

**Time and Date**

11.00 am on Wednesday, 14th April, 2021

Place

This meeting will be held remotely. The meeting can be viewed live by pasting this link into your browser: https://youtu.be/J6pmF_L4690

Public Business

1. **Apologies**
2. **Declarations of Interests**
3. **Minutes** (Pages 3 - 8)
 - (a) To agree the minutes of the meeting held on 17th February 2021
 - (b) Matters Arising
4. **Petition - Resurface the Footpath between Eden Street and Heath Crescent and Take Action Over Persistent Fly Tipping** (Pages 9 - 16)

Report of the Director of Transportation and Highways

To consider the above petition bearing 16 e-signatures. The petition organiser has been invited to the meeting for the consideration of this item
5. **Objections to Proposed Speed Limit Reduction - Princethorpe Way, Quorn Way and Bredon Avenue Area** (Pages 17 - 24)

Report of the Director of Transportation and Highways
6. **Objection to Proposed Speed Limit Reduction - London Road** (Pages 25 - 32)

Report of the Director of Transportation and Highways
7. **Statutory Taxi and Private Hire Vehicle Standards** (Pages 33 - 48)

Report of the Director of Streetscene and Regulatory Services
8. **Petitions Determined by Letter and Petitions Deferred Pending Further Investigations** (Pages 49 - 56)

Report of the Director of Transportation and Highways

9. **Outstanding Issues**

There are no outstanding issues

10. **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

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

Tuesday, 6 April 2021

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 M Heaven (Shadow Cabinet Member)

**Liz Knight / Michelle Salmon, Governance Services Officers,
Tel: 024 7697 2644 /2643, Email: liz.knight@coventry.gov.uk /
michelle.salmon@coventry.gov.uk**

Coventry City Council
Minutes of the Meeting of Cabinet Member for City Services held at 10.00 am on
Wednesday, 17 February 2021
This meeting was held remotely

Present:

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

Other Members: Councillor L Bigham

Employees (by Directorate):

S Evans, Transport and Innovation
L Knight, Law and Governance
R Parkes, Law and Governance
M Salmon, Law and Governance

Public Business

34. Declarations of Interests

There were no declarations of interest.

35. Minutes

The minutes of the meeting held on 27th January, 2021 were agreed as a true record. There were no matters arising.

36. On-Street Residential Charge Point Scheme - Experimental Traffic Regulation Order Objection

The Cabinet Member considered a report and received a presentation of the Director of Transportation and Highways concerning an objection that had been received to an Experimental Traffic Regulation Order advertised on 16 July 2020 for fast chargepoints at locations in the city which became operational on 24th July. A copy of the order schedule, the issues raised in the objection and the responses were set out in appendices to the report. As the meeting was being held remotely, in line with the revised government regulations, the objector was offered the opportunity to submit additional comments in writing in response to the report and a further response was received following the publication of the meeting documentation. The objector had been provided with additional information on watching the live stream meeting.

The report indicated that Coventry was at the cutting edge of the automotive industry and a leader in innovation. Electric vehicles were at the heart of this development and following a number of successful bids, the City Council had installed over 200 residential electric chargepoints city wide. A further 200 chargepoints were currently being installed and would be operational by end of April 2021. This programme was intended to future-proof the city's transport infrastructure for the increase in electric vehicle ownership in line with national

Government policy, with the Government having committed to ending sales of new diesel- and petrol-powered vehicles from 2030.

In line with this commitment, the Office for Zero Emission Vehicles (OZEV) had allocated £20m of funding for on-street residential chargepoint projects. The funding available was for 75% of the capital costs of procuring and installing the chargepoint and an associated dedicated parking bay (where applicable). The scheme was intended to meet the needs of residents and therefore the requirement from OZEV was that the chargepoints must be installed in residential areas where there was limited access to off-road private parking. Over the past three years the City Council had submitted four successful funding applications to OZEV securing grant funding to the value of £1,446,010. This funding is being used to install a mix of slow and fast chargepoints on residential streets across the city.

The Chargepoint Scheme was primarily focused on the installation of electric vehicle chargepoints in on-street locations. However, The City Council acknowledged that on street parking was prevalent in streets where off-street parking was not available. Consequently, no parking restrictions had been proposed for the locations where slow chargepoints had been installed. However, where fast chargepoints had been installed, there was a parking restriction of Electric Vehicles only for 4 hours, whilst charging, no return within 4 hours, between 6am and 10pm.

The City Council undertook consultation with local residents where these chargepoints were proposed for installation. Where informal objections were received for any proposed location, the chargepoint was relocated or removed from the proposal. The Cabinet Member was informed that 4,200 Street News had been issued to residents in the locations on two occasions and drop in sessions were also held. An ETRO was then used to install the charging point waiting restriction at the fast chargepoint locations to enable monitoring of the situation/any problems that could arise.

The report highlighted that the proposal had been to install the slow chargers on ends of the identified streets on existing footway where existing street light was present which would supply power to the slow chargers, minimising street clutter. Where street lights were at the front of the footway, slow chargepoints had been installed directly on to these street lights.

The Cabinet Member was informed that the objection received was not to the specific ETROs that have been proposed but asked that the Council prioritise a range of other measures in advance of making these ETROs. It was noted that similar objections had been received from the objector to other ETRO and TRO consultations, and that many of the measures requested by the objector, such as Average Speed Enforcement and the provision of segregated cycle routes, were being promoted and delivered through a range of investment programmes, such as the Local Air Quality Action Plan and Binley Cycle Route schemes. The officer detailed the specific concerns highlighted by the objector, including his additional comments, and provided responses to the concerns raised. The Cabinet Member was informed that the objector would be offered the opportunity to meet Council officers to talk in detail about the issues that he had raised.

Councillor Hetherton, Cabinet Member, placed on record her thanks to the officer for all the work undertaken with the On-Street Residential Charge Point Scheme, in particular the significant consultation exercise undertaken with local residents.

RESOLVED that:

(1) Having considered the objection received to the City of Coventry (Various Locations Phase 8) (Electric Charging Places) (Experimental) Order 2020, approval be given to making the Order permanent.

(2) It be noted that the issues raised in the objection are general in nature and do not relate directly to the location of the parking bays as detailed in Appendix A and it be endorsed that if the same issues are raised again to other proposed electric charging bays in the future, they are not considered again.

37. **Ultra-Low Emission Vehicles (ULEV) Taxi Infrastructure Scheme - Binley Road Experimental Traffic Regulation Order Objections**

The Cabinet Member considered a report and received a presentation of the Director of Transportation and Highways concerning two objections that had been received to an Experimental Traffic Regulation Order advertised on 19 March 2020. Two rapid chargepoints had been installed on Binley Road and to ensure a turnover of use, parking was restricted to 1-hour maximum stay. The order was introduced to restrict the parking and became operational on 27th March. A copy of the order schedule, the issues raised in the objections and the responses were set out in appendices to the report. As with Minute 36 above, the objectors were offered the opportunity to submit additional comments in writing in response to the report and one further response was received following the publication of the meeting documentation. Both objectors had been provided with additional information on watching the live stream meeting.

