

Coventry City Council
Minutes of the Meeting of Cabinet Member for Policing and Equalities held at
4.00 pm on Thursday, 25 July 2019

Present:

Members: Councillor AS Khan (Cabinet Member)
Councillor P Akhtar (Deputy Cabinet Member)

Other Members: Councillor B Gittins (substitute for Councillor K Sandhu)
Councillor M Lapsa
Councillor P Male (Substitute for Councillor A Andrews)

Employees (by Directorate):

Place: P Bowman, G Carter, S Harriott, G Hood, L Knight

Apologies: Councillor A Andrews
Councillor K Sandhu

Public Business

6. Declarations of Interest

There were no disclosable pecuniary interests.

7. Minutes

The minutes of the meeting held on 18th June 2019 were agreed and signed as a true record.

There were no matters arising.

8. Petition - Requesting a Review of the 10 Minute Observation Period in Residents' Parking Schemes

The Cabinet Member for Policing and Equalities considered a report of the Deputy Chief Executive (Place) which responded to a petition requesting a review and modifications to the 10 minute observation period for unauthorised parking within residents parking schemes.

A petition bearing 53 signatures had been submitted by residents within the Knights Templar Residents Parking Scheme, and supported by Councillor Lapsa, a Westwood Ward Councillor. Mr Didcott, the petition organiser, and Councillor Lapsa attended the meeting and spoke on behalf of petitioners. The petition read:

“This petition is to seek the Council’s review and modification of its ‘10 minute grace period’ policy and approach to enforcement in all resident permit areas. Currently, Civil Enforcement Officers (CEO’s) can only issue tickets for vehicles

infringing the parking restrictions, after the vehicle has been observed (and details recorded) parked in the restricted area for a period not less than 10 minutes, during the restricted period. So, if a vehicle arrives 10 minutes after a Residential Parking Permit Scheme has come into effect, a further 10 minutes is required before a CEO can currently issue a ticket. This allows owners of vehicles infringing the parking restrictions to drop children off and collect them, with impunity. Many parents are aware of the 10 minute rule, and were notified of it by CEO's when the scheme first came into effect. As it stands, the 10 minute grace period cannot be overridden by the officers, even though they are aware which vehicle owners continually infringe the parking restrictions.

The 10 minute observation period is not a statutory observation period through the TMA, but the Council's policy and approach to enforcement in all residents permit areas. The 10 minute grace period was intended to ensure residents and visitors have sufficient time to display permits. However, permit holders are fully aware of the restriction times and do not require additional time to apply permits to vehicles. This statutory 10 minute grace period applied to Residents Parking Schemes is inconsistent with the CEO policy governing parking bays in the City Centre, whereby a ticket can be issued 10 minutes after the parking restriction comes into effect, or 10 minutes after a parking meter ticket has expired – immediately upon the CEO finding such a vehicle. In such cases, the CEO does not have to wait a further 10 minutes from the time they first observe the vehicle infringement.

It is noted that under London Borough Council rules, no 10 minute grace period is applied. CEO's can issue tickets immediately upon finding vehicles parked in Residential Parking Permit Schemes (via ANPR vehicles, etc) without application of a 10 minute grace period. This petition is being submitted due to ongoing issues with traffic congestion and parking enforcement problems on the Templars Grange Estate. The issues are well known, and the Resident Permit Scheme has been in place for approximately 15 months. The magnitude of traffic parking and congestion problems on the estate, due to parents seeking to park as close as possible to the Templars School pedestrian gate entrance, is still causing: - significant safety concerns for pupils and other pedestrians using the side gate – numerous traffic offences, that are currently unenforceable mainly due to the 10 minute grace period.”

The report indicated that there are currently 23 residents' parking schemes in Coventry. Knights Templar Residents Parking Scheme is one such scheme located in Westwood Ward, which was implemented in August 2017 and comprises Templar Way, Lomsey Close and Monksfield Close. The Scheme consists of permit holders only parking and operates during Monday to Friday for one hour in the morning between 8am and 9am and for one hour in the afternoon between 3pm and 4pm. The rear access to Templar's Primary School is located within the area covered by the Scheme and many parents park within the area when dropping off and collecting school children.

In August 2015, Parking Services adopted a practice where the CEO's are required to apply a 10 minute observation period when monitoring vehicles that are unauthorised to park within residents' parking schemes before issuing penalty charge notices (PCN). The Adoption of the 10 minute observation period is considered a pragmatic approach as it allows residents enough time to register their visitors for a parking permit before any enforcement action is taken by

officers. Furthermore, it enables parents the time to drop off or collect their children from schools without fear of being penalised. It also helps to avoid any criticism that the CEO's are overzealous.

However, the petitioners living in the Knights Templar Scheme consider that the 10 minute observation period has resulted in traffic congestion, parking problems, and road safety issues for school children and pedestrians during the drop off and pick up times. The Cabinet Member for Policing and Equalities noted that the application of the 10 minute observation period in residents parking schemes has not resulted in any similar issues elsewhere across the city where a school is located within a resident parking zone.

