

**Time and Date**

3.00 pm on Monday, 2nd December 2019

Place

Diamond Room 2 - Council House

Public Business**1. Apologies****2. Declarations of Interests****3. Minutes** (Pages 5 - 8)

(a) To agree the minutes of the meeting held on 21st October 2019

(b) Matters Arising

4. Petition - Residents Parking Scheme on Walsgrave Road End of Church Lane (Pages 9 - 16)

Report of the Deputy Chief Executive (Place)

To consider the above petition, bearing 8 signatures, which has been submitted by Councillor McNicholas, a Lower Stoke Ward Councillor, who has been invited to the meeting for the consideration of this item along with the petition organiser.

5. Petition - Request for Residents Parking Scheme in Benedictine Road to be Extended to The Monks Croft (Pages 17 - 24)

Report of the Deputy Chief Executive (Place)

To consider the above petition, bearing 15 signatures, which has been submitted by Councillor Bailey, a Cheylesmore Ward Councillor, who has been invited to the meeting for the consideration of this item along with the petition organiser.

6. Petition - Close the Exit from Chace Avenue onto London Road (Pages 25 - 32)

Report of the Deputy Chief Executive (Place)

To consider the above petition, bearing 54 e-signatures. The petition organiser has been invited to the meeting for the consideration of this item.

7. **Petition - Replacement of the Pavement Surface at Ross Close**
(Pages 33 - 38)

Report of the Deputy Chief Executive (Place)

To consider the above petition, bearing 21 signatures, which has been submitted by Councillors J Lepoidevin and G Ridley, both Woodlands Ward Councillors, who have been invited to the meeting for the consideration of this item along with the petition organiser.

8. **Objection to Proposed Waiting Restrictions - Browns Lane**
(Pages 39 - 46)

Report of the Deputy Chief Executive (Place)

Note: The objector has been invited to the meeting for the consideration of this item

9. **Objections to Proposed Waiting Restrictions - Burnsall Road**
(Pages 47 - 54)

Report of the Deputy Chief Executive (Place)

Note: The objectors have been invited to the meeting for the consideration of this item

10. **Review of Conditions of Fitness for Private Hire Vehicles** (Pages 55 - 60)

Report of the Deputy Chief Executive (Place)

11. **Outstanding Issues**

There are no outstanding issues

12. **Any other items of Public Business**

Any other items of public business which the Cabinet Member decides to take as matters of urgency because of the special circumstances involved

Private Business

Nil

Martin Yardley, Deputy Chief Executive (Place), Council House, Coventry

Friday, 22 November 2019

Note: The person to contact about the agenda and documents for this meeting is Liz Knight / Michelle Salmon, Governance Services Officers, Tel: 024 7697 2644 /2643, Email: liz.knight@coventry.gov.uk / michelle.salmon@coventry.gov.uk

Membership: Councillors P Hetherton (Cabinet Member) and G Lloyd (Deputy Cabinet Member)

By invitation: Councillor T Mayer (Shadow Cabinet Member)

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.

Liz Knight / Michelle Salmon

Governance Services Officers

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Coventry City Council
Minutes of the Meeting of Cabinet Member for City Services held at 3.00 pm on
Monday, 21 October 2019

Present:

Members: Councillor P Hetherton (Cabinet Member)
Councillor G Lloyd (Deputy Cabinet Member)

Employees (by Directorate):

Place C Archer, M Coggins, T Cowley, S Elliot, R Goodyer,
R Parkes, M Salmon

Public Business

37. Declarations of Interests

There were no disclosable pecuniary interests.

38. Minutes

The minutes of the meeting held on 9th September 2019 were agreed and signed as a true record.

39. Petition - Deterioration of Road Surface in Walton Close

The Cabinet Member for City Services considered a report of the Deputy Chief Executive (Place) in response to a petition, bearing 21 signatures, received from a Binley Ward resident and supported by Councillor R Lakha, a Binley and Willenhall Ward Councillor, that read 'Deterioration of road surface in Walton Close'. Councillor Lakha and the Petition Organiser attended the meeting for consideration of the matter and to speak on behalf of the petitioners.

In accordance with the City Council's procedure for dealing with petitions, those relating to highway maintenance were heard by the Cabinet Member for City Services.

The report indicated that Walton Close was a local residential cul-de-sac, part of which served as an access road for garages. A plan of the location was attached as an Appendix to the report. Records showed that the last annual programmed safety inspection took place on the 28th February 2019, at which time no intervention level was identified. There had also been no customer enquiries made regarding the road condition in the past 12 months.

Following receipt of the petition an engineer made a visit on 15th August 2019 to further assess the construction and overall condition of the road and pavements. The road was a traditional tarmac construction, the main carriageway section had been subject to a surface treatment some time ago. The garage area, which was not subject to this treatment, was showing signs of deterioration. The pavements were of a slab construction. Both the road and pavements were aged and although not aesthetically pleasing at the time of inspection there were no intervention level defects identified. Following the engineer's assessment, the recommended treatment was to repair the areas of deterioration by localised patching and

application of a surface treatment over the whole area to prevent the ingress of water and prevent further deterioration. If a priority score was reached by the Council's Asset Management System, they would be included in a future capital funded improvement programme if the budget permitted. Until such time, any defects at or above the intervention level as identified would continue to be made safe.

Councillor Lakha and the Petition Organiser spoke in support of the petitioners. They referred to the extremely poor condition of parts of Walton Close due to the heavy usage of the Close by parents picking up and dropping off children at the nearby School. The road surface was subject to a great deal of parking and also vehicles turning and although part of the road had been re-surfaced, the centre of the road and the entrance to the cul-de-sac were in particularly bad condition. Although the report indicated that no customer enquiries had been made regarding the road condition, Councillor Lakha confirmed that many residents had raised the issue directly with him. He felt that the Inspectors assessment of the road surface detailed in the report, did not reflect the severity of its condition and that the Close deserved high priority status on the Council's Forward Programme List. The Petition Organiser indicated that residents had a pride in their area and wanted to maintain its condition and did not want the road surface of the Cul-de-sac to deteriorate further.

Having considered the report and the comments made by Councillor Lakha, the Petition Organiser and the Highways Officer who presented the report, the Cabinet Member agreed that the location would be placed on the Council's forward programme list and its condition would be monitored and scored against all other similar sites citywide.

RESOLVED that the Cabinet Member for City Services:

- 1) Notes the petitioner's concerns.**
- 2) Approves that the road at Walton Close be held on Coventry City Council's forward programme list and its condition will continue to be monitored and scored against all other similar sites citywide.**

40. Objection to Proposed Waiting Restrictions - Browns Lane

Further to Minute 32/19, the Cabinet Member received a report of the Deputy Chief Executive (Place) concerning an objection to a proposed waiting restriction for Brown's Lane that had been advertised in a Traffic Regulation Order. The Cabinet Member was informed that the objector was unable to attend the meeting for the consideration of this item and had requested that the item be deferred until the next meeting to allow for his attendance in support of his objection.

RESOLVED that consideration of the report be deferred until the next Cabinet Member for City Services meeting scheduled for 2nd December 2019 to allow the objector the opportunity to attend in support of his objection.

41. **Revise the Current Conditions for Private Hire Drivers, Private Hire Proprietors, Hackney Carriage Proprietors and Pedicabs & Tuk Tuks Proprietors to Ensure that when the Vehicle(s) are Working there are Functioning Facilities for Taking Cashless Payments.**

The Cabinet Member considered a report of the Deputy Chief Executive (Place) that sought approval of additional conditions as set out in the report, for the provision of facilities for private hire drivers, private hire proprietors, hackney carriage proprietors and pedicab and tuk tuks proprietors to take cashless payments. Appendices to the report set out current conditions of licence for those vehicles.

With the growth of cashless payments and the UK having the highest revenue in cashless payments in the European Union, and with most of the population not carrying cash, it was reasonable to ensure that private hire and hackney carriage vehicles had facilities to offer cashless payments if required by the passenger.

RESOLVED that the Cabinet Member for City Services approves that the proposed additional conditions detailed in the report be brought into effect so that private hire drivers, private hire proprietors, hackney carriage proprietors and pedicabs and tuk tuks proprietors ensure that when the vehicle(s) are working there are functioning facilities for taking cashless payments.

42. **Petitions Determined by Letter and Petitions Deferred Pending Further Investigations**

The Cabinet Member for City Services considered a report of the Deputy Chief Executive (Place) which provided a summary of the recent Petitions received that were to be determined by letter, or where decisions had been deferred pending further investigations and holding letters were being circulated. Details of the individual Petitions were set out in an Appendix attached to the report and included target dates for action. The report was submitted for monitoring and transparency purposes.

The report indicated that each Petition had been dealt with on an individual basis, with the Cabinet Member considering advice from officers on appropriate action to respond to the petitioners' request. When it had been decided to respond to the Petition without formal consideration at a Cabinet Member meeting, both the relevant Councillor sponsoring the Petition (if any) and/or the petition organiser/spokesperson could still request that their Petition be the subject of a Cabinet Member report.

Members noted that where holding letters were being sent, this was because further investigation work was required. Once matters had been investigated either a follow up letter would be sent, or a report submitted to a future Cabinet Member meeting.