The report indicated that with electric vehicles being key to the development of the automotive industry, following a successful bid, there was the opportunity to promote a move towards electric taxis. The Office for Zero Emission Vehicles (OZEV) had made £500m available to grow the market for ultra-low emission vehicles (ULEVs) from 2015-20 and offered grants to support the wider use of electric and hybrid vehicles. The City Council had been successful in securing £1.2m funding in March 2017 to install 39 rapid charging point for taxis and private hire cars in the city.

The priority of the project has been to encourage existing taxi drivers to purchase an electric taxi by establishing an accessible network of charging infrastructure within the City for use by electric taxis. The City Council had installed 39 rapid chargepoints city wide.

The report highlighted that the whole of Coventry was declared an Air Quality Management Area in 2009 because of high levels of Nitrogen Oxide (NO₂) and more recently the Government's 'UK Plan for Tackling Roadside Nitrogen Oxide Concentrations' document issued in July 2017 identified Coventry as a city where NO₂ exceedance was expected to continue beyond 2020. The Council's Cabinet had approved the local air quality action plan in July 2020 to address this. Diesel

vehicles, especially the older diesel vehicles which characterise Coventry's taxi fleet, were a major source of NO2 so the adoption of ULEV taxi and private hire vehicles would represent a clear public health benefit for those who live or work in the city. This project should be seen as part of a wider strategy to promote electric vehicles.

While the charging points installed were specifically for taxis, the Council had aspired for the charging points to also be available for use by private electric cars. This worked on the basis that taxi charging got priority and a booking system was now in place to facilitate this.

The city wide locations where the 39 rapid chargepoints had been installed, had a parking restriction only permitting electric vehicles, whilst charging, to stay for 1 hour with no return within 2 hours. They had been installed using ETROs to enable monitoring of the situation/any problems that may arise. Where the chargepoints had been in the vicinity of residential, retail, or commercial properties, localised consultation had been carried out and where necessary, consent had been sought from adjacent properties. The locations were initially identified by taxi drivers during the bid process.

The Cabinet Member was informed that the first objector had raised concerns relating to the conservation area around the Binley Road which they felt was a very protected area and not an appropriate location for the rapid chargepoints. It was clarified that further guidance had been sought and planning permission was not required.

The second objector had raised issues that were not specific to the order. The officer detailed the concerns highlighted, including the additional comments, and provided responses to the concerns raised. Some initial concerns related to the station area and these had been referred to the project manager for the station project.

RESOLVED that:

(1) Having considered the objections received to the City of Coventry (Binley Road) (Electric Charging Places) (Experimental) Order 2020, approval be given to the order being made permanent.

(2) It be noted that the issues raised in objection two are general in nature and relates to outside of the parking bays and the advertised restrictions and it be endorsed that if they are raised in the future, they are not considered again.

38. Outstanding Issues

There were no outstanding issues.

39. Any other items of Public Business

There were no other items of public business.

(Meeting closed at 10.25 am)

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Cabinet Member for City Services

14th April 2021

Name of Cabinet Member:

Cabinet Member for City Services – Councillor P Hetherton

Director Approving Submission of the report:

Director of Transportation and Highways

Ward(s) affected:

Foleshill

Title: Petition – Resurface the footpath between Eden Street and Heath Crescent and take action over persistent ‘fly tipping’.

Is this a key decision?

No

Executive Summary:

This report responds to a petition containing 16 signatures which was submitted to Coventry City Council. The petition requests that the Council:

‘Resurface the footpath between Eden Street and Heath Crescent and to take action over the persistent fly tipping along the path’

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 footpath 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. If budgets permit, then resurface this stretch no sooner than 2022/23. In the interim the footpath will continue to be kept safe by way of localised repairs to any areas that meet the Council's current intervention levels.
3. Note the measures already put in place to monitor and deter fly tipping incidences at this location. (See paragraph 1.3)

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: Resurface the footpath between Eden Street and Heath Crescent and take action over persistent 'fly tipping'.

1. Context (or background)

- 1.1 A petition of 16 signatures has been received requesting that the Council resurface the footpath between Eden Street and Heath Crescent and to take action over the persistent fly tipping along the footpath.
- 1.2 The footpath is a pedestrian only route from the end of Eden Street to where it emerges at the A444 and joins Watersmeet Road. It is susceptible to fly tipping, particularly at the Eden Street end as this is located adjacent to an industrial estate. This means it is remote and the opportunity to fly tip is easier particularly outside normal daytime working hours. A location plan is shown in Appendix A of this report.
- 1.3 The City Councils Environmental & Regulatory Services team and Street Pride Cleansing team are familiar with this site and acknowledge that this area is a known 'fly tipping' hotspot site due to it's out of the way location and industrial unit occupation. The council has installed a camera at the site and as a result will be able to monitor any specific fly tipping activity and take the appropriate action in response. The camera is located on a lamp column on Eden Street and it is on a tour taking in Crabmill lane and Eden street. It is intended to look at vehicles going down the road and the team are also looking at installing a secondary ANPR at this location.

The Street Pride Cleansing teams attend this site on a fortnightly basis to pick up litter. In order to help prevent fly tipping the team have installed a bollard at the entrance to the footpath at Eden Street to prevent vehicles being able to access the footpath.

- 1.4 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.
- 1.5 Records show that the last annual programmed safety inspection took place in October 2020.
- 1.6 Following receipt of the petition an engineer made a separate visit (January 2021) to make an assessment of the construction and overall condition of the footpath. It was noted that the footpath comprises of a bituminous surface in an aged condition with widths varying from 3.0 to 2.2 metres along its length. Vegetation overhangs the footway in various sections and at the time of the visit a build-up of leaves/vegetation partly restricted the pedestrian route. The existing footway surface is broken up in places by exposed tree roots and would need treatment at various locations to provide a level surface. In addition, there is evidence of fly tipping at the northernmost end of the footway which may create access issues to vulnerable users and pushchairs. The pedestrian count was low at the time of inspection and there were no defects observed at intervention level.

2. Options considered and recommended proposal

- 2.1 Following the engineer's assessment, and given the current condition, pedestrian usage and comparing the general condition with other footpaths across the City the recommended treatment would be resurfacing to restore the line and level and provide an even and uniform walking surface. Until such time that this work can be carried we will continue to make safe any defects at or above our intervention level as identified by way of small localised repairs.

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 roads 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 the Director of Finance and the Director of Law and Governance

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 £40,000

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. Offenders who are identified as fly-tipping can be prosecuted under the Environmental Protection Act 1980.

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 users of the footpath would benefit from the improvement to the walking surface.

