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### **Cabinet Member for Policing and Equalities**

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#### **Time and Date**

4.00 pm on Thursday, 25th July, 2019 – **PLEASE NOTE TIME**

#### **Place**

Committee Room 3 - Council House

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#### **Public Business**

1. **Apologies**

2. **Declarations of Interest**

3. **Minutes** (Pages 5 - 8)

(a) To agree the minutes of the additional Cabinet Member (Policing and Equalities) meeting held on 18<sup>th</sup> June, 2019

(b) Matters arising

4. **Petition - Requesting a Review of the 10 Minute Observation Period in Residents' Parking Schemes** (Pages 9 - 16)

Report of the Deputy Chief Executive (Place)

To consider the above petition, bearing 53 signatures, which has been submitted by Councillor Lapsa, a Westwood Ward Councillor, who has been invited to the meeting for the consideration of this item along with the petition organiser.

5. **Petition - Improve the footpath that runs adjacent to the Brookstray in Mount Nod, between Fletchamstead Highway and Alderminster Rd** (Pages 17 - 22)

Report of the Deputy Chief Executive (Place)

To consider the above petition, bearing 89 signatures, which has been submitted by Councillor P Male, a Woodlands Ward Councillor, who has been invited to the meeting for the consideration of this item along with the petition organiser.

6. **Petition - War Memorial Park Ramp Renovation** (Pages 23 - 28)

Report of the Deputy Chief Executive (Place)

To consider the above petition, bearing 1,425 signatures, which has been submitted by Councillor K Sandhu, an Earlsdon Ward Councillor, who has been invited to the meeting for the consideration of this item along with the petition organiser.

7. **Annual Compliance Report - Regulatory & Investigatory Powers Act (RIPA) 2018** (Pages 29 - 36)

Deputy Chief Executive (Place)

The report was also considered at Audit and Procurement Committee on the 25 March, 2019.

Note: the Audit and Procurement Committee recommended that the Cabinet Member requests comparative information with other Local Authorities in future reports and refer the report to the Licensing and Regulatory Committee

8. **Any Other Business**

To consider any other items of business which the Cabinet Member decides to take as a matter of urgency because of the special circumstances involved.

**Private Business**

Nil

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Martin Yardley, Executive Director, Place, Council House Coventry

Wednesday, 17 July 2019

Note: The person to contact about the agenda and documents for this meeting is Lara Knight Tel: 024 7697 2642 Email: [lara.knight@coventry.gov.uk](mailto:lara.knight@coventry.gov.uk)

Membership:

Cabinet Member:  
Councillor A S Khan

Non-voting Deputy Cabinet Member:  
Councillor P Akhtar

Non-voting Shadow Cabinet Member:  
Councillor A Andrews

By invitation (Non-voting):  
Councillors M Lapsa, P Male, Dr K Sandhu

Please note: a hearing loop is available in the committee rooms

If you require a British Sign Language interpreter for this meeting  
OR if you would like this information in another format or  
language please contact us.

**Lara Knight**

**Tel: 024 7697 2642**

**Email: [lara.knight@coventry.gov.uk](mailto:lara.knight@coventry.gov.uk)**

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# Public Document Pack Agenda Item 3

## Coventry City Council

### Minutes of the Meeting of Cabinet Member for Policing and Equalities held at 10.00 am on Tuesday, 18 June 2019

Present:

Members: Councillor A S Khan (Cabinet Member)  
Councillor P Akhtar (Deputy Cabinet Member)

Other Members: Councillor R Brown (Chair of Scrutiny Co-ordination Committee)  
Councillor J McNicholas  
Councillor C Miks

Employees (by  
Directorate):

Place G Carter, G Hood, M Salmon, A Walster

Apologies: Councillor A Andrews

#### **Public Business**

1. **Declarations of Interest**

There were no disclosable pecuniary interests.

2. **Minutes**

The minutes of the meeting held on 21<sup>st</sup> March 2019 were agreed and signed as a true record. There were no matters arising.

3. **Petition - Objection to the proposals to hold a Fun Fair on Stoke Green**

The Cabinet Member for Policing and Equalities considered a report of the Deputy Chief Executive (Place) that responded to petitions received objecting to the siting of a fun fair on Stoke Green Park in June 2019.

Pursuant to Part 3e, Paragraph 19, of the City Council's Constitution, Councillor R Brown, the Chair of the Scrutiny Co-ordination Committee had been invited to attend the meeting for this matter to agree the need for urgency such that call-in arrangements would not apply. The reason for urgency being the Funfair operator intended to be on site at Stoke Green Park on the 24th June 19 to start setting up and it was important to give the operator adequate notice to make the necessary preparations in time for the proposed event. Councillor Brown attended the meeting and agreed that the matter was urgent and that call-in arrangements would not apply due to the timescales involved. Dependant on the Cabinet Member decision, this would enable the operator to make the necessary preparations and to hold the event at Stoke Green Park on the dates proposed or would provide sufficient notice to the operator if approval wasn't granted.