RESOLVED that the actions being taken by officers as detailed in the Appendix to the report, in response to the Petitions received, be endorsed.

43. **Outstanding Issues**

There were no outstanding issues.

44. **Any other items of Public Business**

There were no other items of public business.

(Meeting closed at 3.40 pm)



Cabinet Member for City Services

2 December 2019

Name of Cabinet Member:

Cabinet Member for City Services – Councillor P Hetherton

Director Approving Submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

Binley & Willenhall

Title: Petition – Residents' parking scheme on Walsgrave Road end of Church Lane

Is this a key decision?

No

Executive Summary:

A petition of 8 signatures has been received requesting a residents' parking scheme on Church Lane (Walsgrave Road end).

In accordance with the City Council's procedure for dealing with petitions, those relating to traffic management and road safety are heard by the Cabinet Member for City Services. The Cabinet Member had considered the petition prior to this meeting and in response to the issue raised, requested that the petition was dealt with by letter (determination letter) rather than a formal report being submitted to a meeting, to be able to deal with the matter more efficiently.

The determination letter advised of the reasons why the request would not be considered, the issues taken into consideration and the approved action in response to the petition, which was not to commence the legal process to advertise a residents' parking scheme on Church Lane (Walsgrave Road end). On receipt of the determination letter, the petitioner advised they did not wish the petition to be progressed by letter and wanted the issue to be considered at a Cabinet Member for City Services meeting.

The cost of changes to the road network is funded from the Highways Maintenance and Investment Capital Programme budget through the Local Transport Plan.

Recommendations:

Cabinet Member for City Services is recommended to:

1. Note the petitioners' concerns;
2. Endorse that the actions confirmed by determination letter to the petition spokesperson (as detailed in paragraph 1.6 of the report).

List of Appendices included:

Appendix A – Location Plan
Appendix B – Extract of Traffic Regulation Order
Appendix C – Determination letter

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 - Residents' parking scheme on Walsgrave Road end of Church Lane

1. Context (or background)

1.1 A petition of 8 signatures has been received requesting a residents' parking scheme on Church Lane (Walsgrave Road end).

1.2 The text of the petition reads as follows:

'Residents only parking scheme on Walsgrave Road end of Church Lane'

1.3 Church Lane is a residential road and Walsgrave Road (A4600) is part of a main arterial route into Coventry. At the top of Church Lane, there is a parade of shops on the eastern side of the road that continues onto Walsgrave Road. Outside the shops, there are five parking bays where waiting is limited to one hour Monday to Saturday between 7am and 7pm, with no return permitted within 2 hours. There are additional parking bays subject to the same waiting restriction on Walsgrave Road. Walsgrave Road is part of a Red Route, which means that stopping is not permitted outside the marked parking bays. On the western corner of Church Lane and Walsgrave Road, there is a pub with its own private car park accessed from Walsgrave Road. A plan showing the location and the parking restrictions is attached in Appendix A.

1.4 A review of the personal recorded injury collision history for the last 3 years on the northern section of Church Lane shows that there were 3 personal injury collisions involving vehicles turning into or out of Church Lane from Walsgrave Road.

1.5 Residents' parking schemes are usually only considered for a whole street or an area where most residents do not have access to off-street parking. Most of the properties at the northern end of Church Lane have driveways. If a vehicle is obstructing a vehicular dropped kerb, the Council's Parking Enforcement Team can take action. However, a vehicle can be parked across a vehicular dropped kerb with the permission of the resident. Due to the number of properties with driveways, there is limited space available for on-street parking on the section of Church Lane in question and surveys have shown that this is fully utilised.

1.6 In accordance with the City Council's procedure for dealing with petitions, those relating to changes to traffic management and road safety are heard by the Cabinet Member for City Services. The Cabinet Member considered the petition prior to this meeting and in response requested that the issue was dealt with by determination letter rather than a formal report being submitted to a meeting, to be able to deal with the matter more efficiently.

1.7 The determination letter (copy in Appendix C) advised that residents' parking schemes are only considered for a whole street or an area where most residents do not have access to off-street parking. Therefore, the section of Church Lane referred to does not qualify for consideration as a residents' parking scheme.

2. Options considered and recommended proposal

2.1 The recommended proposal to the issue raised has already been approved and is detailed in the determination letter (Appendix C) and paragraph 1.7.

3. Results of consultation undertaken

3.1 No formal consultation has been undertaken.

4. Timetable for implementing this decision

4.1 No further action is proposed.

5. Comments from Director of Finance and Corporate Services

5.1 Financial implications

No action is proposed, therefore there are no financial implications.

5.2 Legal implications

There are no legal implications of the recommended proposal.

6. Other implications

6.1 **How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?**

N/A.

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) Climate Change and the Environment**

None

6.6 **Implications for partner organisations?**

None

Report author

Name and job title:

Martin Wilkinson, Senior Officer - Traffic Management

Directorate:

Place

Tel and email contact:

024 7697 7139, martin.wilkinson@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
Contributors:				
Rachel Goodyer	Traffic and Road Safety Manager	Place	18/11/19	18/11/19
Caron Archer	Principle Officer – Traffic Management	Place	18/11/19	18/11/19
Liz Knight	Governance Services Officer	Place	18/11/19	19/11/19
Names of approvers: (officers and members)				
Finance: Graham Clark	Lead Accountant	Place	18/11/19	19/11/19
Legal: Rob Parkes	Team Leader	Place	18/11/19	19/11/19
Other members: Cllr Hetherton	Cabinet Member for City Services		18/11/19	18/11/19

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Appendix A – Location plan



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Appendix B – Extract of Traffic Regulation Order



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Appendix C – Copy of text of determination letter

Re: petition submitted on 19 February 2019

Subject matter: Residents Parking Scheme on Walsgrave Road end of Church Lane

I am writing with regard to the above petition and your request for a residents' parking scheme at the Walsgrave Road end of Church Lane.

The matter was discussed with Councillor Hetherton, Cabinet Member for City Services, who has requested that this be dealt with by way of letter rather than a formal report being submitted to a future meeting, so that it can be dealt with more quickly.

Residents' parking schemes are only considered for a whole street or an area where most residents do not have access to off-street parking. Therefore, the section of Church Lane referred to does not qualify for consideration for a residents' parking scheme.

I would be grateful if you could please confirm in writing, either by email or letter, that you agree that the petition be progressed by way of this letter. If you do not agree, a report responding to your petition will be prepared for consideration at a future Cabinet Member meeting. You will be invited to attend this meeting where you have the opportunity to speak on behalf of the petitioners.



Cabinet Member for City Services

2nd December 2019

Name of Cabinet Member:

Cabinet Member for City Services – Councillor P Hetherton

Director Approving Submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

Cheylesmore

Title: Petition – Request for Residents’ Parking Scheme in Benedictine Road to be extended to The Monks Croft

Is this a key decision?

No

Executive Summary:

A petition of 15 signatures has been received requesting the Cheylesmore East Residents’ Parking Scheme is extended to include The Monks Croft.

In accordance with the City Council's procedure for dealing with petitions, those relating to parking restrictions are heard by the Cabinet Member for City Services. The Cabinet Member had considered the petition prior to this meeting and in response to the issue raised, requested that the petition was dealt with by letter (determination letter) rather than a formal report being submitted to a meeting, to be able to deal with the matter more efficiently.

The determination letter advised that a recent consultation undertaken prior to the petition, asking residents if they wanted The Monks Croft to be included in a proposed extension to the existing residents’ parking scheme, did not meet the required criteria of 60% of households being in favour. Therefore, the proposed extension of the existing scheme would not include The Monks Croft. However, a further consultation with The Monks Croft residents would be undertaken 12 months after the scheme extension. On receipt of the determination letter the petitioner advised they did not wish the petition to be progressed by letter and wanted the issue to be considered at a Cabinet Member for City Services meeting.

The cost of implementing residents’ parking schemes is funded from the Highways Maintenance and Investment Capital Programme budget through the Local Transport Plan.

Recommendations:

Cabinet Member for City Services is recommended to:

1. Note the petitioners’ concerns.

2. Endorse that the actions confirmed by determination letter to the petition spokesperson (as detailed in paragraph 1.11 of the report).

List of Appendices included:

Appendix A – Location Plan
Appendix B – Determination letter

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 – Request for Residents’ Parking Scheme in Benedictine Road to be extended to The Monks Croft

1. Context (or background)

1.1 A petition of 15 signatures has been received requesting an extension of the existing Cheylesmore East Residents’ Parking Scheme to include The Monks Croft. The petition is supported by Councillor Bailey.

1.2 The petition advises:

‘Parking congestion caused by commuters is becoming increasing worse with the introduction of the resident parking scheme in Benedictine Road. We politely request that the resident parking scheme is extended to include The Monks Croft.

1.3 Three extensive area wide residents’ parking schemes were consulted upon in 2014 consisting of the Cheylesmore East, Cheylesmore West and Earlsdon Residents’ Parking Schemes. The original Cheylesmore East proposals included The Monks Croft and Benedictine Road. Few responses were received in favour of these large residents’ parking scheme proposals and following further consultation smaller schemes were proposed which came into operation in 2015.

1.4 However, since the installation of the initial residents’ parking schemes petitions have been received requesting that the schemes are extended due to the transference of commuter parking into areas outside the scheme.