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

Tracy Cowley
Highways Technical Services Manager

Services:

Transportation and Highways

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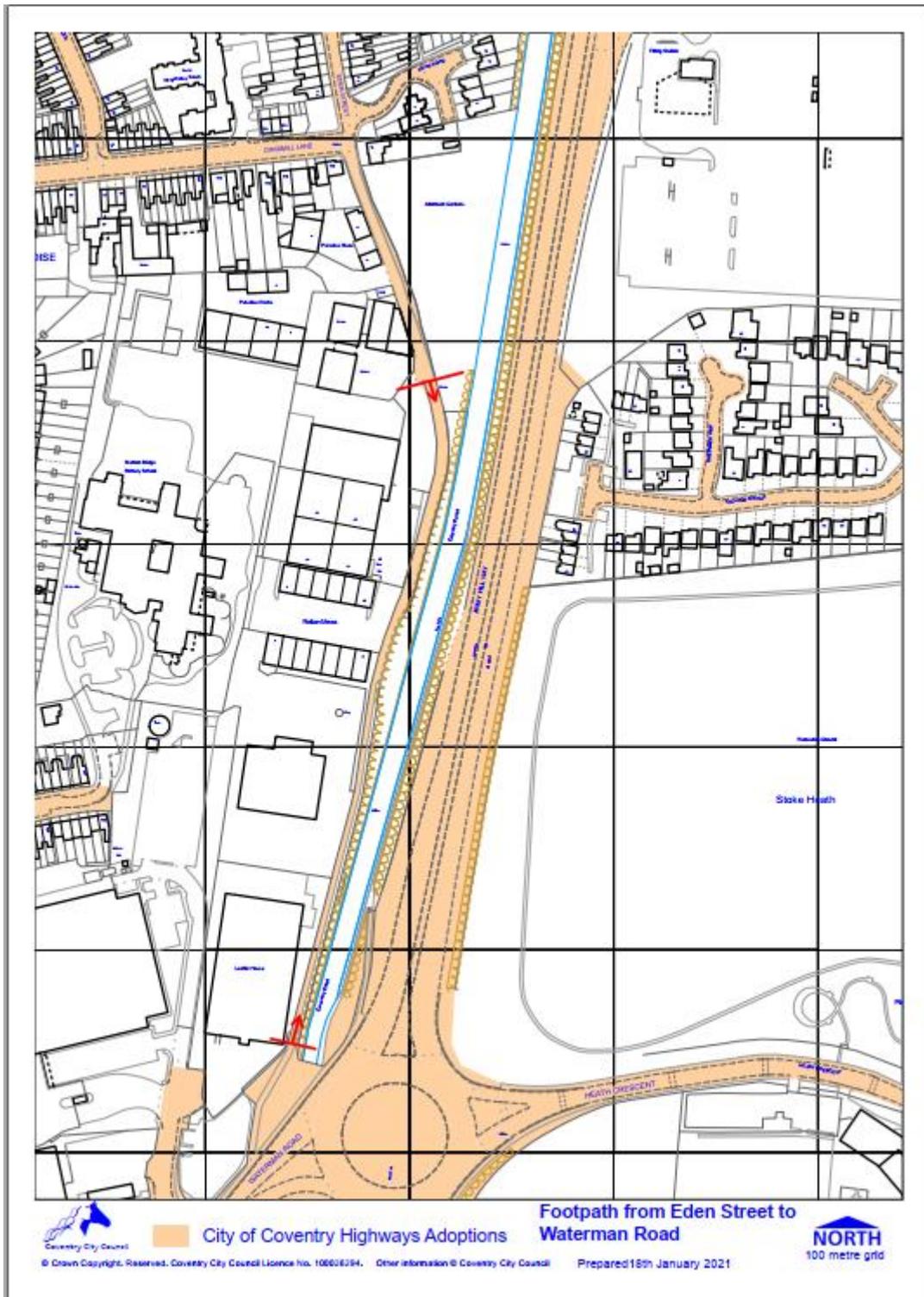
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Enquiries should be directed to the above person

Contributor/ approver name	Title	Service	Date doc sent out	Date response received or approved
Contributors:				
Neil Cowper	Head of Highways	Transportation and Highways	26/03/21	30/03/2021
Michelle Salmon	Governance Services Officer	Law and Governance	26/03/21	26/03/2021
Martin McHugh	Street Enforcement Manager	Street Scene and Regulatory Services	26/03/21	06/04/2021
Anthony Molloy	Streetpride North Area Manager	Street Scene and Regulatory Services	26/03/21	06/04/2021
Names of approvers: (officers and members)				
Colin Knight	Director (Transportation and Highways)	-	26/03/21	06/04/2021
Graham Clark	Lead Accountant	Finance	26/03/21	29/03/2021
Rob Parkes	Team Leader, legal services	Law and Governance	26/03/21	31/03/2021
Councillor P Hetheron	Cabinet Member for City Services	-		1/4/2021

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Appendix A – Location plan



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Cabinet Member for City Services

14 April 2021

Name of Cabinet Member:

Cabinet Member for City Services – Councillor P Hetherton

Director Approving Submission of the report:

Director of Transportation and Highways

Ward(s) affected:

Binley & Willenhall

Title:

Objection to Proposed Speed Limit Reduction – Princethorpe Way, Quorn Way & Bredon Avenue Area

Is this a key decision?

No

Executive Summary:

On 25th March 2014 the Cabinet Member for Public Services committed to the aspiration that Coventry becomes a 20mph city and to recommendations made by a Task and Finish Group established by Public Services, Energy and Environment Scrutiny Board (4) to consider how to assess and prioritise requests for 20mph zones and 20mph limits outside of the safety scheme process, taking into consideration requests from the community.

The Quorn Way Area 20mph speed limit was installed in 2002 and extended further along Princethorpe Way in 2010. However, the 20mph section on Quorn Way does not have the necessary signage. It is therefore proposed to install the required entry signage to encourage slower driving behaviour. In addition, it is proposed to extend the 20mph area to include part of Bredon Avenue, as residents have previously raised concerns about vehicular speeds and this will assist to achieve the aspiration to become a safer speed city.

On 18th February 2021, a Traffic Regulation Order (TRO) was advertised proposing to extend the existing 20mph speed limit on Princethorpe Way, Quorn Way and associated side roads to include part of Bredon Avenue and the side roads abutting it, to improve road safety. The speed limit reduction will also assist to improve the safety of vulnerable road users, in particular pedestrians.

One objection was received. In accordance with the City Council's procedure for dealing with objections to Traffic Regulation Orders (which are used to install 20mph speed limits) 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 objection to the proposed 20mph speed limit extension;
2. Subject to recommendation 1, approve the implementation of the City of Coventry (Princethorpe Way, Quorn Way & Bredon Avenue Area) (20mph Zone & Consolidation) Order 2021

List of Appendices included:

Appendix A – Plan of Princethorpe Way, Quorn Way & Bredon Avenue Area showing area of proposed speed limit reduction

Appendix B – Summary of objection and response

Background Papers

None

Other useful documents:

Cabinet Member (Public Services) Report

Date: 2 September 2014. Title Prioritisation of 20mph zones and 20mph speed limits

Copies of reports available at modern.gov.coventry.gov.uk

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 Speed Limit Reduction – Princethorpe Way, Quorn Way & Bredon Avenue Area

1. Context (or background)

- 1.1 On 25th March 2014 the Cabinet Member for Public Services committed to the aspiration that Coventry becomes a 20mph city and to recommendations made by a Task and Finish Group established by Public Services, Energy and Environment Scrutiny Board (4) to consider how to assess and prioritise requests for 20mph zones and 20mph limits outside of the safety scheme process, taking into consideration requests from the community.
- 1.2 The Quorn Way Area 20mph speed limit was installed in 2002 and extended further along Princethorpe Way in 2010. However, the 20mph section on Quorn Way does not have the necessary signage. It is therefore proposed to install the required entry signage to encourage slower driving behaviour. In addition, it is proposed to extend the 20mph area to include part of Bredon Avenue, as residents have previously raised concerns about vehicular speeds and this will assist to achieve the aspiration to become a safer speed city.
- 1.4 On 18th February 2021, a Traffic Regulation Order (TRO) was advertised proposing to extend the existing 20mph speed limit on Princethorpe Way, Quorn Way and associated side roads to include part of & Bredon Avenue and side roads abutting it. The general effect of this proposal will be to increase the existing 20mph speed limit area to improve road safety. The speed limit reduction will also assist to improve the safety of vulnerable road users, in particular pedestrians.
- 1.5 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 speed limit change on 18th February 2021, advising that any formal objections should be made in writing by 11th March 2021.