A petition, bearing 70 signatures, with a further 38 signatures handed in at the meeting providing a total of 108 signatures, had been submitted by two residents of the Stoke Ward of the City and supported by Councillor J McNicholas, a Lower Stoke Ward Councillor, attended the meeting for consideration of the matter and spoke on behalf of the petitioners.

The petition read:

“Proposed fun fair to be held in Stoke Green Park. Objections: Conservation area, newly planted trees, old trees an existing safety issue not adequately fenced off against crowds, 9.30 cut off not for young children, parking already an issue, heavy vehicles churning up grass, littering already a problem. We feel a fun fair would exacerbate the stated existing problems and that there are far more suitable sites within the city”

A further petition, bearing 190 e-signatures, had been submitted by a resident of the Stoke Ward of the City, who was invited to the meeting for consideration of the matter and to speak on behalf of the petitioners but was unable to attend.

The petition read:

“We call on Coventry City Council to stop the Fun Fair being held in Stoke Green Park from 27th – 30th June. We strongly object to it because of the problems it will bring with noise, litter, parking, damage to the park and the newly planted trees which have been purchased by residents as well as the nearby play area. We are also concerned about pollution of the environment from the generators used for the fun fair.

Councillor McNicholas indicated that in addition to these petitions, he was aware that a further online petition has also been generated via another Website, bearing approximately 300 signatures, also opposing the siting of the Funfair as Stoke Green Park.

The report indicated that reductions in the budgets set aside for the management and maintenance of the city’s parks and open spaces had increased emphasis on maximising the income generating potential from parks and open spaces and reliance on the securing of external funding.

As part of the Park Service Commercialisation Project, the Operator, Tommy Wilson Funfairs, had been asked to explore using additional sites in Coventry and Stoke Green Park had been identified as a suitable site.

It was proposed that a Tommy Wilson Funfair be held at the Park from 24<sup>th</sup> June 2019 to noon on 1<sup>st</sup> July 2019, this included time for setting up and leaving the site with operating hours restricted, and operational guidelines applied to control noise levels. Site access changes would be made to minimise any potential traffic flow issues and the operator would be required to remove any litter etc. generated by the event.

It was not anticipated that the event would result in any parking issues occurring in the surrounding area to Stoke Green Park, as had been indicated when holding similar funfairs in other locations. Parking arrangements had not been put in place for any event held at Stoke Green Park, including the Bands in Parks Event, and this had not caused any issues.

Mr Barker, a petition organiser, spoke in support of the petitioners outlining the local residents' concerns regarding the four-day event which they felt would damage the Park, a conservation area, and facilities including the Tick Tock children's play area and the Green Man. Mr Barker referred to the lack of parking in the area that would be exacerbated by such an event, and the noise and anti-social behaviour that the Funfair would attract. He indicated that residents felt that the funfair was ill-considered and inappropriate for the park, it would be highly intrusive and cause massive inconvenience and upheaval to people, as well as causing damage. The Stoke Park Residents Group, together with the Gosford Park Residents Association, had undertaken a great deal of work to raise around £160,000 for the local area and they wanted to protect the Park. They had not been consulted on the proposal and had consultation taken place they could have helped to come up with an alternative event to generate income which would be appropriate to the size and location of the park. Mr Barker tabled photographs of issues associated with parking issues at an Edgewick Park event, as an example of the congestion and damage that could occur.

Ms Gill, another petition organiser, acknowledged that the Local Authority were looking to maximise income from parks and referred to the anticipated amount that would be raised from the event. She provided details of financial matters associated with the event and compared the expected £500 fee to the possible negative outcomes that the Funfair would create.

A representative of Pattison College with responsibility for safeguarding referred to the need to ensure the safety of the children attending the College. She referred to the small road between the College and Stoke Green Park that was already congested with parked cars that made attending and leaving the College difficult and which would be further exacerbated by vehicles associated with the Funfair. This would be a particular issue on the Saturday when the College held dance lessons for children and there were many parents dropping off and collecting children throughout the morning. Childrens safety and wellbeing was of paramount importance and this would be at risk for a total of 8 days if the Funfair proposals were agreed.

Councillor McNicholas referred to the achievements of residents through their hard work and fundraising for the area. He confirmed that the Community wanted to work with the City Council to consider events that would maximise the use of Stoke Green Park and raise revenue whilst being appropriate for the venue. He felt that the Funfair was not appropriate for this location. Highlighting local residents' commitment to their area, he referred to the success of Stoke Boulevard, which had been recognised nationally and was being used as a case study for the rest of the country. Councillor McNicholas also referred to the expected revenue that would be generated for the Authority from the Funfair and requested that other ways of raising these funds be explored. In summing up, he asked that the Cabinet Member consider the local residents' case, agree to work together with the local community on suitable events for Stoke Green Park that

would generate revenue for the Authority, and reconsider the siting of the Funfair to a more appropriate location.