1.5 Benedictine Road and The Monks Croft were part of the original 2014 proposals, but not implemented due to insufficient support. However, in response to a petition from Benedictine Road, both Benedictine Road and The Monks Croft residents were consulted in 2017 as to whether they now wanted to be part of the residents’ parking scheme. The residents’ parking scheme criteria include that 60% of households must be in support of a scheme before the scheme can be progressed.

1.6 The required support was not received for the whole of Benedictine Road and The Monks Croft, however there was sufficient support for a scheme on the section of Benedictine Road from its junction with Carthusian Road to its cul de sac end and this was implemented. After the scheme was installed a further petition was received from residents of Benedictine Road (living outside of the scheme area) asking for the scheme to be extended to include the whole road.

1.7 Residents of The Monks Croft had also petitioned about parking issues. The response to the petition was to propose double yellow lines around the ‘grass triangle’ at the junction of The Monks Croft and Benedictine Road. The legal process was commenced, but objections were received. In response to the objections it was agreed to install a reduced length of double yellow lines. It was also agreed to consult with residents as to whether they wanted to be included in the Cheylesmore East Residents’ Parking Scheme, when the Benedictine Road extension was advertised.

1.8 In May 2019 The Monks Croft residents were consulted about being part of a residents’ parking scheme, but there was not sufficient support and no further action was undertaken to include The Monks Croft in the proposed scheme extension. This petition was received following the latest consultation.

- 1.9 If the Cheylesmore East Residents' Parking Scheme was extended to include The Monks Croft a further 27 properties would be within the scheme. Location plan in Appendix A. Due to the number of independent consultations that have been undertaken, with insufficient support being received, it is recommended that no further action is undertaken at the current time. However, it is also recommended that 12 months after the latest extension to the scheme, consultation is undertaken to determine if 60% of the households on The Monks Croft are in favour of progressing a residents' parking scheme.
- 1.10 In accordance with the City Council's procedure for dealing with petitions, those relating to parking schemes are heard by the Cabinet Member for City Services. The Cabinet Member considered the petition prior to this meeting and in response requested that the issue was dealt with by determination letter rather than a formal report being submitted to a meeting, to be able to deal with the matter more efficiently.
- 1.11 The determination letter (copy in Appendix B) advised that the recent consultation undertaken prior to the petition, asking residents if they wanted The Monks Croft to be included in a proposed extension to the existing residents' parking scheme, did not meet the required criteria of 60% of households being in favour. Therefore, the proposed extension of the existing scheme would not include The Monks Croft. However, a further consultation with The Monks Croft residents would be undertaken 12 months after the scheme extension.

2. Options considered and recommended proposal

- 2.1 The recommended proposal to the issue raised has already been approved and is detailed in the determination letter (Appendix B) and paragraph 1.11.

3. Results of consultation undertaken

- 3.1 A consultation undertaken in May 2019 about whether residents wanted a proposed extension of the Cheylesmore East Residents' Parking scheme to include The Monks Croft did not achieve the required criterion of 60% of households in favour.

4. Timetable for implementing this decision

- 4.1 No further action is proposed until the new extension to the Cheylesmore East Residents' Parking Scheme has been in operation for 12 months, at this time it is proposed to undertake a further consultation.

5. Comments from Director of Finance and Corporate Services

5.1 Financial implications

There are no financial implications of the recommendations other than the cost of a further consultation in 12 months. The cost of undertaking the consultation would be approximately £30.

5.2 Legal implications

There are no legal implications of the recommended proposal.

6. Other implications

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

N/A.

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) Climate Change and the Environment

None

6.6 Implications for partner organisations?

None

Report author(s)

Name and job title:

Caron Archer
Team Leader (Traffic Management)

Directorate:

Place

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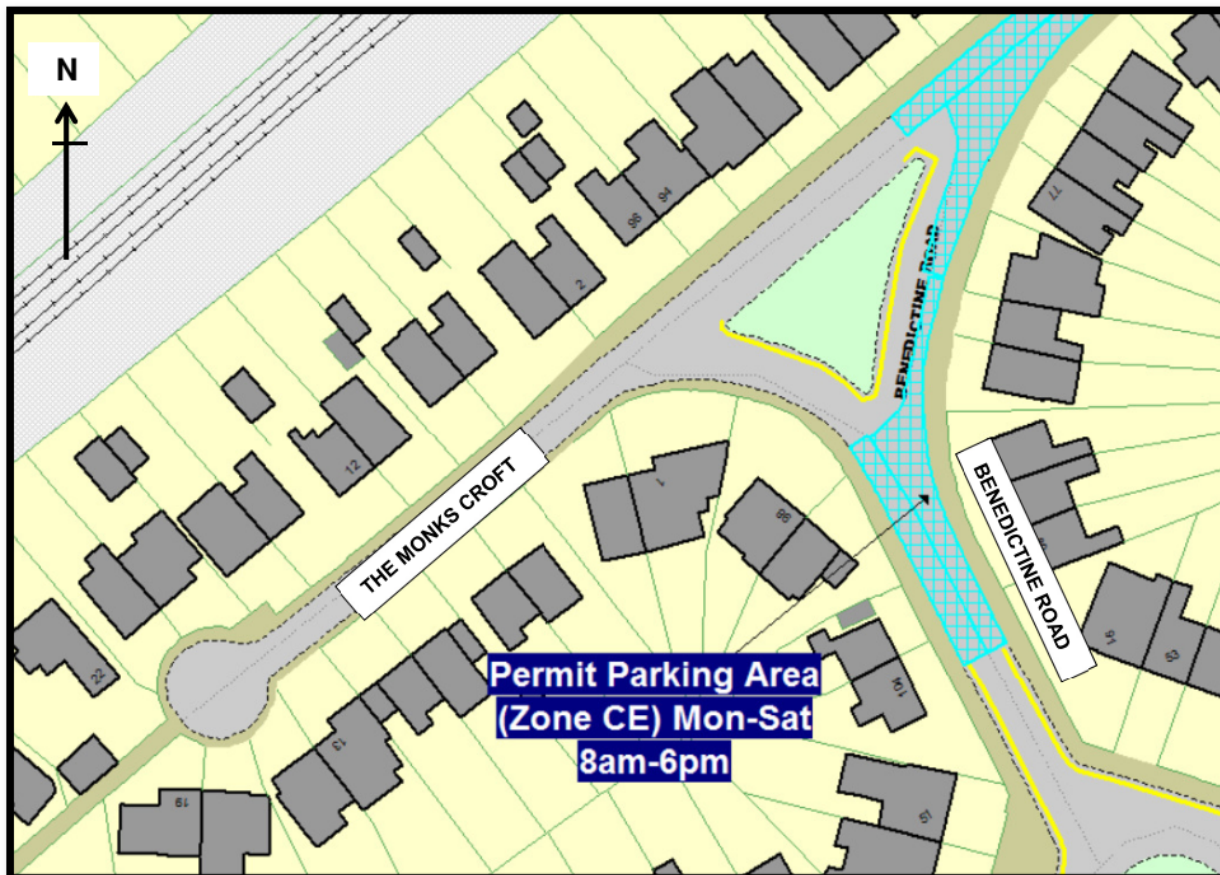
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Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Karen Seager	Strategic Lead, Transport and Highways Operations	Place	18.11.2019	19.11.2019
Rachel Goodyer	Traffic and Road Safety Manager	Place	18.11.2019	21.11.2019
Liz Knight	Governance Services Officer	Place	18.11.2019	19.11.2019
Names of approvers: (officers and members)				
Graham Clark	Lead Accountant	Place	18.11.2019	19.11.2019
Rob Parkes	Team Leader	Place	18.11.2019	21.11.2019
Councillor P Hetheron	Cabinet Member for City Services	-	18.11.2019	18.11.2019

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Appendix A – Location plan



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Appendix B – Copy of text of determination letter & petitioner’s response

Re: petition submitted on 3 July 2019

Subject matter: Request for residents parking scheme in Benedictine Rd to be extended to The Monks Croft

I am writing with regard to the above petition and your request for the residents’ parking scheme on Benedictine Road to be extended to The Monks Croft.

The matter was discussed with Councillor Hetherton, Cabinet Member for City Services, who has requested that this be dealt with by way of letter rather than a formal report being submitted to a future meeting, so that it can be dealt with more quickly.

As you will be aware, residents of The Monks Croft were recently consulted as to whether they wished The Monks Croft to be included in the extension of the residents’ parking scheme on Benedictine Road. The proportion of households in favour of the proposal did not reach the required 60% threshold. Therefore, The Monks Croft has not been included in the extension of the Benedictine Road scheme.

Once the extension has been implemented, it is possible that parking by non-residents will move into The Monks Croft. Therefore, the consultation will be repeated 12 months after implementation of the Benedictine Road extension to ascertain whether residents’ views have changed.

I would be grateful if you could please confirm in writing, either by email or letter, that you agree that the petition be progressed by way of this letter. If you do not agree, a report responding to your petition will be prepared for consideration at a future Cabinet Member meeting. You will be invited to attend this meeting where you have the opportunity to speak on behalf of the petitioners.