2. Options considered and recommended proposal

- 2.1 One objection was received. A summary of the objection to the proposal and responses to the issues raised are summarised in the table in Appendix B.
- 2.2 In considering the objections received, the options are to:
 - i) make the order for the proposal as advertised;
 - ii) not to make the order relating to the proposal.
- 2.3 **Option i)** is recommended as the area is a self-contained network of residential roads, many of which already have existing traffic calming features together with natural road bends and narrowings, which will help keep speeds low (see Appendix A – location plan). Additionally, reducing speeds to 20mph can have a wide range of benefits for the community, including encouraging cycling and walking, because of the calmer environment for ‘vulnerable’ road users. A reduction in speeds can prevent collisions and can also reduce the severity of injuries sustained in collisions that do occur. A pedestrian is likely to suffer slight injuries if struck by a vehicle travelling at 20mph. However, at 30mph they are likely to be severely injured, and at 40mph or above, they are likely to be killed. It is considered that the proposed 20mph speed limit will assist in improving safety for all road users, including pedestrians and other vulnerable road users.
- 2.4 **Option ii)** is not recommended as this area historical experienced a relatively high number of personal injury collisions. The high collision rate makes this area a priority for a 20mph zone, when compared to other areas within the city.

2.5 The objection received, is not against the proposal to reduce the speed limit in the area proposed in the TRO, but is due to the objector's belief that that 20mph speed limits should be made across the city in one action.

3. Results of consultation undertaken

3.1 The proposed TRO for the speed limit reduction was advertised in the Coventry Telegraph on 18th February 2021. Notices were also placed on street in the vicinity of the proposals. The objection period ended on 11th March 2021. One objection was received.

3.2 Appendix B details a summary of the objection received. Copies of the content of the objection can be made available on request.

4. Timetable for implementing this decision

4.1 If the recommendation is approved, it proposed to make the TRO operational by the end of May 2021.

5 Comments from Director of Finance and Comments from the Director of Law and Governance

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 or objections received. In the event that representations and/or objections 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 the Council Plan

The proposed changes to the speed limit 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 a speed limit reduction will ensure the road is safer for all road users, as the lower speed limit will reduce the likelihood of personal injury collisions.

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:**

Joel Logue, Civil Engineer – Highways, Traffic and Road Safety

Directorate:

Place

Tel and email contact:

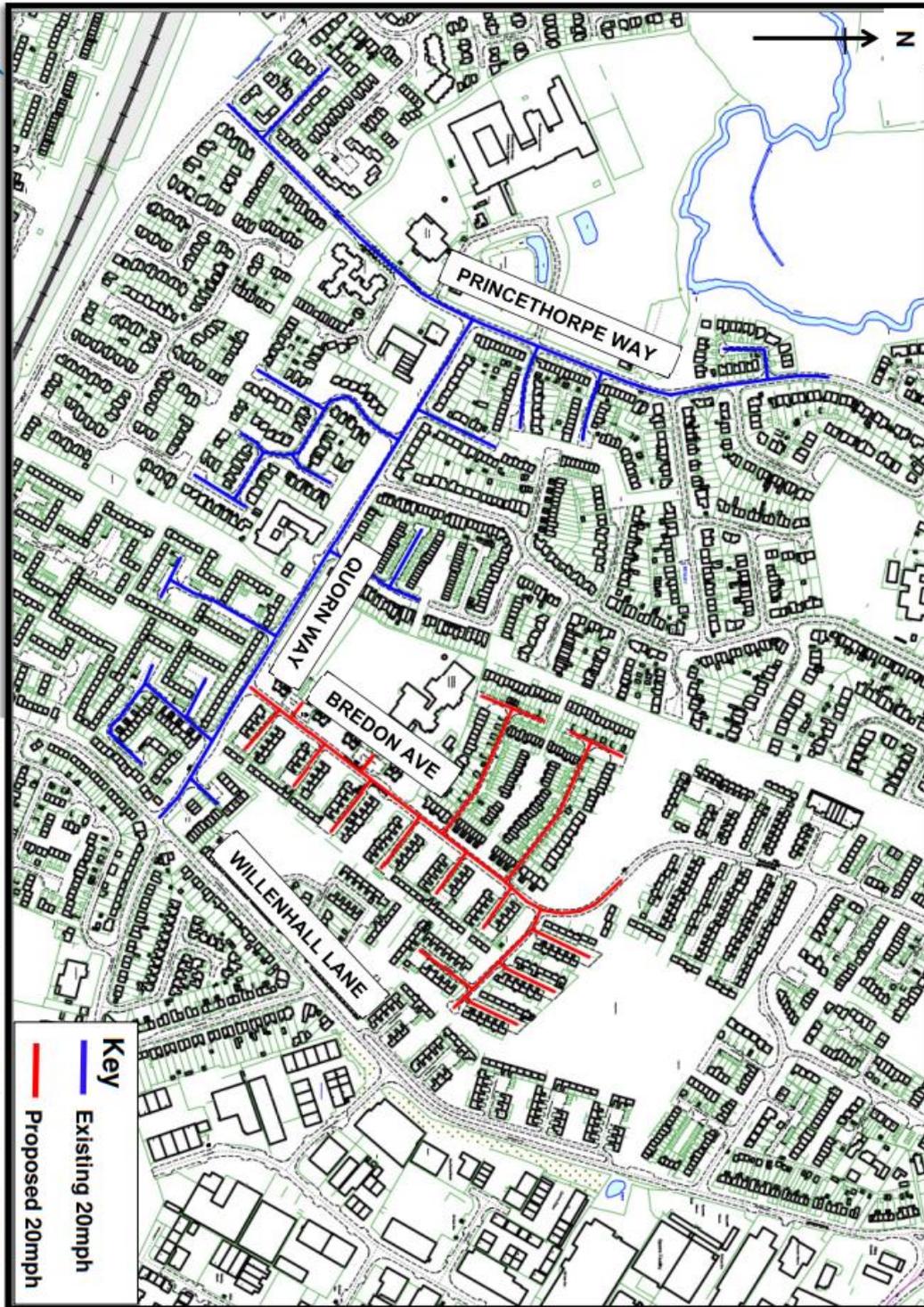
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Enquiries should be directed to the above person.