Councillor Khan referred to an email he had received from a local resident, which he read out at the meeting, that supported the Funfair proposals. He further referred to a telephone call he had received from a local MP supporting the residents' opposition to the proposals. In considering all the information he had been presented with, both supporting and objecting, including the submission and presenting of petitions, Elected Member representations, photographs, comments on Facebook, comments on other social media and digital public sites, representation from a local MP and emails, Councillor Khan decided that the siting of the Funfair on Stoke Green Park be approved. Tommy Wilson Fairs had a good reputation and had worked well with the City Council previously without any issues and there was no evidence to support any problems. He felt that Funfairs were an example of the diversity of the City providing a much-loved event for many families and children.

**RESOLVED that the Cabinet Member for Policing and Equalities:**

- 1) Notes that that budgetary reduction has increased the emphasis on the Parks Service to generate and maximise income from its parks and greenspaces.**
- 2) Agrees that Tommy Wilsons Funfair be allowed to take place at Stoke Green Park from 24<sup>th</sup> June 2019, to enable set up, to leaving the site by noon on 1<sup>st</sup> July 2019.**

#### **4. Outstanding Issues**

The Cabinet Member considered a report of the Deputy Chief Executive (Place) that listed an outstanding issue that would be submitted to a future meeting and summarised the current position in respect of the item.

**RESOLVED that the Cabinet Member for Policing and Equalities notes that a report relating to the outstanding issue listed would be submitted to the Cabinet Member at his October 2019 meeting.**

#### **5. Any Other Business**

There were no other items of public business.

(Meeting closed at 11.20 am)



Cabinet Member for Policing and Equalities

25 July 2019

**Name of Cabinet Member:**

Cabinet Member for Policing and Equalities – Councillor A S Khan

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:**

Westwood

**Title:** Petition – Requesting a review of the 10 minute observation period in Residents' Parking Schemes

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**Is this a key decision?** No

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**Executive Summary:**

This report responds to a petition containing 53 signatures from residents within the Knights Templar Residents Parking Scheme requesting a review and modifications to the 10minute observation period that the Council's Civil Enforcement Officers apply when monitoring vehicles that are unauthorised to park within residents' parking schemes.

Residents are concerned that the existing arrangement has resulted in traffic congestion and parking problems outside of Knights Templar Primary School during the school drop off and pick up times.

The petition is supported by Councillor Lapsa, a Westwood Ward Councillor.

**Recommendations:**

The Cabinet Member for Policing and Equalities is recommended to:

1. Consider the content of the petition and note the concerns of the petitioners.
2. Approve that Parking Services continue to apply a 10minute 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 investigate, develop and consult with residents and local ward councillors on a pilot scheme, similar to one operating in Solihull Borough Council, to control parking around Knights Templar Primary School during peak times.

**List of Appendices included:**

Appendix A – Location plan

**Background papers:**

None

**Other useful documents**

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?**

No

**Report title:** Petition – Requesting a review of the 10minute observation period in Residents’ Parking Schemes

**1. Context (or background)**

- 1.1 The Council has received a petition containing 53 signatures from residents living within the Knights Templar Residents Parking Scheme. The petition requests the Council reviews and modifies the existing 10minute observation period that the Parking Civil Enforcement Officers apply when enforcing any unauthorised vehicles that are parked within residents’ parking schemes.
- 1.2 There are currently twenty-three (23) residents’ parking schemes in Coventry. Knights Templar residents parking scheme is one such scheme located in Westwood Ward. The scheme was implemented in August 2017 and comprises Templar Way, Lomsey Close and Monksfield Close.
  - 1.2.1 The parking scheme consists of permit holders only parking and operates during Monday to Friday for one hour in the morning between 8am – 9am and for one hour in the afternoon between 3pm – 4pm. Nowadays, many of the parking schemes in Coventry, including the Knights Templar scheme, operate using digital permits whereby residents and their visitors register for permits online.
  - 1.2.2 The rear access to Knights Templar Primary School is located within the area covered by the Residents Parking Scheme and many parents park within the area when dropping off and collecting school children.
- 1.3 In August 2015, Parking Services adopted a practice where the Civil Enforcement Officers (CEOs) are required to apply a 10minute observation period when monitoring vehicles that are unauthorised to park within residents’ parking schemes before issuing penalty charge notices (PCN).
  - 1.3.1 The adoption of a 10min 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.
  - 1.3.2 Furthermore, it enables parents the time to drop off or collect children from schools without fear of being penalised. It also helps to avoid any criticism that the CEOs are overzealous.
  - 1.3.3 The 10min observation period is not a legal requirement but it is a local convention.
- 1.4 Petitioners living in the Knights Templar scheme consider that the 10min observation period has resulted in traffic congestion, parking problems, and road safety issues for school children and pedestrians during the school drop off and pick up times.
- 1.5 The application of the 10min observation period in residents’ parking schemes hasn’t resulted in any similar issues elsewhere across the city where a school is located within a resident parking zone.