Cabinet Member for City Services

2nd December 2019

Name of Cabinet Member:

Cabinet Member for City Services – Councillor P Hetherton

Director Approving Submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

Binley & Willenhall

Title: **Petition – Close the Exit from Chace Avenue on to London Road**

Is this a key decision?

No

Executive Summary:

A petition of 54 signatures has been received requesting the closure of the exit from Chace Avenue on to London Road

In accordance with the City Council's procedure for dealing with petitions, those relating to traffic management and road safety are heard by the Cabinet Member for City Services. The Cabinet Member had considered the petition prior to this meeting and in response to the issue raised, requested that the petition was dealt with by letter (determination letter) rather than a formal report being submitted to a meeting, to be able to deal with the matter more efficiently.

The determination letter advised of the reasons why the request would not be considered, the issues taken into consideration and the approved action in response to the petition, which was not to close the exit from Chance Avenue on to London Road. On receipt of the determination letter the petitioner advised they did not wish the petition to be progressed by letter and wanted the issue to be considered at a Cabinet Member for City Services meeting.

The cost of changes to the road network is funded from the Highways Maintenance and Investment Capital Programme budget through the Local Transport Plan.

Recommendations:

Cabinet Member for City Services is recommended to:

1. Note the petitioners' concerns;
2. Endorse that the actions confirmed by determination letter to the petition spokesperson (as detailed in paragraph 1.9 of the report).

List of Appendices included:

Appendix A – Location Plan
Appendix B – Determination letter

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

1. Context (or background)

1.1 A petition of 54 signatures has been received requesting the closure of the exit from Chace Avenue on to London Road.

1.2 The petition advises:

'This petition is to close the exit from Chace Avenue onto the London Road. There are too many people making illegal right turns out of Chace Avenue and others that turn left and use Carnegie Close to turn around in. This is very dangerous as the two lane traffic does not always see them turning right and cannot stop quick enough. The exit is not needed on to London Road as there are other safer routes'

1.3 Chace Avenue is a residential road and London Road (B4110) is one of the main arterial routes into Coventry. London Road has a 40mph speed limit and in this area Average Speed Enforcement has been in operation since January 2019. A location plan is shown in Appendix A.

1.4 A traffic regulation order (TRO), was introduced in 1973 which prohibits vehicles, except buses, from turning right from London Road into Chace Avenue and from turning right out of Chace Ave on to London Road.

1.5 A review of the personal recorded injury collision history for the last 3 years on London Road between its junctions with Chace Avenue and Carnegie Close shows that 4 personal injury collision have been recorded. None of the collisions involved a vehicle turning right in to or out of Chace Avenue.

1.6 The petition refers to a number of drivers undertaking the illegal right turn out of Chace Avenue; this restriction is enforceable by the Police. The petition also refers to drivers turning left out of Chace Avenue and then utilising Carnegie Close to turn around, to be able to travel towards the city centre without having made the illegal right turn manoeuvre. Drivers wishing to turn right on to London Road should access St James Lane and make this manoeuvre at its signalised junction with London Road.

1.8 In accordance with the City Council's procedure for dealing with petitions, those relating to changes to traffic management and road safety are heard by the Cabinet Member for City Services. The Cabinet Member considered the petition prior to this meeting and in response requested that the issue was dealt with by determination letter rather than a formal report being submitted to a meeting, to be able to deal with the matter more efficiently.

1.9 The determination letter (copy in Appendix B) advised that Chace Avenue provides an important access to and from a residential area and is also a bus diversion route. Therefore it was not proposed to make any changes to the road layout to close this junction.

2. Options considered and recommended proposal

2.1 The recommended proposal to the issue raised has already been approved and is detailed in the determination letter (Appendix B) and paragraph 1.9.

3. Results of consultation undertaken

3.1 No formal consultation has been undertaken.

4. Timetable for implementing this decision

4.1 No further action is proposed.

5. Comments from Director of Finance and Corporate Services

5.1 Financial implications

No action is proposed therefore there are no financial implications.

5.2 Legal implications

There are no legal implications of the recommended proposal.

6. Other implications

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

N/A.

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) Climate Change and the Environment

None

6.6 Implications for partner organisations?

None

Report author(s)

Name and job title:

Caron Archer, Team Leader (Traffic Management)

Directorate:

Place

Tel and email contact:

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Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Karen Seager	Strategic Lead, Transport and Highways Operations	Place	11.11.2019	
Rachel Goodyer	Traffic and Road Safety Manager	Place	11.11.2019	18.11.2018
Liz Knight	Governance Services Officer	Place	11.11.2019	12.11.2019
Names of approvers: (officers and members)				
Finance: Graham Clark	Lead Accountant	Place	11.11.2019	11.11.2019
Legal: Rob Parkes	Team Leader	Place	11.11.2019	14.11.2019
Other members: Cllr Hetherton	Cabinet Member for City Services		11.11.2019	11.11.2019

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Appendix A – Location plan



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Appendix B – Copy of text of determination letter

Re: petition submitted on 23 May 2019

Subject matter: Close the exit from Chace Avenue to London Road

I am writing with regard to the above petition and your request to close the exit from Chace Avenue onto London Road.

The matter was discussed with Councillor Hetherington, Cabinet Member for City Services, who has requested that this be dealt with by way of letter rather than a formal report being submitted to a future meeting, so that it can be dealt with more quickly.

We have assessed your request. However, Chace Avenue provides an important access to and from the residential area and is also a bus diversion route. Therefore, there are no proposals to close the exit from Chace Avenue onto London Road.

I would be grateful if you could please confirm in writing, either by email or letter, that you agree that the petition be progressed by way of this letter. If you do not agree, a report responding to your petition will be prepared for consideration at a future Cabinet Member meeting. You will be invited to attend this meeting where you have the opportunity to speak on behalf of the petitioners.

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Cabinet Member for City Services

2nd December 2019

Name of Cabinet Member:

Cabinet Member for City Services – Councillor P Hetherton

Director Approving Submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

Woodlands

Title: Petition – Replacement of the pavement surface at Ross Close, Coventry

Is this a key decision?

No

Executive Summary:

This report responds to a petition dated 28th August 2019 containing 21 signatures which was submitted to Coventry City Council and is supported by Councillors Ridley and Lepoidevin. The petition requests that the Council:

‘Replace the pavement with a safer and more suitable surface.’

In accordance with the City Council's procedure for dealing with petitions, those relating to highway maintenance are heard by the Cabinet Member for City Services.

The cost of carrying out highways maintenance, is funded from the Transportation and Highway Maintenance Capital Programme budget.

Recommendations:

Cabinet Member for City Services is recommended to:

1. Note the petitioners concerns.
2. Approve that the pavements at Ross Close be held on Coventry City Council's forward programme list and their condition will continue to be monitored and scored against all other similar sites citywide.

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 – Replacement of the Pavement Surface at Ross Close.

1. Context (or background)

- 1.1 A petition dated 28th August 2019 containing 21 signatures has been received requesting that the Council reviews the condition of the pavements at Ross Close. The petition is supported by Councillors Ridley and Lepoidevin.
- 1.2 Ross Close is a local residential cul-de-sac, which serves 14 properties and is situated off Sutherland Avenue. A location plan is shown in Appendix A of this report.
- 1.3 In accordance with the City Council's procedure for dealing with petitions, those relating to highway maintenance issues are heard by the Cabinet Member for City Services.
- 1.4 Records show that the last annual programmed safety inspection took place on the 22nd August 2019, at which time four intervention level defects were identified, all of which have now been repaired. There have also been no customer enquiries made in the last 12 months.
- 1.5 Following receipt of the petition an engineer made a separate visit (4th September 2019) in order to complete an assessment of the construction and overall condition of the pavements. The pavements are of a slab construction. Both the road and pavements are somewhat aged and although not aesthetically pleasing at the time of inspection there were no intervention level defects identified.

2. Options considered and recommended proposal

- 2.1 Following the engineer's assessment, and given the current condition and usage the recommended treatment would be to take up the slabs and replace with a bituminous surface. This treatment would only take place if a priority score is reached by the Council's Asset Management System, they will be included in a future capital funded improvement programme, budget permitting. Until such time we will continue to make safe any defects at or above our intervention levels as identified.

3. Results of consultation undertaken

- 3.1 No consultation has been undertaken.

4. Timetable for implementing this decision

- 4.1 Future capital maintenance programmes and proposed treatments to carriageways and pavements are established on a 'worst first' basis across all road categories. The decision for inclusion in any year's programme will be taken by Cabinet at their meeting in March of any given financial year. It will be dependent on the level of funding that is made available for Capital Highway maintenance in that year and will further depend on the condition of the carriageway or pavement when compared to other similar roads citywide. Therefore, the actual scheduling of the works is based on priority of the scheme and funds available.

5. Comments from Director of Finance and Corporate Services

5.1 Financial implications

There are no immediate financial implications of the recommendation. If a priority score is reached the repairs would be included in a future capital improvement programme, budget permitting. Repair is currently valued at approximately £18,000

5.2 Legal implications

Pursuant to Section 41(1) of the Highways Act 1980, the Council has a duty to maintain those adopted highways that it is responsible for to a standard where they are reasonably passible to ordinary traffic. The scope of the duty under S.41(1) Highways Act 1980 is based on an objective standard and depends on the level of use of the highway in question.