Contributor/approver name	Title	Service or organisation	Date doc sent out	Date response received or approved
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Caron Archer	Principal Engineer	Transportation & Highways	24.03.21	24.03.21
Liz Knight	Governance Services Officer	Law and Governance	24.03.21	25.03.21
Names of approvers: (officers and members)				
Graham Clark	Lead Accountant	Finance	24.03.21	25.03.21
Rob Parkes	Team Leader	Law and Governance	24.03.21	27.03.17
Councillor P Hetherton	Cabinet Member for City Services		24.03.21	01.04.21

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Appendix A – Plan of area affected by proposed speed limit reduction



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Location Plan – Proposed 20mph Zone Extension
Princethorpe Way, Quorn Way & Bredon Avenue Area

Appendix B – Table of Objections to the speed limit reduction

<p>Objection</p>	<p>I object to this TRO on the grounds that it should no longer be necessary to make these orders on a piecemeal basis.</p> <p>The council approved a default speed limit of 20 mph throughout the city back in 2014.</p> <p>It is now 7 years since this measure was approved.</p> <p>The city must instead make every non-arterial road 20mph, and then consult on the exceptions, not the other way round.</p>
<p>Response to Objection</p>	<p>The Council has a finite budget allocated to road safety interventions such as 20mph speed limits, and therefore, we are unable to install the reduced speed limits across the city in one Traffic Regulation Order. Although we are unable to install a blanket 20mph speed limit, the Council is working through the 'prioritisation' list and this includes extending the Princethorpe Way and Quorn Way 20mph speed limit, so it includes & Bredon Avenue and sideroads as highlighted.</p> <p>The Council has a finite budget allocated to road safety interventions such as 20mph speed limits, and therefore, we are unable to install the reduced speed limits across the city in one Traffic Regulation Order. We are however continuing to install 20mph limits as part of individual schemes.</p>

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Cabinet Member for City Services

14 April 2021

Name of Cabinet Member:

Cabinet Member for City Services – Councillor P Hetherton

Director Approving Submission of the report:

Director of Transportation and Highways

Ward(s) affected:

Binley & Willenhall, Cheylesmore

Title:

Objection to Proposed Speed Limit Reduction – London Road

Is this a key decision?

No

Executive Summary:

Speed limits are reviewed within Coventry on a regular basis. The primary reason for evaluating speeds limits and speed limit changes are predominantly related to making roads safer for all road users.

On 21st January 2021, a Traffic Regulation Order (TRO) was advertised proposing to reduce the speed limit on London Road from 40mph to 30mph on that section from Allard Way to its junction with A45, Toll Bar Island to improve road safety. The reduction in speed limit will also assist to improve the safety of vulnerable road users, in particular pedestrians.

The road safety problems faced by vulnerable road users on London Road have been highlighted to the Council by residents and Local Councillors for many years. Average Speed Enforcement Cameras were installed in January 2019 to try to improve safety and reduce personal injury collisions. Since their introduction injury collisions have reduced and speed compliance has increased. However, London Road would be even safer if the speed limit was reduced to 30mph.

One objection and 4 emails in support of the proposed speed limit reduction 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 objection to the proposed 30mph speed limit;
2. Subject to recommendation 1, approve the implementation of the City of Coventry (London Road) (40mph Speed Limit & Revocation) Order 2021

List of Appendices included:

Appendix A – Plan of London Road showing area of proposed speed limit reduction

Appendix B – Summary of objection and response

Background Papers

None

Other useful documents:

Cabinet Report - New Average Speed Enforcement routes as part of 2019/20 Local Safety Scheme Programme – Henley Road and Binley Road (and London Road and Ansty Road extensions)

Cabinet Report - New Average Speed Enforcement routes as part of 2018/19 Local Safety Scheme Programme – London Road and Ansty Road

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 Speed Limit Reduction – London Road

1. Context (or background)

- 1.1 On 21st January 2021, a Traffic Regulation Order (TRO) was advertised proposing to reduce the speed limit on London Road from 40mph to 30mph on that section from a point 9 metres south east of its junction with Allard Way to its junction with A45 (Toll Bar Island). The objective is to make this section of London Road safer for all road users.
- 1.2 The speed limit on the rest of London Road, apart from on a short length in the vicinity of the Ring Road, was reduced from 40mph to 30mph on 9th March 2020. Making all of London Road the same speed limit will ensure consistency and improve road safety for its entire length.
- 1.3 The reduction in speed limit is in response to historical and recent road safety concerns from residents and Local Councillors associated with difficulties experienced by vulnerable road users, and in particular pedestrians attempting to cross London Road. Large sections of London Road from its junction of Allard Way to its junction with St James Lane have four running lanes (two lanes in each direction) and this makes it difficult for pedestrians who try to cross the road with the current speed limit of 40mph.
- 1.4 Reducing the speed limit to 30mph would ensure vulnerable road users such as pedestrians (including elderly pedestrians) can manoeuvre across London Road more safely. The existing Average Speed Enforcement Cameras will be re-calibrated to optimise speed compliance. Crossing a road with a 30mph speed limit is significantly safer for pedestrians than crossing a road with a 40mph speed limit. A lower speed limit, therefore lower traffic speeds, results in additional time for pedestrians and other vulnerable road users cross a road, collision severity is also a factor of speed. However, it should be noted that pedestrian should always find a safe place to cross.
- 1.5 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 speed limit change on 21st January 2021, advising that any formal objections should be made in writing by 11th February 2021.

2. Options considered and recommended proposal

- 2.1 One objection and 4 emails of support were received. A summary of the objection to the proposal and responses to the issues raised are summarised in the table in Appendix B.
- 2.2 In considering the objections received, the options are to:
 - i) make the order for the proposal as advertised;
 - ii) not to make the order relating to the proposal.
- 2.3 **Option i)** is recommended because of the road characteristics and road safety hazards associated with vulnerable road users manoeuvring across four lanes of traffic (two lanes in each direction) on a 40mph speed limit road. In addition, junctions and accesses significantly increase the road safety risks on 40mph speed limit roads and there are a number these along London Road. A speed limit reduction will make this section of London Road safer for all road users and provide a consistent speed limit on the entire length of London Road.
- 2.4 **Option ii)** is not recommended as this section of London Road has experienced historical personal injury collisions. The Average Speed Camera scheme introduced on January 2019 has reduced personal injury collisions and increased speed compliance, however road safety hazards related to vulnerable road users and the 40mph speed limit still exist.

- 2.5 The emails of support were received from 4 local ward Councillors.
- 2.6 The objection received highlighted numerous concerns including, the existing speed limit (40mph) is currently enforced by average speed cameras and therefore why it is necessary to legally change the speed limit to 30mph. In addition, the objection states that by reducing the speed limit, more drivers will get a fine or points on their license. A summary of the objection and response to the issues raised are detailed in Appendix B.

3. Results of consultation undertaken

- 3.1 The proposed TRO for the speed limit reduction was advertised in the Coventry Telegraph on 21st January 2021. Notices were also placed on street in the vicinity of the proposals. The objection period ended on 11th February 2021. One objection and 4 emails of support were received.
- 3.2 Appendix B details a summary of the objection received. Copies of the content of the objection can be made available on request.

4. Timetable for implementing this decision

- 4.1 If the recommendation is approved, it proposed to make the TRO operational by the end of May 2021.

5 Comments from Director of Finance and Comments from the Director of Law and Governance

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 or objections received. If representations or objections 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 the Council Plan

The proposed changes to the speed limit 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 a speed limit reduction will ensure the road is safer for all road users, as the lower speed limit will reduce the likelihood of personal injury collisions.