**2. Options considered and recommended proposal**

- 2.1 The option to remove the observation period has been considered but it has been rejected as it would effectively mean that CEOs would issue ‘instant PCNs’. It would not afford officers enough time to collate evidence and satisfy themselves that a contravention was being committed. Neither would it allow residents time to register their permits online.

- 2.2 The option to reduce the observation period to 5mins has also been considered. Although it would allow time for residents to register permits online and the CEOs to collate evidence, it is impractical to think it would allow parents enough time to escort their children to / from school, especially when parents are being actively discouraged from parking near the school gates.
- 2.3 The Council is aware of other initiatives that have been developed to address similar issues with 'school gate' parking, e.g. the Solihull School Streets project.

Through the scheme, *most* traffic has been prohibited from entering selected roads leading to certain schools during drop-off and pick-up periods. The intention being to create a safer, more pleasant environment which reduces congestion and improves air quality in the area.

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.

Coventry City Council proposes to explore the Solihull scheme in conjunction with the West Midlands Police with the aim of implementing it and trialling it in Knights Templar Way, Lomsey Close and Monksfield Close.

In the intervening period whilst the scheme is being considered and explored, the option to continue to retain the 10min observation period when enforcing residents' parking schemes is the preferred way forward as any traffic congestion or parking issues should be relatively minimal and only for a brief period during the mornings and afternoons during school term times.

### **3. Results of consultation undertaken**

- 3.1 No consultation has taken place on this issue.

### **4. Timetable for implementing this decision**

- 4.1 Subject to approval of the recommendation the decision will be implemented with immediate effect as it is a continuation of an existing arrangement.

Alongside this the option as outlined in section 2.3 will be investigated, developed and consulted with residents and local ward councillors.

### **5. Comments from Director of Finance and Corporate Services**

#### **5.1 Financial implications**

There are no financial implications associated with the recommendations.

#### **5.2 Legal implications**

Civil Parking Enforcement operates under part 6 of the Traffic Management Act 2004.

Observation periods are set by the Local Authority, they are not defined in legislation. The length of the observation period is based on the type of contravention.

In the interests of openness and transparency local authorities are encouraged to publish observation periods.

Local authorities must provide evidence of a parking contravention from direct observations. The Regulations recommend that observation start and finish times are provided on the penalty charge notice.

**6. Other implications**

**6.1 How will this contribute to the Council Plan ([www.coventry.gov.uk/councilplan/](http://www.coventry.gov.uk/councilplan/))?**

Not applicable

**6.2 How is risk being managed?**

None

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

None

**6.4 Equalities / EIA**

No specific equalities impact assessment has been carried out.

**6.5 Implications for (or impact on) the environment**

None

**6.6 Implications for partner organisations?**

None

**Report author(s):**

**Name and job title:**

Paul Bowman  
Team Manager (Parking Services)

**Directorate:**

Place

**Tel and email contact:**

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Email: [paul.bowman@coventry.gov.uk](mailto:paul.bowman@coventry.gov.uk)

Enquiries should be directed to the above person.

<b>Contributor/approver name</b>	<b>Title</b>	<b>Directorate or organisation</b>	<b>Date doc sent out</b>	<b>Date response received or approved</b>
<b>Contributors:</b>				
Lara Knight	Governance Services Co-ordinator	Place	4/7/2019	4/7/2019
Karen Seager	Strategic Lead, Transport & Highways Operations	Place	28/6/2019	4/7/2019
<b>Names of approvers for submission:</b> (officers and members)				
Finance: Graham Clark	Lead Accountant	Place	5/7/2019	5/7/2019
Legal: Gill Carter	Legal Services		5/7/2019	

Director: Colin Knight	Director of Transportation & Highways	Place	5/7/2019	9/7/2019
Councillor A S Khan	Cabinet Member for Policing and Equalities		15/7/2019	16/7/2019

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## Appendices

### Appendix A – Location Plan showing Knights Templar Residents' Parking Scheme



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Cabinet Member for Policing and Equalities

25th July 2019

**Name of Cabinet Member:**

Cabinet Member for Policing and Equalities Councillor A Khan

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:** Woodlands Ward

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

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**Is this a key decision? :** No

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**Executive Summary:**

This report responds to a petition containing 89 signatures which was submitted to Coventry City Council and calls upon Coventry City Council to improve the footpath that runs adjacent to the Brookstray in Mount Nod, between Fletchamstead Highway and Alderminster Rd.

The petition reads:

“I am raising this petition following contact from a number of residents who live in Woodlands ward and who use the Brookstray footpath on a regular basis. Elderly residents have reported difficulty walking on the uneven surface, parents with pushchairs 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 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.

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.

The footpath is largely composed of old macadam which is deteriorating in many 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 etc.

