipping Cameras</p> <p>Regarding Council deployed cameras to catch those fly tipping, please could the Cabinet Member provide the following information:</p> <ol style="list-style-type: none"> 1. The number of mobile cameras available to catch those fly tipping. 2. Of this number, how many are typically deployed? 3. Of those deployed, how many are deployed in a fly tipping hot spot? 4. How many fly tipping perpetrators have been caught via the cameras and how many convictions/ penalty charges have resulted? 5. What criteria is used to determine where to place cameras and how long to leave them there?" 	

6.	<p>QUESTION SUBMITTED BY: Councillor M Lapsa</p> <p>TO BE ANSWERED BY: Councillor P Hetherton, Cabinet Member for City Services</p>
<p>TEXT OF QUESTION:</p> <p>"Subject: Street Name Plaques</p> <p>What is the Council's policy and schedule for inspecting, repairing or replacing street name plaques across the city?</p> <p>If there is no policy, will the Cabinet Member consider carrying out a review of street name plaques in the City to identify those that need repair or replacement.</p> <p>Is there a register of street signage?"</p>	

7.	<p>QUESTION SUBMITTED BY: Councillor M Lapsa</p> <p>TO BE ANSWERED BY: Councillor P Hetherton, Cabinet Member for City Services</p>
<p>TEXT OF QUESTION:</p> <p>"Subject: Oil and Chemical Spills</p> <p>Can the Cabinet Member inform the chamber: -</p> <p>How many oil spills or chemical spills have been recorded in the city that have affected the wider community or waterways?</p> <p>Please can you provide this information as a break down by ward?"</p>	

8.	<p>QUESTION SUBMITTED BY: Councillor M Lapsa</p> <p>TO BE ANSWERED BY: Councillor P Hetherton, Cabinet Member for City Services</p>
<p>TEXT OF QUESTION:</p> <p>"Subject: Restricted Parking Restrictions Charter Avenue</p> <p>Can the Cabinet Member explain why the restricted parking restrictions have not been implemented in the lay by on Charter Avenue by St George's Plaice chippy?</p> <p>This has been postponed numerous times and was promised to be in place in January, nearly a year after it was agreed by the Cabinet Member and officers.</p>	