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

None

6.6 Implications for partner organisations?

None

Report author(s)

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Directorate:

Place

Tel and email contact:

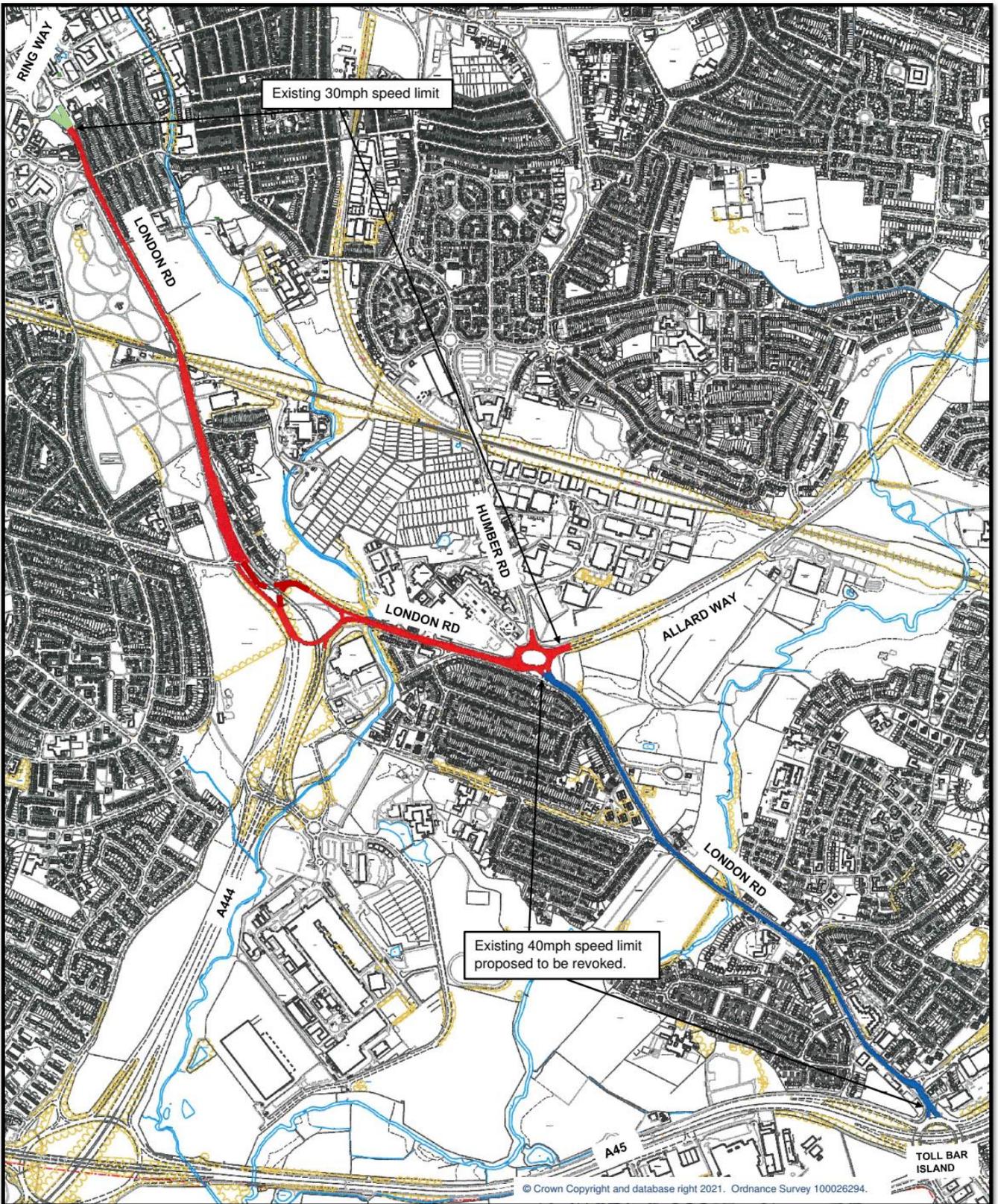
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Caron Archer	Principal Engineer	Transportation & Highways	24.03.21	24.03.21
Liz Knight	Governance Services Officer	Law and Governance	24.03.21	25.03.21
Names of approvers: (officers and members)				
Graham Clark	Lead Accountant	Finance	24.03.21	24.03.21
Rob Parkes	Team Leader	Law and Governance	24.03.21	27.03.21
Councillor P Hetherton	Cabinet Member for City Services		24.03.21	01.04.21

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Appendix A – Plan of area affected by proposed speed limit reduction



KEY

- Existing 30mph limit
- Existing 40mph limit proposed to be revoked (to become 30mph)
- Existing 40mph limit to remain

Appendix B – Table of Objections to the speed limit reduction

<p>Objection</p>	<p>You advise that the average speed is now 28.2mph northbound and 30mph southbound, so why change the speed limit. The driver will have to go under 30mph to stay on the safe side so will be doing 20mph on the London Road</p> <p>There are lots of things to calm traffic, from Toll Bar there are markings to push you into single traffic. There is the island at Airport Shopping then there is a crossing by garages [objector details features and their location along the length of London Road where the speed limit proposed to be reduced including: bus stops, 'bollarded' crossing, traffic signals, Average Speed Cameras, signalised crossing, road markings]</p> <p>By changing the speed limit to 30mph you will make more safe drivers either get points and fines or you will have to drive about 20mph.</p> <p>Why are you killing my city and making people criminals. Don't forget this is the London Road not a side street.</p>
<p>Response to Objection</p>	<p>Setting speed limits at the appropriate level for the road, and ensuring compliance with these limits, play a key part in ensuring greater safety for all road users.</p> <p>There is a direct relationship between speed and likelihood of collision and the severity of collisions when they occur. As a general rule for every 1 mph reduction in average speed, collision frequency reduces by around 5%.</p> <p>For typical types of road traffic collisions the risk of death for drivers and pedestrians involved reduces with reduced vehicle speeds and it is particularly important to consider those speeds where the balance tips in favour of survival.</p> <p>London Road has a history of personal injury collisions relating to speed, and therefore a reduction in the speed limit would reduce the number of collisions and the severity of personal injury if collisions do occur. This will achieve a 'safe' distribution of speeds.</p> <p>The collisions that occurred on London Road also occurred at junctions along its length, and therefore the number of junctions along London Road justifies lowering the speed limit to 30mph.</p> <p>It is important to be 'realistic' when setting speed limits, particularly on major routes such as London Road. The mean speed and 85% percentile speeds demonstrate that vehicles are travelling close to the proposed speed limit of 30mph currently, and therefore, the reduction of speed to 30mph is justified and realistic. The Average Speed Enforcement cameras will optimise speed compliance making its safer for all road users.</p>

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Cabinet Member for City Services
Licensing and Regulatory Committee

14 April 2021
27 April 2021

Name of Cabinet Member:

Cabinet Member for City Services – Councillor P Hetherton

Director Approving Submission of the report:

Director of Streetscene and Regulatory Services

Ward(s) affected:

All Wards

Title:

Statutory Taxi and Private Hire Vehicle Standards

Is this a key decision?

No - although the proposals affect more than two electoral wards, the impact is not expected to be significant.

Executive Summary:

This report provides information for the Cabinet Member for City Services of the recommendations made by the Department for Transport's "Statutory Taxi and Private Hire Vehicle Standards", and how these recommendations will impact Coventry City Council's Taxi Licensing processes.

The report seeks approval for 12-week public consultation on the amendments required to the existing City Council Taxi Licensing requirements to bring them in-line with the above new standards.

Recommendations:

Cabinet Member for City Services is recommended to:

- 1) Approve a 12-week public consultation on the proposals to amend the Council's current Taxi Licensing requirements to ensure that they are in line with the standards required by the Department for Transport.