6. Other implications

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

Highway Maintenance is part of Coventry City Council's vision for better pavements and roads which is a key objective. Completing this work would contribute to this objective.

6.2 How is risk being managed?

Financial risks are managed through regular monitoring meetings with the budget holder and the capital finance team. Risk assessments are carried out as part of the design process to ensure that risks are designed out and that construction takes place by approved contractors in a safe way.

6.3 What is the impact on the organisation?

The work would be delivered using existing resources.

6.4 Equalities / EIA

No specific equalities impact assessment has been carried out.

6.5 Implications for (or impact on) Climate Change and the environment

Positive impacts of carrying out Highway Maintenance schemes are to improve the road/pavement surface for driving or walking on.

6.6 Implications for partner organisations?

None specifically but all road users of Ross Close would benefit from the improvement to the pavement surfaces.

Report author(s)**Name and job title:**

Tracy Cowley
Highways Technical Services Manager

Directorate:

Place

Tel and email contact:

Tel: 024 7697 7035

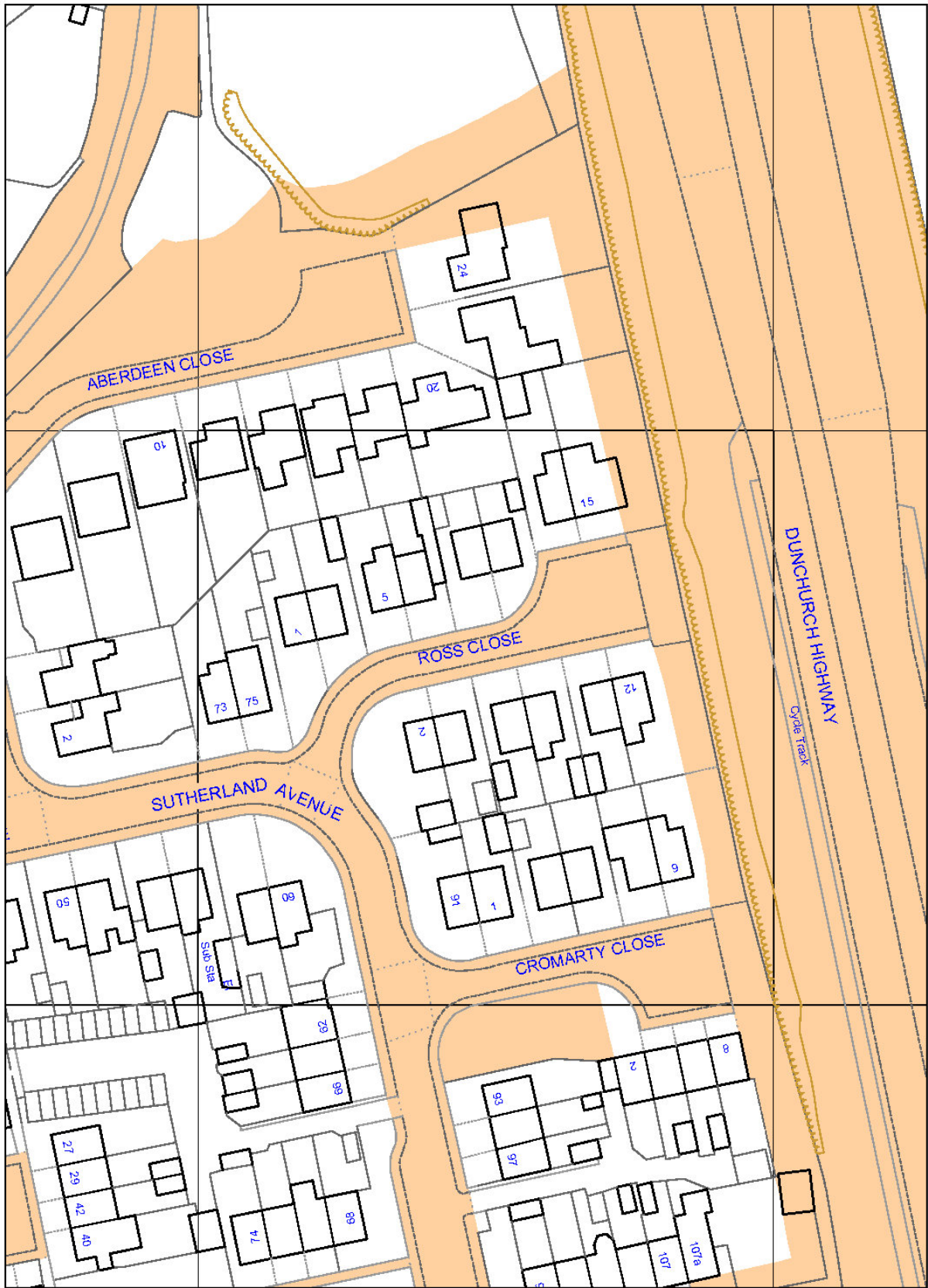
Email: tracy.cowley@coventry.gov.uk

Enquiries should be directed to the above person

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Contributors:				
Colin Knight	Director (Transportation and Highways)	Place	4/11/19	5/11/19
Neil Cowper	Head of Highways	Place	4/11/19	12/11/19
Liz Knight	Governance Services Officer	Place	4/11/19	5/11/19
Names of approvers: (officers and members)				
Graham Clark	Lead Accountant	Place	4/11/19	5/11/19
Rob Parkes	Team Leader, legal services	Place	4/11/19	8/11/19
Councillor P Hetherton	Cabinet Member for City Services	-	11/11/19	11/11/19

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Appendix A – Location plan



prepared 4th November 2019
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City of Coventry
 Highways Adoptions

Ross Close CV5 7NF

NORTH
 100 metre grid



Cabinet Member for City Services

2nd December 2019

Name of Cabinet Member:

Cabinet Member for City Services – Councillor P Hetherton

Director Approving Submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

Bablake

Title:

Objection to Proposed Waiting Restriction – Brown's Lane

Is this a key decision?

No

Executive Summary:

Waiting restrictions within Coventry are reviewed on a regular basis.

On 13th June 2019, a Traffic Regulation Order (TRO) relating to proposed new waiting restrictions and amendments to existing waiting restrictions was advertised. Objections were received and these were considered at the Cabinet Member for City Services meeting on 12th August 2019.

All objectors were invited to attend and speak at the meeting on 12th August. However, the objector to the proposal for Brown's Lane advised they were not able to attend the meeting and requested that the consideration of this item was deferred. The Cabinet Member agreed.

In accordance with the City Council's procedure for dealing with objections to TROs, they are reported to the Cabinet Member for City Services for a decision as to how to proceed. As the Brown's Lane proposal was not considered at the August meeting, it was to be considered at the next available meeting. However, whilst detailed on subsequent agendas it has been deferred in response to the requests of the objector.

The cost of introducing the proposed TRO, if approved, will be funded from the Highways Maintenance and Investment Capital Programme budget through the Local Transport Plan.

Recommendations:

Cabinet Member for City Services is recommended to:

1. Consider the objection to the proposed waiting restriction;
2. Subject to recommendation 1, approve the legal process is undertaken to install the restrictions as originally advertised at Brown's Lane.

List of Appendices included:

Appendix A – Summary of proposed restriction, objection and response

Background Papers

Cabinet Member for City Services report - Objections to Proposed Waiting Restrictions (Variation 8) – 12th August 2019.

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: Objection to Proposed Waiting Restriction – Brown’s Lane

1. Context (or background)

- 1.1 On 13th June 2019, a Traffic Regulation Order (TRO) relating to proposed new waiting restrictions and amendments to existing waiting restrictions was advertised. Objections to these proposals were considered at the Cabinet Member for City Services meeting on 12th August 2019.
- 1.2 However, the objector to the proposed double yellow lines (no waiting at any time) restriction for Brown’s Lane requested a decision on that restriction was deferred, as they were unable to attend the meeting. The Cabinet Member agreed to defer the decision to the next available meeting. The consideration of the objection was part of the agenda for the September meeting, but was deferred again.
- 1.3 The request for the extension of the existing double yellow lines on Brown’s Lane at its junction with Lyons Drive had been made by a resident who advised of safety concerns when turning right out of Lyons Drive due to reduced visibility caused by parked vehicles on Browns Lane. The proposal in response, as advertised, is shown in Appendix A.
- 1.4 Generally, 10 metres of double yellow lines are provided for junction protection, this is in accordance with the advice from the Highway Code regarding parking at a junction. The Highway Code (243) states ‘Do not stop or park opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space’. This is to provide visibility at a junction. 10 metres was the length of double yellow lines originally installed at the junction, therefore the request to extend the double yellow lines further was carefully considered; as whilst it is not a duty of the City Council to provide on street parking we are aware of the impact introducing double yellow lines can have on residents and their visitors who park on street. A photo taken by an Officer investigating the request shows the impact of parking on visibility at the Lyons Drive junction.
- 1.5 As part of the statutory procedure, the TRO was advertised in the local press and notices were posted on lamp columns in the area of the proposed restrictions on 13th June 2019, advising that any formal objections should be made in writing by 4th July 2019. In addition, letters were also sent to residents who would be directly affected due to waiting restrictions being installed on the public highway outside their property. One objection was received to the Brown’s Lane proposal. This is detailed in Appendix A.
- 1.6 Due to the delay in hearing the objection to the Browns Lane proposal, it was removed from the original TRO, which was sealed. If any proposal relating to the introduction of double yellow lines is approved, the legal process including the statutory objection period will be undertaken.