The report also indicated that the Council is aware of other initiatives that have been developed to address similar issues with 'school gate' parking, such as the Solihull School Streets project. Through the scheme, most traffic has been prohibited from entering selected roads leading to certain schools during drop of and pick up periods. The intention being to create a safer more pleasant environment which reduces congestion and improves air quality. The restrictions include a prohibition of motor vehicles, applicable Monday to Friday during school pick up and drop off times, with exemptions for permit holders. Permits are issued to residents living on roads affected by the restriction.

RESOLVED that, the Cabinet Member for Policing and Equalities:

- 1. Considered the content of the petition and notes the concerns of the petitioners.**
- 2. Approves that Parking Services continue to apply a 10 minute observation period when undertaking parking enforcement activities within the Knights Templar Residents' parking scheme and other residents' parking schemes throughout Coventry.**
- 3. Approve that Traffic Management colleagues consult with the Cabinet Member for Policing and Equalities on the scheme operating in Solihull Borough to control parking around schools during peak times.**

9. Petition - Improve the footpath that runs adjacent to the Brookstray in Mount Nod, between Fletchamstead Highway and Alderminster Rd

The Cabinet Member for Policing and Equalities considered a report of the Deputy Chief Executive (Place) which responded to a petition requesting that the City Council improve the footpath that runs adjacent to the Brookstray in Mount Nod.

A petition bearing 89 signatures had been submitted by Councillor Male, a Woodlands Ward Councillor, who attended the meeting and spoke on behalf of petitioners. The petition read:

"I am raising this petition following contact from a number of residents who live in Woodlands Ward who use the Brookstray footpath on a regular basis. Elderly residents have reported difficulty walking on the uneven surface, parents with pushchair's have also highlighted difficulty and sadly on one occasion a wheelchair user fell out of their chair. The Brookstray footpath is a well-used

community resource and I want Mount Nod residents to be able to continue to access the area safely.”

The report indicated that the footpath concerned is a hard-surfaced path on land managed and maintained by the Council’s Streetscene and Greenspace Service and runs adjacent to the Guphill Brook. The footpath is not a registered right of way. The footpath is largely composed of old macadam, which is deteriorating in places. The cross-fall of some existing sections of the path is irregular and the path has several raised areas and ruts due to the effect of tree roots, periodic flooding and general erosion.

Reductions in the budgets allocated to the management and maintenance of the city’s parks and open spaces has increased the importance of prioritising proposed works against competing demands. This has included budgets set aside for the replacement and repair of greenspace infrastructure where demand far exceeds the budget available.

Over the past three years, the Parks Service has identified and repaired 216 square meters of the footpath where particularly severe issues were identified. These repairs were made with compacted road planings at a cost of £6,500. The estimated cost to repair the equivalent area in Tarmac would have been around £18,000. The main section of the footpath measures approximately 1,435 square meters from the pedestrian underpass beneath the A45 to its junction with Alderminster Road, excluding side paths. The cost to break out the existing surface of the path and relay it in Tarmac to a standard suitable for occasional light vehicle use would be approximately £119,000. If the same length and width of path were to be resurfaced in Tarmac but only suitable for pedestrians it would cost approximately £100,000. Relaying the path in self-binding gravel would cost in excess of £86,000. The report indicated that none of these costs could be met from existing resources.

RESOLVED that, the Cabinet Member for Policing and Equalities:

- 1. Considers the content of the petition and notes the petitioners concerns.**
- 2. Notes that budgetary reduction has increased the emphasis on the Parks Service to prioritise proposed works against competing demands and that annual demand for such works far exceeds the budget available.**
- 3. Notes that the cost of entirely resurfacing the footpath surface area would be beyond the Council’s Parks Service budget.**
- 4. Agrees that the Park service will continue to inspect and undertake repairs to maintain the path in a safe and usable condition and where necessary, ensure the paths are levelled when repairs are carried out.**
- 5. Agrees that a prioritised programme of resurfacing will be undertaken on a phased basis over a number of years subject to available funding.**

10. **Petition - War Memorial Park Ramp Renovation**

The Cabinet Member for Policing and Equalities considered a report of the Deputy Chief Executive (Place) which responded to a petition requesting the Council to renovate the War Memorial Skatepark.

A petition bearing 1,425 signatures had been submitted and supported by Councillor Dr Sandhu, an Earlsdon Ward Councillor. Mrs Cowley-Haselden and Miss Cowley-Haselden, the petition organisers and spoke on behalf of petitioners. Councillor Dr Sandhu was unable to attend the meeting, but was represented by Councillor Gittins, who spoke in support of the petition. The petition read:

“We are a campaign to renovate the War Memorial Skatepark as it is not fit for purpose because of its age, lack of repair and limited size. In its current state it is unsafe and cannot accommodate the number of skatepark users. Please support us in trying to improve the skatepark; making it bigger and better for all of us on wheels in Coventry (and beyond). We want a skatepark we can be proud of”.