Over the past three years, the Parks Service has identified and repaired approximately 216 square metres of the footpath where particularly severe issues were identified. These repairs

were made with compacted road planings at a cost of £6500. The estimated cost to repair the equivalent area in Tarmac would have been around £18,000.

The main section of the footpath measures approximately 1435 square metres 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 cost 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 roughly £100,000. Relaying the path in self-binding gravel would cost in excess of £86,000. None of these costs could be met from existing resources.

**Recommendations:**

The Cabinet Member for Policing and Equalities is recommended to:

1. Consider the content of the petition and note the concerns of the petitioners'
2. Note that 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. Note that the cost of entirely resurfacing the footpath surface area would be beyond the Council's Parks Service budget.
4. Agree that the Parks 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. Agree that a prioritised programme of resurfacing will be undertaken on a phased basis over a number of years subject to available funding.

**List of Appendices included:**

N/A

**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?**

No

Report title: **Petition - Improve the footpath that runs adjacent to the Brookstray**

**1. Context (or background)**

- 1.1 This footpath is situated on land which is managed and maintained by the City Council's Streetscene & Greenspace Service and follows the Guphill Brookstray from the Allesley Old Road to a little west of Alderminster Road (Ladbrook Close) and then from east of Stonebury Avenue to Farcroft Avenue. It is not a registered right of way.
- 1.2 The path itself is made up of a combination of surfaces. A hard-surfaced section of the path runs from the A45 to Ladbrook Close with various side paths leading to neighbouring streets. The remainder is an informal path without a defined route other than that formed by users to create a desire line through the mown grassed area.
- 1.3 The majority of the hard-surfaced footpath is laid with macadam. A few sections of the path were re-laid with self-binding gravel / compacted road planings during the past three years. This was undertaken to repair damage caused by the adjacent river bank collapsing (taking the path with it) and where the path had become so uneven as to present a trip hazard.
- 1.4 It seems likely that the Tarmac sections of the path were laid with macadam when the neighbouring estate was built possibly during the 1960s - 1970s.
- 1.5 The footpath is approximately 40-50 years old and deteriorating in many areas due to the effect of tree roots; frost and thaw; weeds breaking through the Tarmac; river-bank erosion and sporadic flooding due to its proximity to the Brookstray.
- 1.6 The path is inspected along its entire length at least once a quarter and any major trip hazards or potholes are scheduled for repair. The Tarmac is in such poor condition however that relatively minor issues require substantial patches to be excavated and re-laid.
- 1.7 Reductions in Government spending has seen a corresponding reduction in the budgets set aside for the management and maintenance of the city's parks and open spaces. In 2016 the parks budget was reduced by £1m this represented 25% of the overall budget. This included budgets set aside for park infrastructural repairs and maintenance including footpaths.
- 1.8 In the past two years approximately 216 square metres of the hard-surfaced path was re-laid with compacted road planings and self-binding gravel. The total cost for these works was approximately £6,500. The cost for reconstructing the affected areas with Tarmac was estimated at £18,000 and this could not be met from the parks infrastructural budget at that time.
- 1.9 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 cost 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 roughly £100,000. Relaying the path in self-binding gravel would cost in excess of £86,000. None of these costs could be met from existing resources.

## **2. Options considered and recommended proposal**

- 2.1 The option not to undertake repair works to the footpath has been considered however this has been rejected.
- 2.2 The cost of undertaking a full resurfacing of the footpath to highway standard could not be met from existing resources however the service will continue to inspect and undertake repairs to maintain the surface in a safe and usable condition. Furthermore, when repairs are carried out, any severe cross-fall or other issue with the area of path concerned will be corrected to make the path more user-friendly. A prioritised programme of phased resurfacing will also be implemented to be undertaken over a number of years subject to available funding. It is this option which is recommended.

## **3. Results of consultation undertaken**

No consultation has taken place on this issue

## **4. Timetable for implementing this decision**

To be agreed subject to approval of a recommendation within this report.

## **5. Comments from the Director of Finance and Corporate Services**

### **5.1 Financial implications**

The cost of undertaking repair and programmed resurfacing works will be met from existing resources available for the repair and maintenance of footpaths.

### **5.2 Legal implications**

The Council has limited duties and responsibilities towards users of the path to take measures to ensure the safety of visitors which are reasonable and proportionate in the circumstances. This is not a prepared footway and therefore the appropriate action would be to maintain a regular inspection regime and monitor any reported incidents which occur.

## **6. Other implications**

### **6.1 How will this contribute to achievement of the Council's Plan?**

Parks and green spaces are highly valued by the citizens of Coventry and contribute greatly to improving the quality of life to those that live and work in the City, help address health inequalities and provide valuable wildlife habitats.

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

Risk will be managed through the existing Place directorate risk profile.

### 6.3 What is the impact on the organisation?

A safe footpath network in the city's open spaces encourages use. The footpath concerned can still be maintained as an informal path without requiring major investment from the limited budgets currently available.

