

Exercise of emergency functions

Decision on the appropriate course of action to be taken against a husband (alleged offender 1), wife (alleged offender 2) and sister-in-law (alleged offender 3) found to be in possession of a large quantity of illicit tobacco and cash.

1. Part 2M of the constitution of the City Council provides for the Scheme of Functions delegated to Employees including to the Chief Executive/Head of Paid Service.
2. Paragraph 3.8 of Part 2M of the Constitution enables the Chief Executive, in consultation with the Leader to make decisions required in an emergency.
3. On 23rd March 2020, in light of the current national situation regarding the COVID-19 pandemic, and in order to comply with Government guidance and directives, all meetings of the Council's Licensing and Regulatory Committee were cancelled.
4. The cancellation of all meetings of the Licensing and Regulatory Committee meant that a report for authorisation to prosecute three alleged offenders for a large-scale illicit tobacco, fraud and money laundering case would no longer be heard.
5. The case in question is time critical, meaning that any charges authorised against the three alleged offenders need to be laid with the Court by 20th May 2020 to comply with statutory limitations. Failure to lay the charges by this date will mean the case cannot proceed and would need to be abandoned.
6. The report regarding the case, setting out the details and the recommendation by officers to authorise prosecution, is annexed hereto.
7. On the basis set out above, I am satisfied that the decision being taken pursuant to this emergency provision is critical in the interests of justice.
9. In light of the above I agree that this constitutes an emergency and I am making the decision that the City Council authorise legal proceedings against all three alleged offenders and delegate powers to the Director (Streetscene & Regulatory Services) to authorise legal proceedings for any further offences

which may come to light before the case under consideration has been resolved in Court.

A report will be taken to Council at the next appropriate meeting that will include information about this emergency decision.

Signed:

A solid black rectangular box redacting the signature of the Chief Executive.

Chief Executive of Coventry City Council

Dated: 2 April 2020