2. Options considered and recommended proposal

- 2.1 The proposed TRO, which included the Brown’s Lane proposal, was advertised on 13th June 2019, 40 objections were received (39 individual objections, and 1 petition). In addition, 8 responses in support of proposals and 4 comments were also received. Apart from the objection to the Brown’s Lane proposal, these were all considered at the Cabinet Member meeting of 12th August.
- 2.2 The original objection to the Brown’s Lane proposal, additional comments received from the objector, response to the objection and origin of the proposed waiting restriction are summarised in the table in Appendix A. Where the objection refers to personal details, these have not been detailed in this report, however the objection has been forwarded in full to the Cabinet Member for City Services.

2.3 In considering the objection received, the options are to:

- i) Propose (advertise) the order again, with the length of double yellow lines as originally advertised;
- ii) Propose (advertise) the order for a shorter extension of double yellow lines (3 metres);
- iii) Propose (advertise) other amendments;
- iv) Not to install the double yellow lines, therefore no further action is necessary.

2.4 The recommended proposal is to undertake the legal process to install the restrictions as originally advertised at Brown's Lane (subject to the consideration of any objections).

3. Results of consultation undertaken

3.1 The proposed TRO for the waiting restrictions was advertised in the Coventry Telegraph on 13th June 2019; notices were also placed on street in the vicinity of the proposals. In addition, letters were sent to properties which would be directly affected. Letters were also sent to other various consultees. The responses received were, 40 objections (39 individual objections and 1 petition), 8 responses in support of proposals and 4 comments. One objection related to the proposals for Brown's Lane.

4. Timetable for implementing this decision

4.1 The original TRO of which the Brown's Lane proposal was part has been sealed; without the Brown's Lane restriction. Therefore, following the consideration of the objection to the double yellow lines on Browns Lane, any decision for the installation of restrictions will require the proposal to be advertised again. Any new proposal will be incorporated in to the legal procedure for the next citywide waiting restriction review, which is to be undertaken before the end of March 2020.

5 Comments from Director of Finance and Corporate Services

5.1 Financial implications

The cost of introducing the proposed TRO, if approved, will be funded from the Highways Maintenance and Investment Capital Programme budget through the Local Transport Plan.

5.2 Legal implications

The Road Traffic Regulation Act 1984 allows the Council to make a Traffic Regulation Order on various grounds e.g. improving safety, improving traffic flow and preserving or improving the amenities of an area provided it has given due consideration to the effect of such an order.

In accordance with Section 122 of the Road Traffic Regulation Act 1984, when considering whether it would be expedient to make a Traffic Order, the Council is under a duty to have regard to and balance various potentially conflicting factors e.g. the convenient and safe movement of traffic (including pedestrians), adequate parking, improving or preserving local amenity, air quality and/or public transport provision.

There is an obligation under the Road Traffic Regulation Act 1984 to advertise our intention to make Traffic Orders and to inform various stakeholders, including the Police and the public. The Authority is obliged to consider any representations received. If representations are received, these are considered by the Cabinet Member for City Services. Regulations allow for an advertised Order to be modified (in response to objections or otherwise) before a final version of the Order is made.

The 1984 Act provides that once a Traffic Order has been made, it may only be challenged further via the High Court on a point of law (i.e. that the Order does not comply with the Act for some reason).

6 Other implications

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

The proposed changes to the waiting restriction as recommended will contribute to the City Council's aims of ensuring that citizens, especially children and young people, are safe and the objective of working for better pavements, streets and roads.

6.2 How is risk being managed?

None

6.3 What is the impact on the organisation?

None

6.4 Equalities / EIA

The introduction of waiting restrictions will reduce obstruction of the carriageway, therefore increasing safety for all road users.

6.5 Implications for (or impact on) Climate Change and the Environment

None

6.6 Implications for partner organisations?

None

Report author(s)**Name and job title:**

Caron Archer
Team Leader (Traffic Management)

Directorate:

Place

Tel and email contact:

024 75270950

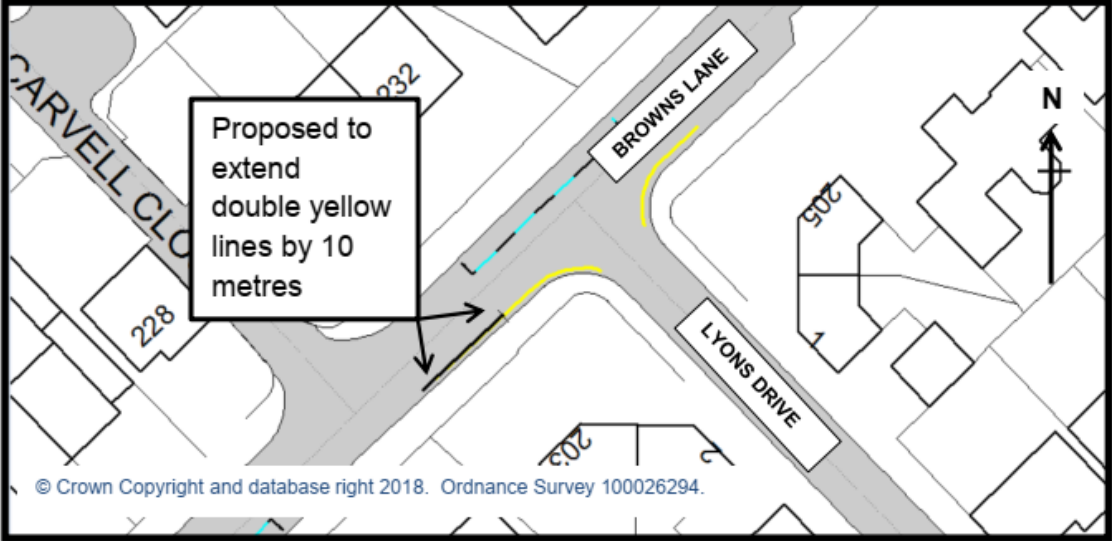
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Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Rachel Goodyer	Traffic and Road Safety Manager	Place	21.11.2019	21.11.2019
Liz Knight	Governance Services Officer	Place	21.11.2019	21.11.2019
Names of approvers: (officers and members)				
Graham Clarke	Lead Accountant, Finance	Place	21.11.2019	21.11.2019
Rob Parkes	Team Leader, Legal Services	Place	21.11.2019	21.11.2019
Councillor P Hetherton	Cabinet Member for City Services	-	21.11.2019	21.11.2019

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Appendix A – Summary of proposed restriction, objection and response

<p>Location (Ward)</p>	<p>Brown’s Lane (Bablake)</p>
<p>Original Request</p>	<p>Request to extend existing double yellow lines at the junction with Lyons Drive due to parked cars creating visibility issues for drivers trying to exit Lyons Drive.</p>
<p>Proposal</p>	<p>Proposed to extend the existing double yellow lines on the western side of the junction with Lyons Drive by approximately 10 metres.</p>  <p>© Crown Copyright and database right 2018. Ordnance Survey 100026294.</p>
<p>Objection</p>	<p>I object to the proposal to extend the double yellow lines at the above location. The proposal would cause both myself and my neighbours inconvenience.</p> <p>I park in this location because I do not have parking directly outside of my own home. This is because of the yellow lined bus stop that traverses both 230 and 232 Browns Lane. There is no parking place between these houses and Carvell Close to the South West. Parking to the North East of these house would impact the speed reduction pinch point installed by the City Council in the recent past.</p> <p>The established junction of Browns Lane/Lyons Drive already has yellow lines that are sufficient to meet regulations and do not cause a dangerous impediment to the line of sight for traffic emerging from this junction.</p> <p>Purchasers of these recently built houses fronting Browns Lane knew full well that they were purchasing on a road junction before their purchase. They should not seek to impose an inconvenience on longer established residents. Furthermore, there is no direct access to the footpath from their own frontages because of landscaping conditions imposed as a condition of planning permission for the whole Lyons Drive Estate.</p> <p>I fail to see what benefit the proposal to extend the existing yellow lines would bring, other than the visual benefit of not seeing parked cars from their windows. In my view the proposal has no merit and I urge you to reject the request.</p>
<p>Additional information provided by the objector</p>	<p>As stated in your earlier email this week, would you kindly ask the Cabinet Member for a deferral to another date. If they are unwilling to do that then please place the following before them.</p> <p>The proposal for the Browns Lane/Lyons Drive junction arises from concerns about safety</p>

	<p>exiting this junction onto Browns Lane. The source of the concern is unknown to me. Over the last four years- in fact since the junction was built - there have been no accidents or near misses illustrating that the existing precautions are adequate. I am well placed to know this as [personal details]. [Reference to property location] my CCTV cameras also show the junction beyond my drive in full. The Technical Officer does not mention the speed reduction "pinch point" or the bus stop that when a bus is parked there, congests the junction.</p> <p>The perceived threat to road safety is misplaced. In fact there is a greater threat to safety from opening up the lines of sight. Only IF cars are parked there, there may be a need to "Creep and Peep", a technique highlighted in the Highway Code. This is far safer because it forces oncoming traffic to reduce speed.</p> <p>I would ask you not to extend the double yellow lines any further that they are at present, but if you are not persuaded, then to limit their extension to 3 metres.</p>
<p>Response to objection</p>	<p>The double yellow lines were proposed in response to concerns raised regarding visibility when drivers were exiting Lyons Drive on to Brown's Lane. An Officer visited the site to observe the situation and to undertake this manoeuvre as part of the investigation to determine whether to propose to increase the double yellow lines and the extent of any increase. The presence of the existing traffic calming features on Browns Lane was taken into consideration as part of the review. A vehicle was parked at this location during the site visit and impacted on visibility, making it difficult when exiting, therefore it was proposed to extend the existing double yellow lines provided for junction protection for safety reasons.</p>  <p>It is not a duty of the City Council to provide on street parking.</p> <p>Recommendation –Undertake the legal process to install the restrictions as originally advertised at Brown's Lane (subject to the consideration of any objections).</p>

Cabinet Member for City Services

2nd December 2019

Name of Cabinet Member:

Cabinet Member for City Services – Councillor P Hetherton

Director Approving Submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

Earlsdon.