### 6.4 Equalities / EIA Implications

No equality impact assessments have been undertaken.

### 6.5 Implications for (or impact on) the environment

No direct impact

### 6.6 Implications for partner organisations?

None

#### Report author(s):

Name and job title: **Graham Hood, Head of Streetpride and Greenspace**

Directorate: **Place**

Tel and email contact: **0247683 2194 [graham.hood@coventry.gov.uk](mailto:graham.hood@coventry.gov.uk)**

Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
<b>Contributors:</b>				
Cath Crosby	Lead Accountant	Place	9 <sup>th</sup> July 19	9 <sup>th</sup> July 19
Gill Carter	Solicitor Team Leader (Regulatory)	Place	9 <sup>th</sup> July 19	9 <sup>th</sup> July 19
Lara Knight	Governance Services co-ordinator	Place	9 <sup>th</sup> July 19	9 <sup>th</sup> July 19
<b>Names of approvers for submission:</b> (officers and Members)				
Andrew Walster	Assistant Director (Streetscene and Regulatory Services)	Place	10 <sup>th</sup> July 19	16 <sup>th</sup> July 19
Councillor Abdul Khan	Cabinet Member for (Policy and Equalities)	-	24 <sup>th</sup> June 19	24 <sup>th</sup> June 19

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Cabinet Member for Policing and Equalities

25th July 2019

**Name of Cabinet Member:**

Cabinet Member for Policing and Equalities Councillor A Khan

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:** Earlsdon

Title: Petition – War Memorial Park Ramp Renovation

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**Is this a key decision? : No**

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**Executive Summary:**

This report responds to a petition containing 1,425 signatures which was submitted to Coventry City Council and calls upon Coventry City Council to renovate the War Memorial Skatepark.

The petition reads:

“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 Coventry can be proud of “

This skateboarding facility was constructed during the year 2000 and includes a number of features. designed to cater for the younger age group. The park is under the control of the Councils Greenspace Service within the Place Directorate

This facility is inspected on a weekly basis and repairs/replacements are undertaken as and when necessary to maintain the features in a safe and usable condition. Currently there are no Findings [identified issues] regarding the current facility above “Low Risk” for the site and within continued practicable use.

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.

**Recommendations:**

The Cabinet Member for Policing and Equalities is recommended to:

1. Consider the content of the petition and note the concerns of the petitioners’
2. Note that inspections of the skateboarding have identified that the equipment is still within its practicable life.

3. Note that the skateboarding facility falls outside the catchment area of the nearest other similar facility
4. Agree 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.

**List of Appendices included:**

N/A

**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?**

No

**Report title:** Petition – War Memorial Park Ramp Renovation

**1. Context (or background)**

- 1.1 The War Memorial Park is located in the south of the city and designated a premier park attracting visitors from across the city and is under the control of the Parks Service within the Place Directorate. It is also holds Green Flag status which is a nationally recognised standard of excellence.
- 1.2 There is a children's play facility within the park containing a number of items of equipment designed to be appropriate for both the younger age group aged 4 to 7 years and the senior age group 8 to 13 years. In addition, the play site also includes a skate park containing a Half Pipe, two Quarter pipes, two jump boxes, two 25-degree flat ramps and a grind rail. Infrastructural elements associated with the play and youth provision include fencing, wooden posts, seating, bins, tarmac footpaths and safer surfacing.
- 1.3 Play and youth facilities in the City are inspected on a weekly basis and repairs/replacements are undertaken as and when necessary to maintain the equipment and associated infrastructural features in a safe and usable condition. In addition an annual independent inspection is undertaken by an external playground inspector.
- 1.4 The skatepark was constructed during the year 2000 at a cost of approximately £100,000. Recent inspections however have found that although 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 relation to the concrete elements.
- 1.5 Inspections have confirmed that the Skate Park 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's not considered very challenging by modern skate park standards.
- 1.6 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.

**2. Options considered and recommended proposal**

- 2.1 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.
- 2.2 A full refurbishment of this skatepark would cost approximately £150k to £200k to complete. Parks Service does not have the existing resources to undertake this proposal, however they do not consider this would be necessary anyway as all the equipment is still in a safe and usable condition and within practicable use.
- 2.3 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.

- 2.4 It is therefore recommended that the Councils Park Service retain the facility and it continues to explore and exploit all funding opportunities both external and internal to replace items which reach the end of their practicable life with dynamic and high play value items of equipment and when possible install additional items to provide an exciting and stimulating play environment. Should the facility be replaced we will ensure that the skateboarding community is consulted and involved in the design.
- 2.5 The ability of the service to implement this recommendation will be subject to available resources and its ability to secure external funding.

### **3. Results of consultation undertaken**

No consultation has taken place on this issue

### **4. Timetable for implementing this decision**

To be agreed subject to approval of a recommendation within this report.

### **5. Comments from the Director of Finance and Corporate Services**

#### **5.1 Financial implications**

There are no financial implications arising from the recommendations at the present time.