The report indicated that the skatepark was constructed in 2000 at a cost of approximately £100,000 and includes a half pipe, two quarter pipes, two jump boxes, two 25-degree flat ramps and a grind rail. The facilities are inspected on a weekly basis and repairs / replacements are undertaken as and when necessary to maintain equipment and associated infrastructural features in a safe and useable condition. In addition, an annual independent inspection is undertaken by an external playground inspector. Recent inspections have found that whilst the facility is nearing the end of its anticipated life, it is still within practicable use. Some items are showing signs of wear and tear, with minor repairs required in relation to the concrete elements. Inspections have confirmed that the skatepark is in a safe and usable condition. It is recognised that the design and layout of the facility is now somewhat dated and has limited appeal to the older youths as it is not considered very challenging by modern skatepark standards.

The Cabinet Member noted that when external or internal inspections are undertaken, consideration is also given to the serviceable life expectancy of the facility, usually on an item by item basis, as not all equipment needs to be replaced at the same time. In these cases, recommendations are made as to what items should be considered for replacement or improvement and the works are then included in the play area maintenance programme.

The report advised that during 2015/16, the Parks Service operational budget was reduced by £1m from 2016. As part of its financial strategy, the service now reviews the replacement of play equipment and youth provision, including skateparks, as and when its practicable life ends. This review will be on an item by item and site by site basis and will take into consideration cost, remaining equipment / features and location to other similar facilities.

A full refurbishment of this skatepark would cost approximately £150k to £200k to complete. The Parks Service does not have the existing resources to undertake this proposal, and do not consider this is necessary at this time as all the equipment is still in a safe and usable condition and within practicable use. The option to remove the skatepark has been considered. However, this would result in the gradual further and overall reduction in skateboarding and overall youth provision as the nearest other skateboarding facility is located at the Alan Higgs Sports Centre, Allard Way, Coventry, and falls outside its catchment area.

Mrs Cowley-Haselden advised the Cabinet Member that the petitioners would welcome the opportunity to work with the Council to try to identify other sources of funding which could be used to renovate and extend the skatepark and that should the required funding be achieved, to seek the Council's support for required works to be carried out.

RESOLVED that, the Cabinet Member for Policing and Equalities:

- 1. Considered the content of the petition and notes the concerns of the petitions.**
- 2. Notes that inspections of the skateboard park have identified that the equipment is still within its practicable life.**
- 3. Notes that the skateboarding facility falls outside the catchment area of the nearest other similar facility.**
- 4. Agrees that the skateboarding facility be retained and that features be replaced as and when they reach the end of their practicable life and be funded through a combination of external funding and existing budget provision.**
- 5. Requests that officers work with the skateboarding group, and any other group associated with it, to help identify other sources of funding and if gained, look to replace the facility in advance of when it may otherwise be replaced.**

11. Annual Compliance Report - Regulatory & Investigatory Powers Act (RIPA) 2018

The Cabinet Member for Policing and Equalities considered a report of the Deputy Chief Executive (Place), which reported on the use for the Regulatory and Investigatory Powers Act (RIPA) 2018.

The report indicated that the Council uses powers under RIPA to support its core functions for the purpose of prevention and detection of crime where an offence may be punishable by a custodial sentence of 6 months or more or are related to the underage sale of alcohol and tobacco. There are three powers available to local authorities under RIPA: the acquisition and disclosure of communications data; directed surveillance; and covert human intelligence sources.

The report detailed the procedures that local authorities must follow when applying to use RIPA powers, including submitting applications to the Magistrates Court for

approval. The Council's Monitoring Officer maintains oversight of the RIPA arrangements and is responsible for the integrity of the Council's process for managing the requirements under RIPA.

From 1 November, 2018 there is a new requirement to meet a serious crime threshold for the acquisition of service or traffic data for Communications data. This typically means that the offences under investigation could result in imprisonment for more than 12 months.

Details of the applications that the Council has made under RIPA were detailed in the report. For the period 1 January, 2018 to 31 December, 2018 two direct surveillance applications were granted, and two authorisations were granted by the Magistrates. The Committee noted that all of the requests covered core functions permitted by the Act and were for the purpose of preventing and detecting crime. There were no reported instances of the Council having misused its powers under the Act. No applications for the disclosure of communications data were made during the period.

The Cabinet Member noted that the report had been considered by the Audit and Procurement Committee at its meeting on 25th March 2019. The Committee had recommended to the Cabinet Member that he requests comparative information with other Local Authorities in future reports and that the report also be referred to the Licensing and Regulatory Committee. In response to this request, comparative data in relation to RIPA arrangements with other local authorities was provided for the period referred to in the report.

Whilst the Cabinet Member agreed with the request for comparative data to be provided in future reports, he declined the request to refer the report to the Licensing and Regulatory Committee on the basis that there was no decision for the Committee to take in relation to RIPA.

RESOLVED that, the Cabinet Member for Policing and Equalities.

- 1. Notes the comments and recommendations from the Audit and Procurement Committee.**
- 2. Approves the report as a formal record of the Council's use and compliance with RIPA.**

12. Any Other Business

There were no other items of public business.

(Meeting closed at 5.25 pm)