Title:

Objections to Proposed Waiting Restrictions - Burnsall Road

Is this a key decision?

No

Executive Summary:

Waiting restrictions within Coventry are reviewed on a regular basis.

On 1st August 2019, a Traffic Regulation Order (TRO) relating to proposed new waiting restrictions on Burnsall Road was advertised. The proposed waiting restrictions were 'No Waiting, Monday to Friday, 8am – 5pm' on both sides of a section of Burnsall Road. The restrictions were proposed in response to issues raised relating to parked cars obstructing access for heavy good vehicles into adjacent businesses. Two objections were received. In accordance with the City Council's procedure for dealing with objections to TROs, they are reported to the Cabinet Member for City Services, for a decision as to how to proceed.

The cost of introducing the proposed TRO, if approved, will be funded from the Highways Maintenance and Investment Capital Programme budget through the Local Transport Plan.

Recommendations:

Cabinet Member for City Services is recommended to:

1. Consider the objections to the proposed waiting restrictions.
2. Subject to recommendation 1, approve a shorter length of 'No Waiting, Monday to Friday, 8am – 5pm' is installed on Burnsall Road than that originally advertised. Only installing the proposed restriction on the southern side of the road and not the northern side.
3. Subject to recommendations 1 and 2, approve that the proposed Traffic Regulation Order is made operational.

List of Appendices included:

Appendix A – Summary of proposed restriction, objections and response

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: Objections to Proposed Waiting Restrictions - Burnshall Road

1. Context (or background)

- 1.1 On 1st August 2019, a Traffic Regulation Order (TRO) relating to proposed new waiting restrictions on Burnshall Road was advertised. The proposed waiting restrictions were 'No Waiting, Monday to Friday, 8am – 5pm' on both sides of a section of Burnshall Road. The restrictions were proposed in response to issues raised relating to parked cars obstructing access for heavy good vehicles into adjacent businesses. Two objections were received.
- 1.2 As part of the statutory procedure, the Traffic Regulation Order was advertised in the local press and notices were posted on lamp columns in the area of the proposed restrictions on 1st August 2019, advising that any formal objections should be made in writing by 22nd August 2019. In addition to the statutory procedure, on 16th August letters were also sent to residents/businesses who may be affected due to the proposed changes; the objection period was also extended to 29th August 2019.

2. Options considered and recommended proposal

- 2.1 Two objections were received. The objections to the proposal and responses to the objections are summarised in the table in Appendix A. Where the objection refers to personal details, these have not been detailed in this report.
- 2.2 In considering the objections received, the options are to:
 - i) make the order for the proposal as advertised;
 - ii) make amendments to the proposals, which may require the revised proposal to be advertised;
 - iii) not to make the order relating to the proposal.
- 2.3 The recommended proposal in response to the objections received is to reduce the extent of the proposed restriction. Thereby installing the restriction on the southern side of Burnshall Road and not the northern side. This should still address the issues of cars parking in a manner which prevents large vehicles being able to turn into the premises on the northern side of the road, as it is the road space required for the turning manoeuvre which has been highlighted as causing access problems. Objector 1 has confirmed that this change would address their concerns. It is also recommended that, if approved, once the restriction is installed the situation continues to be monitored.

3. Results of consultation undertaken

- 3.1 The proposed TRO for the waiting restrictions was advertised in the Coventry Telegraph on 1st August 2019; notices were also placed on street in the vicinity of the proposals. In addition, to the statutory procedure, letters were also sent to residents/businesses who may be affected due to the proposed changes; the objection period was also extended to 29th August 2019. Letters were also sent to other various consultees. Two objections were received.
- 3.2 Appendix A details a summary of each of the objections. Copies of the content of the objections can be made available on request

4. Timetable for implementing this decision

- 4.1 If the recommendation is approved, it proposed to make the amended TRO and install the restrictions by the end of December 2019.

5 Comments from Director of Finance and Corporate Services

5.1 Financial implications

The cost of introducing the proposed TROs, if approved, will be funded from the Highways Maintenance and Investment Capital Programme budget through the Local Transport Plan.

5.2 Legal implications

The Road Traffic Regulation Act 1984 allows the Council to make a Traffic Regulation Order on various grounds e.g. improving safety, improving traffic flow and preserving or improving the amenities of an area provided it has given due consideration to the effect of such an order.

In accordance with Section 122 of the Road Traffic Regulation Act 1984, when considering whether it would be expedient to make a Traffic Order, the Council is under a duty to have regard to and balance various potentially conflicting factors e.g. the convenient and safe movement of traffic (including pedestrians), adequate parking, improving or preserving local amenity, air quality and/or public transport provision.

There is an obligation under the Road Traffic Regulation Act 1984 to advertise our intention to make Traffic Orders and to inform various stakeholders, including the Police and the public. The Authority is obliged to consider any representations received. If representations are received, these are considered by the Cabinet Member for City Services. Regulations allow for an advertised Order to be modified (in response to objections or otherwise) before a final version of the Order is made.

The 1984 Act provides that once a Traffic Order has been made, it may only be challenged further via the High Court on a point of law (i.e. that the Order does not comply with the Act for some reason).

6 Other implications

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

The proposed changes to the waiting restrictions as recommended will contribute to the City Council's aims of ensuring that citizens, especially children and young people, are safe and the objective of working for better pavements, streets and roads.

6.2 How is risk being managed?

None

6.3 What is the impact on the organisation?

None

6.4 Equalities / EIA

The introduction of waiting restrictions will reduce obstruction of the carriageway, therefore increasing safety for all road users.

6.5 Implications for (or impact on) Climate Change and the Environment

None

6.6 Implications for partner organisations?

None

Report author(s)**Name and job title:**

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Team Leader (Traffic Management)

Directorate:

Place

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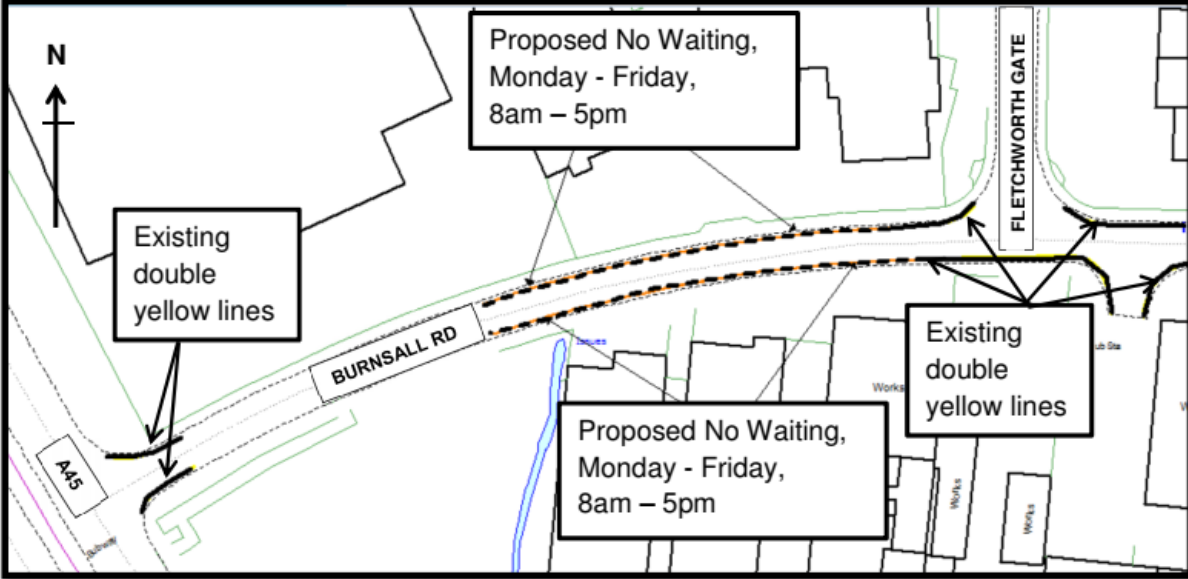
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Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
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Rachel Goodyer	Traffic and Road Safety Manager	Place	05.11.2019	21.11.2019
Liz Knight	Governance Services Officer	Place	05.11.2019	05.11.2019
Names of approvers: (officers and members)				
Graham Clark	Lead Accountant, Finance	Place	05.11.2019	05.11.2019
Rob Parkes	Team Leader, Legal Services	Place	05.11.2019	08.11.2019
Councillor P Hetherton	Cabinet Member for City Services	-	05.11.2019	05.11.2019