The service reviews the replacement of play and youth facilities 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 and location to other play areas.

As and when the replacement of items of play equipment becomes necessary, this will be managed through a combination of external funding (for example S106 funds) and the existing budget provision.

#### **5.2 Legal implications**

The responsibility for managing and maintaining the children's play area in this park falls to the Council which has a duty of care towards employees, contractors and the public who use the play facilities. Play provision is governed by the Health and Safety at Work Act 1974 and the Occupiers Liability Acts of 1957 and 1984. The Council has a legal responsibility to ensure the children's play area is in as safe a condition as reasonably practicable. The Management of Health and Safety at Work Regulations 1999 require providers to carry out risk assessments. Play provision also has to meet the requirements of the Equality Act 2010.

### **6. Other implications**

#### **6.1 How will this contribute to achievement of the Council's Plan?**

Parks and green spaces are highly valued by the citizens of Coventry and contribute greatly to improving the quality of life to those that live and work in the City, help address health inequalities and provides valuable wildlife habitats.

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

Risk will be managed through the existing Place directorate risk profile.

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

It is the Council's responsibility to ensure facilities are maintained in a safe condition

**6.4 Equalities / EIA Implications for (or impact on) the environment**

No equality impact assessments have been undertaken.

**6.5 Implications for (or impact on) the environment**

No direct impact

**6.6 Implications for partner organisations?**

None

**Report author(s):**

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**Directorate:** Place

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Lara Knight	Governance Services co-ordinator	Place	9 <sup>th</sup> July 19	9 <sup>th</sup> July 19
<b>Names of approvers for submission: (officers and Members)</b>				
Andrew Walster	Assistant Director (Streetscene and Regulatory Services)	Place	10 <sup>th</sup> July 19	11 <sup>th</sup> July 19
Councillor Abdul Khan	Cabinet Member for (Policy and Equalities)	-	24 <sup>th</sup> June 19	24 <sup>th</sup> June 19

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## Public Report Cabinet Member

Audit and Procurement Committee

25 March 2019

Cabinet Member for Policing and Equalities

25 July 2019

**Name of Cabinet Member:**

Cabinet Member for Policing and Equalities – Councillor A S Khan

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:**

None

**Title:**

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

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**Is this a key decision?**

No

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**Executive Summary:**

The Regulation of Investigatory Powers Act 2000 (RIPA) governs the acquisition and disclosure of communications data and the use of covert surveillance by local authorities.

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. The three powers available to local authorities under RIPA: the acquisition and disclosure of communications data; directed surveillance; and covert human intelligence sources ("CHIS").

The Act sets out the procedures that Coventry City Council must follow if it wishes to use directed surveillance techniques or acquire communications data in order to support core function activities (e.g. typically those undertaken by Trading Standards and Environmental Health). The information obtained as a result of such operations can later be relied upon in court proceedings providing RIPA is complied with.

The Home Office Code for Covert Surveillance Property Interference recommends that elected members, whilst not involved in making decisions or specific authorisations for the local authority to use its powers under Part II of the Act, should review the Council's use of the legislation and provide approval to its policies. The Council adopted this approach for oversight of the authority's use of Parts I and II of the Act.

**Recommendations:**

The Audit and Procurement Committee are requested to:

1. Consider and note the Council's use and compliance with RIPA.
2. Forward any comments and/or recommendations to the Cabinet Member for Policing and Equalities.

The Cabinet Member for Policing and Equalities is requested to:

1. Consider any comments and recommendations provided by the Audit & Procurement Committee.
2. Approve the report as a formal record of the Council's use and compliance with RIPA.

**List of Appendices included:**

None

**Other useful background papers:**

None

**Other useful background information:**

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?**

Yes – Audit and Procurement Committee – 25 March 2019

**Will this report go to Council?**

No

Report title: **Annual Compliance Report - Regulatory & Investigatory Powers Act (RIPA) 2018**

**1. Context (or background)**

- 1.1 RIPA governs the acquisition and disclosure of communications data and the use of covert surveillance by local authorities. The Council can only use 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 (e.g. offences relating to counterfeit goods which carry a maximum penalty of 10 years in prison) or the offence is related to the underage sale of alcohol and/or tobacco.
- 1.2 Where the above criteria are met, Local Authorities can make an application for the acquisition and disclosure of communications data (such as telephone billing information or subscriber details) or directed surveillance (covert surveillance of individuals in public places); and the use of covert human intelligence sources (“CHIS”) (such as the deployment of undercover officers). The powers are most commonly used by Trading Standards. However, powers can also be used by other Council services if their offences meet the serious crime threshold, mentioned in 1.1 above.
- 1.3 RIPA sets out the procedure that local authorities must follow when applying to use RIPA powers. These include approval by Authorised Officers that the proposed use of the powers is “necessary and proportionate”. All applications must also be approved by the Magistrates Court before RIPA powers can be exercised.
- 1.4 The Council is required to have a Senior Responsible Officer to maintain oversight of the RIPA arrangements, procedures and operations. The Council’s Monitoring Officer performs this function and is responsible for the integrity of the Council’s process for managing the requirements under RIPA.
- 1.5 On the 1st September 2017, The Office of Surveillance Commissioners (OSC) and The Interception of Communications Commissioner’s Office (ICCO) were abolished by the Investigatory Powers Act 2016. The Investigatory Powers Commissioner’s Office (IPCO) is now responsible for the judicial oversight of the use of covert surveillance by public authorities throughout the United Kingdom.
- 1.6 From the 1st of 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.
- 1.7 The acquisition of communications data is undertaken through the National Antifraud Network (NAFN). They act as the single point of contact for many local authorities and ensure the application is RIPA compliant. It is NAFN that are audited by the commissioners.