Licensing and Regulatory Committee is recommended to:

- 1) Note the contents of the report and, if appropriate, forward any comments to the Cabinet Member for City Services.

List of Appendices included:

Appendix A – List of Consultees

Appendix B – Guidelines on the Relevance of Convictions (CCC)

Background papers:

None

Other useful documents

[Department for Transport Statutory Taxi & Private Hire Vehicle Standards](#)

[LGA Taxi and PHV licensing Councillors' handbook](#)

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: **Statutory Taxi and Private Hire Vehicle Standards**

1. Context (or background)

- 1.1 The Department for Transport (DfT) published its 'Statutory Taxi & Private Hire Vehicle Standards' on 21st July 2020. A link to the full document can be found via the link in other useful documents above. The recommendations in the DfT report are designed to regulate better the taxi and private hire vehicle sector through the development of a national set of core common minimum standards.
- 1.2 Published by the Secretary of State for Transport under section 177(1) of the Policing and Crime Act 2017 the document sets out a framework of policies that any licensing authority in England and Wales "must have regard" to when exercising their functions.
- 1.3 Standards detailed in this document replace previous 2010 Best Practice Guidance issued by the DfT and are expected to be implemented unless there is a compelling local reason not to. Failure to adhere to the standards without significant justification is described as likely to be detrimental to the Councils' defence of any legal challenge in relation to its contents.
- 1.4 Some of the standards highlighted in the DfT document are already covered in Coventry's current processes and this report highlights the recommendations that would require amendment to current policy and practice.
- 1.5 Throughout this document the term 'taxi' is used to describe hackney carriages in line with the DfT document.

Proposals

2. Taxi Licensing Policies

- 2.1 The DfT recommends that licensing authorities make publically available a cohesive policy document that brings together all of their procedures in relation to the licensing of taxis and private hire vehicles.
- 2.2 Following the outcome of this consultation it is proposed that the agreed changes will be incorporated with existing processes into a comprehensive 'Statement of Licensing Policy' for taxis and private hire vehicles and drivers which will be publically available via the Councils website. Existing requirements will be amended as required to reflect the phraseology and requirements from the DfT document and to ensure consistency.
- 2.3 As highlighted in the DfT report the Statement of Licensing Policy will be reviewed as a minimum of every five years or as required in line with industry, local or legislative requirements. This similar to the process already followed for alcohol and entertainment licensing policy, which Licensing and Regulatory Committee will already be familiar with.

3. The Disclosure and Barring Service (DBS)

- 3.1 Licensed drivers in Coventry currently have to undergo an enhanced DBS check upon first application and then every three years in line with the renewal of their driver licence at a cost of £54.
- 3.2 The DfT report recommends that drivers should undergo enhanced DBS checks at least every six months to enable the licensing authority to routinely check for new information.
- 3.3 Across the three-year licensing period this change would represent an increase in costs to drivers of £270 (based on current prices). Alternatively, drivers can subscribe to the Disclosure and Barring Service Update Service at a cost of £13 per year enabling the Council to check the status of a driver's certificate online at any time.
- 3.4 Drivers not wanting or able to subscribe to the Disclosure and Barring Service Update Service would be required to undertake a full enhanced DBS check every six months.
- 3.5 In addition the standards require that vehicle proprietors should also undertake a basic disclosure from the DBS annually (where they are not also drivers).
- 3.6 Failure to provide a valid DBS certificate within the required timescales would result in a referral to the Licensing and Regulatory Committee for a review of the licence.
- 3.7 In order to ensure that licence holders continue to comply with the standards required they will be required to notify the licensing authority within 48 hours of: an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence. This would replace the current requirements which for taxis requires drivers to notify of convictions upon renewal of their licence and for private hire drivers within one week of conviction.
- 3.8 The DfT report highlights the importance of sharing critical information with neighbouring local authority licensing committees to aid consistency and robustness in decision making. The DfT report recommends that licensing authorities should use national databases to share information about licence refusals and revocations to mitigate the risk of non-disclosure of relevant information by applicants. This report proposes that the City Council use the NR3 register commissioned by the National Anti-Fraud Network of which the Council are a member resulting in no additional costs.

4. CCTV in Vehicles

- 4.1 The DfT considers that the use of CCTV can provide a safer environment for the benefit of both the drivers and users of taxis / private hire vehicles. The document requires all licensing authorities to consult to identify if there are local circumstances which would indicate that CCTV camera in vehicles would have a positive or negative effect on users and drivers.
- 4.2 It is proposed therefore that the use of CCTV cameras in taxis and private hire vehicles will be included in the public consultation in order to identify if making their use mandatory should be implemented into future vehicle licensing policy.
- 4.3 Further information and guidance on the DfT requirements for the use of CCTV in taxi's and private hire vehicles can be found in the DfT report via the link in other useful documents (Annex – CCTV).

5. Private Hire Operators

- 5.1 The DfT standards recommend the following conditions for holders of operator's licences which are not currently required:
- a. Basic DBS checks to be carried out on initial application and annually thereafter for directors and partners in companies that hold operator licences (where they are not licensed drivers).
 - b. Operators to have a process in place to monitor the employment of ex-offenders for roles with responsibility for taking bookings or dispatching vehicles on their behalf which must be provided and updated throughout the licence period and available for consideration by the licensing team at any time.
 - c. Where a fare is subcontracted the original operator must be able to evidence that comparable protections are applied by the company to which they outsource the fare.

6. Enforcing the Licensing Regime

- 6.1 The DfT report recommends that licensing authorities should, where required, jointly authorise officers from other authorities to be able to take compliance and enforcement action against licensees from outside their authority area. Such an agreement would allow authorities to take action against vehicles and drivers that are licensed by another authority when they cross over boundaries. A model for agreeing joint authorisation can be seen in the LGA Councillors' Handbook via the link in other useful documents pg. 24 – 25,
- 6.2 Guidelines are provided to the Licensing and Regulatory Committee to assist when assessing whether an individual is 'fit and proper' to hold a taxi or private hire vehicle licence. The Council's guidelines on the relevance of convictions was adopted on 12th December 2006 (Appendix B) . The DfT report provides further information on considerations for the assessment of previous convictions and it is proposed to amend and update the current guidelines to reflect the recommendations in the DfT report (pg. 35) and to assure a consistent approach nationally.

7. Consultation

- 7.1 It is proposed that a 12-week public consultation be undertaken on the changes to current policy and process required to meet the standards highlighted in this report. A full list of consultees can be found in Appendix A.
- 7.2 The consultation will include identification around the considered requirements to make the use of CCTV cameras in licensed taxis and private hire vehicles a mandatory licensing requirement.

8. Timetable for implementing this decision

- 8.1 Following the closure of the consultation it is proposed to provide the findings in a further report to the Licensing and Regulatory Committee for approval prior to implementation.
- 8.2 All Councils within the West Midland Combined Authority (WMCA) sit on a Taxi Harmonisation Board. Subject to committee approval the board have agreed in principle to adopt the standards and principles proposed in the DfT report as a minimum in their taxi licensing processes ensuring maximum consistency across the region. The only exception to this is the mandatory requirement for CCTV which will be decided locally following individual consultation.