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Appendix A – Summary of proposed restriction, objections and response

Location (Ward)	Burnsall Road (Earlsdon)
Original Request	Local businesses on Burnsall Road advised of problems relating to parked cars obstructing access for heavy good vehicles into adjacent business premises.
Proposal	<p>No Waiting, Monday to Friday, 8am – 5pm' (single yellow line) on both sides of a section of Burnsall Road.</p> 
Objection 1	<p>We object to this proposal on the grounds that it will be damaging to our business as it will no longer mean customers can stop outside our showroom/warehouse to collect their goods. Therefore it will have a negative impact to our business as it will make it harder for customers to visit and shop.</p> <p>I would be happy to meet you on site to show you first hand our concerns and hopefully we can work together to achieve a solution that works for everyone.</p>
Objection 2	<p>I live [nearby] and object to the proposed prohibition of waiting Monday-Friday, 8.00 am - 5.00 pm on the northern and southern sides of Burnsall Road, specifically, from the Business Unit "Multicare" along by the Nature Reserve to the corner of the A45 and on the other side of the road from the "Whitefurze" factory entrance to the junction of the A45.</p> <p>Having seen damaged vehicles parked in this part of Burnsall Road, which have been in an accident on the A45 and have been pushed or driven around the corner onto this Road, because they are causing an obstruction, creating a traffic jam or large queues building up on the busy A45, this part of Burnsall Road needs to have no parking restrictions at all for accidents and emergencies. It would also assist the Police and other Emergency services at the scene.</p>
Response to objection	<p>The restrictions were proposed in response to the issues raised by businesses on Burnsall Road, advising of problems relating to parked cars obstructing access for heavy good vehicles into adjacent business premises.</p> <p>The proposals, as shown on the plan above, did not include any new restrictions on the section of Burnsall Road from the end of the existing double yellow lines at its junction with the A45 (which are provided for junction protection) to approximately one car length before</p>

the gateway in to Whitefurze.

The proposed restrictions do not prevent loading and unloading.

In considering the objections a more phased approach could be considered to monitor the effect of any restrictions as they are introduced. It is recommended that the 'No waiting, Monday to Friday, 8am-5pm' restriction is installed, but only on one side of the road. On the southern side of Burnsall Road and not the northern side. This should still assist to address the issues of cars parking in a manner which prevents large vehicles being able to turn into the premises on the northern side of the road, as it is the road space required for the turning manoeuvre which has been highlighted as causing access problems. Objector 1 has confirmed that this change would address their concerns

Recommendation – Install a shorter length of restriction than originally proposed. Install the 'No waiting, Monday to Friday, 8am-5pm' restriction, but only on one side of the road. On the southern side of Burnsall Road and not the northern side.

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Public report Cabinet Member Report

Name of Cabinet Member:

Cabinet Member for City Services – Councillor Hetherton

2 December 2019

Director Approving Submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

All Wards

Title:

Review of Conditions of Fitness for Private Hire Vehicles

Is this a key decision?

'No – Although the matter may affect all Wards in the City, it is not anticipated that the impact will be significant'

Executive Summary:

On the 11 December 2012 the Cabinet Member (City Services) ratified a previous Licensing & Regulatory Committee Report of 31 May 2005 concerning the Conditions of Fitness for Private Hire Vehicles. These reports qualified the minimum vehicle capacity for private hire vehicles to 4 and for the space in the rear main seats of the vehicle to be sufficient for 3 people measured by a wooden fixed frame. Given the current propensity of smaller numbers of passengers requiring a vehicle it is believed justified that the seating capacity of passengers is lowered. It is also believed justified that electric and electric hybrid vehicles are suitable to be licensed as private hire vehicles, which is currently not the case.

Recommendations:

The Cabinet Member for City Services is recommended to:

1. Approve that the use of the fixed wooden measurement device is to be abandoned and that licensing & enforcement officers have discretion on the minimum rear seat size.
2. Instead of a fixed minimum number of passenger seating capacity to be provided; the passenger seating capacity will be restricted to the number of seats stipulated in the V55 DVLA logbook (less one seat for the driver), subject to the existing Conditions of Fitness ratified on the 11 December 2012.
3. Approve that electric and electric hybrid vehicles off the production line are suitable to be licensed as private hire vehicles.

List of Appendices included:

Appendix A – Conditions of Fitness for Private Hire Vehicles - Licensing & Regulatory Committee Report dated 31 May 2005.

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:

Review of Conditions of Fitness for Private Hire Vehicles

1. Context (or background)

On the 11 December 2012 the Cabinet Member (City Services) ratified a previous Licensing & Regulatory Committee Report of 31 May 2005 concerning the Conditions of Fitness for Private Hire Vehicles. These reports qualified the minimum vehicle capacity for private hire vehicles to 4 and for the space in the rear main seats of the vehicle to be sufficient for 3 people measured by a wooden fixed frame. Given the current propensity of smaller numbers of passengers requiring a vehicle it is believed justified that the seating capacity of passengers is lowered. It is also believed justified that electric and electric hybrid vehicles are suitable to be licensed as private hire vehicles, which is currently not the case.

2. Recommended proposals**2.1 Proposal**

Approve that the use of the fixed wooden measurement device is to be abandoned (at point 1 at Appendix A) and that licensing & enforcement officers have discretion on the minimum rear seat size.

2.2 Proposal

Approve that instead of a fixed minimum number of passenger seating capacity to be provided; the passenger seating capacity will be restricted to the number of seats stipulated in the V55 DVLA logbook (less one seat for the driver), subject to the existing Conditions of Fitness ratified on the 11 December 2012 (at point 2 at Appendix A).

2.3 Proposal

Approve that electric and electric hybrid vehicles off the production line are suitable to be licensed as private hire vehicles and that point 12 at Appendix A is amended accordingly.

3. Results of Consultation Undertaken

The recognized representatives of the Coventry licensed taxi trade, Unite Union, have been consulted with.

4. Timetable for implementing these decisions

Subject to approval of the recommendations this will commence immediately.

5. Comments from the Director of Finance and Corporate Services**5.1 Financial implications**

None

5.2 Legal implications

Under section 48 of the Local Government (Miscellaneous Provisions) Act 1976 a Local Authority may grant a Private Hire Vehicle licence if satisfied that the vehicle is suitable in type, size and design for use as a Private Hire Vehicle.

Any person aggrieved by the refusal of a Local Authority to grant a vehicle licence under section 48, or by any conditions specified in the licence, may appeal to a Magistrates Court.

6. Other implications

None

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

It will help to facilitate improvements in the taxi services available to the people of Coventry, which will contribute towards ensuring that children and young people are safer; making places and services accessible and encouraging a creative, active and vibrant city.

6.2 How is risk being managed?

Through established reporting and governance arrangements.

6.3 What is the impact on the organisation?

None

6.4 Equalities / EIA

None

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

None

6.6 Implications for partner organisations?

None

Report author(s):**Name and job title:**

Mick Coggins, Senior Licensing Enforcement Officer & Andrew Walster, Director for Streetscene and Regulatory Services

Directorate:

Place

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Liz Knight	Governance Services Officer	Place	22/10/2019	23/10/2019
Other members				
Names of approvers for submission: (officers and members)				
Finance: Phil Helm	Finance Manager	Place	14/11/2019	14/11/2019
Legal: Amy Wright	Criminal & Licensing Solicitor	Place	22/10/2019	23/10/2019
Director: Martin Yardley	Director of Place	Place		
Members: Cllr Hetheron	Cabinet Member for City Services		11/11/2019	11/11/2019

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Conditions of Fitness for Private Hire Vehicles in Licensing & Regulatory Committee
Report dated 31 May 2005

1. The vehicle must meet the minimum rear seat size, as determined by the measuring frame referred to as "The Coventry Frame".
2. The vehicle must be of a specification suitable to be licensed for a minimum of four passengers (i.e. have a minimum of four passenger seats).
3. The vehicle must have no more than eight passenger seats fitted.
4. The vehicle must be of a standard model and be "as manufactured" (i.e. as it came off the production line of the primary manufacturer) with no additions or alterations, unless the Taxi Licensing Office has given written approval to the additions of alterations.
5. The vehicle must be right hand drive.
6. The vehicle must have a minimum of four road wheels.
7. The vehicle must have a minimum of four doors.
8. A minimum of two exit doors, each located on different faces of the vehicle, must be accessible to each passenger without obstruction. A seat requiring moving or tilting will be considered an obstruction. Another passenger will not be considered an obstruction.
9. Doors must be easy to open from outside and inside the vehicle.
10. The vehicle must have adequate legroom for front and rear seated passengers.
11. The vehicle must have adequate luggage space.
12. If the vehicle is not powered solely by diesel or petrol, the vehicle must comply with the Council's requirements for alternatively fuelled vehicles.