1.8 Details of the applications that the Council has made under RIPA are set out below:

1.8.1 Use of Directed Surveillance or Covert Human Intelligence Sources

For the Period 1 January 2018 – 31 December 2018

No. of Directed Surveillance Applications Rejected	0
No. of Directed Surveillance Applications Granted	2
No. of Authorisations Presented to Magistrates	2
No. of Authorisations Granted by Magistrates	2
No. of Authorisations Rejected by Magistrates	0
No. of Directed Surveillance Operations Remaining Extant	0

- 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.

1.9.2 Use of Acquisition & Disclosure of Communications Data

No applications for the disclosure of communications data were made during the period 1 January 2018 – 31 December 2018.

1.10 RIPA Training

It is recommended good practice to provide RIPA training to all relevant officers periodically. Accordingly, one day's training session was delivered on 18 January 2017. Elected members, and Council Officers from core function departments, Legal and those who play a key role in implementing and/or managing CCTV systems attended.

**2. Options considered and recommended proposal**

- 2.1 The Audit and Procurement Committee is recommended to consider and note the Annual Compliance Report, which sets out how the Council has used its powers during the reporting periods of the individual Commissioners. In addition, the Committee is recommended to forward any comments or recommendations to the Cabinet Member for Policing and Equalities.
- 2.2 The Cabinet Member for Policing and Equalities is recommended to consider any comments or recommendations from the Audit and Procurement Committee, and approve the report as a formal record of the Council's use and compliance with RIPA.

### **3. Results of consultation undertaken**

3.1 Not applicable

### **4. Timetable for implementing this decision**

4.1 Upon approval of the report, statistical information relating to the authority's use of RIPA will be published to the Council's Internet page in order to support its commitment to the openness and transparency agenda.

### **5. Comments from Director of Finance and Corporate Services**

5.1 **Financial implications** – The Council has budget provision to cover the cost of the training, which was delivered by an external trainer who specialises in RIPA legislation. There are no other direct financial implications arising from this report.

5.2 **Legal implications** – The powers of local authorities have remained largely unchanged following the introduction of the Investigatory Powers Act 2016. However, Officers will continue to monitor the operation of RIPA and ensure that any amendments are incorporated into the Council's policy and procedures as appropriate.

Consideration and endorsement by Members ensures that appropriate scrutiny is in place. Consideration of RIPA activity as recommended by the OSC guidance ensures that such activity is subject to appropriate scrutiny and control.

### **6. Other implications**

Whilst the requirement to obtain judicial approval introduced an additional step into the process, given the Council's low use of its powers under RIPA, it has not resulted in any significant delays for planned operations. Routine patrols, ad-hoc observations at trouble 'hot spots', immediate response to events and overt use of CCTV do not require RIPA authorisation.

#### **6.1 How will this contribute to achievement of the Council's Plan?**

As and when judicial approval is sought to use these powers, it will help support the Council's core aims by preventing and detecting crime associated with enforcement activities such as: investigations relating to counterfeiting and fraudulent trading activity, or underage sales of alcohol or tobacco.

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

The requirement for the Council to seek judicial approval for any proposed use of its powers under the Regulation of Investigatory Powers Act 2000, as amended by the Protection of Freedoms Act 2012, reduces the risk of the Council using such powers inappropriately or unlawfully. This will help ensure any evidence gained from such use will be admissible in a court of law.

### 6.3 What is the impact on the organisation?

There is no additional impact on the Council.

### 6.4 Equalities / EIA

When submitting a request for authorisation to use RIPA, consideration is given to any impact on equalities.

### 6.5 Implications for (or impact on) the environment?

There are no implications on the environment.

### 6.6 Implications for partner organisations?

There are no implications on partner organisations.

#### Report author(s):

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Legal: Julie Newman	Legal Services Manager and Acting Monitoring Officer	Place Directorate	12.2.19.	12.2.19.
Director: M Yardley	Deputy Chief Executive (Place)	Place Directorate	15.2.19.	19.2.19.
Members: Councillor A Khan	Councillor	Coventry City Council	15.7.19	16.7.19

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