9. Comments from Director of Finance and Director of Law and Governance

9.1 Financial implications

Taxi Licensing is a ring-fenced budget and all costs are recovered via charges to the Taxi Trade. Any costs associated with this consultation exercise will be limited to officer time and will not result in additional charges. Any ongoing impact will be addressed in future fee reviews.

9.2 Legal implications

The statutory guidance is the minimum to be expected in order to regulate the taxi and private hire vehicle sector.

Failure to adhere to the standards without significant justification is described as likely to be detrimental to the Council's defence of any legal claim in relation to its contents.

10. Other implications

10.1 How will this contribute to the Council Plan (www.coventry.gov.uk/councilplan/)?

It will help to facilitate improvements in the taxi services available to the people of Coventry, which will contribute towards ensuring that drivers are fit and proper and that passenger and driver safety is maximised.

10.2 How is risk being managed?

Through established reporting and governance arrangements.

10.3 What is the impact on the organisation?

None

10.4 Equality Impact Assessment (EIA)

None

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

None

10.6 Implications for partner organisations?

None

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

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Names of approvers for submission: (officers and members)				
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Andrew Walster	Director of Streetscene and Regulatory Services	-	10/03/21	11/03/21
Councillor P Hetheron	Cabinet Member for City Services	-	16/03/21	1/04/21

This report is published on the council's website: www.coventry.gov.uk/councilmeetings

Appendix A – Proposed Consultees

- All Licensees (Drivers, Vehicle Proprietors & Operators)
- Taxi and PHV passengers
- Campaign for Better Transport
- Children's Safeguarding
- Council of Disabled People.
- Coventry and Warwickshire Chamber of Commerce.
- Coventry Society for the Blind.
- Coventry University.
- Coventry Wheelchair User Group.
- Business Improvement District
- GMB Union
- LEVC Vehicles.
- Learning Disabilities Partnership.
- NHS Coventry.
- Nuneaton & Bedworth Borough Council
- Nissan.
- Older Person's Partnership.
- Physical & Sensory Impairment Partnership.
- Routeforward.
- Licensing Technical Group (Warwickshire)
- Taxi Harmonisation Group (WMCA).
- Traffic Commissioner for the West Midlands.
- University of Warwick.
- Unite Union
- Unison Union
- Warwickshire & Coventry Federation of Small Businesses.
- West Midlands Fire Service
- West Midlands Police

Appendix B - Guidelines on the Relevance of Convictions 2006 (CCC)

Coventry City Council Licensing and Regulatory Committee

1 Guidelines on the Relevance of Convictions etc

The following are the guidelines adopted by the City Council on 12 December 2006, regarding the relevance of criminal convictions, cautions, fixed penalty endorsements, complaints and false declarations to becoming or remaining licensed as a Hackney Carriage or Private Hire driver in Coventry.

General Principles

- 1.1. Each case will be decided on its own merits.
- 1.2 The overriding consideration shall be the protection of the public and all other matters, including unemployment, shall be secondary to the public safety factor.
- 1.3 An individual with a conviction for one or more criminal offences need not be permanently barred from obtaining a licence but should be expected to remain free of further convictions for the periods indicated in these guidelines before an application is favourably entertained. In making a decision, the licensing authority shall take into consideration the number of convictions/cautions, the nature and circumstances of each offence, the age of each conviction/caution, the age of the individual at that time and whether the individual's circumstances have since changed, any mitigating circumstances, any aggravating factors and any other relevant factors.
- 1.4 Offences which took place many years in the past may often have less relevance than recent offences. Similarly, a series of offences over a period of time is more likely to give cause for concern than an isolated minor conviction. Offences where the victim was a passenger will be regarded with particular concern.
- 1.5 The authority generally considers that offences committed by licensees should be regarded more seriously than offences committed by individuals when not licensed. This is because current licensees have previously been judged as fit and proper and are aware of the standards required of them and are expected to maintain those high standards of personal conduct.
- 1.6 Convictions/cautions are considered equally relevant to both hackney carriage and private hire drivers. Cautions are treated in a similar way to convictions since an individual must have admitted the offence in question in order to have received a caution.
- 1.7 Where the following specific guidelines indicate that the authority may suspend a licence it may do so in circumstances where, despite being satisfied as to an individual's basic suitability to be licensed, the authority still feels it has reasonable cause to strongly register its disapproval of an individual's conduct and to discourage any future repetition of such conduct.
- 1.8 These guidelines may be referred to when considering complaints against individuals, or additional information included in the CRB [DBS] disclosure by the police, where the nature of that complaint or additional information is of a similar nature to the matters covered by these guidelines.
- 1.9 The guideline at F6 may be referred to when considering cases of false declaration where the individual has not been prosecuted.

Specific Guidelines

- 1.10 The following specific guidelines afford an indication of how particular cases involving the consideration of convictions or cautions are likely to be dealt with. Where an individual has more than one conviction/caution recorded against them, the authority will consider the number and nature of convictions and may not necessarily regard the period of time that has elapsed since the last conviction as being sufficient to demonstrate the individual's fitness to be licensed. The following guidelines are not binding on the authority and it is free to depart from them where the particular circumstances of an individual case make it appropriate to do so:-

A Traffic Offences

Hackney Carriage and Private Hire Vehicle Drivers are professional drivers. In addition to their duty of care to other road users, they have responsibility for the safe transport of their passengers, and traffic offences should be considered carefully.

OFFENCES	COMMITTED WHILST NOT LICENSED BY COVENTRY CITY COUNCIL		COMMITTED WHILST LICENSED BY COVENTRY CITY COUNCIL		
	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant <small>(First Grant/Re-Grant)</small>	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant <small>(Renewal/First Grant/Re-Grant)</small>	Guideline for Licensee <small>(Current licence holder)</small>
A.1 Minor speeding offences up to 3 points. Minor motorway offences. Pedestrian crossings. Traffic direction & signs.	3 years.	Grant with verbal warning. <i>(Normally delegated to officers)</i>	3 years.	Grant with verbal warning. <i>(Normally delegated to officers)</i>	Verbal warning. <i>(Normally delegated to officers)</i>
A.2 Major speeding offences 4 to 6 points. Major motorway offences. Construction and Use offences. Licence offences. Mobile Phone offences. Leaving a vehicle in a dangerous position. Defective eyesight.	3 years.	Grant with written warning.	4 years.	Grant with written warning or grant and suspend for up to 3 months*.	Written warning or suspend for up to 3 months.
A.3 Insurance offences. Disqualified Driver offences. Aggravated taking of a vehicle.	3 years.	Grant with written warning or grant and suspend for	4 Years.	Grant with written warning or grant and suspend for up	Written warning or suspend for up to 4 months.

			up to 3 months*.		to 4 months*.	
A.4	Careless driving offence. Failing to report/stop after an accident.	3 years.	Grant with written warning or grant and suspend for up to 4 months*.	4 Years.	Grant with written warning or grant and suspend for up to 6 months*.	Written warning or suspend for up to 6 months.
A.5	Disqualification due to totting up.	2 years from end of disqualification period.	Refuse.	3 years from end of disqualification period.	Refuse.	Revoke.
A.6	Reckless/Dangerous Driving offences.	3 years.	Refuse.	4 Years.	Refuse.	Revoke.
A.7	Drink or Drugs driving offences.	3 years.	Refuse.	4 years.	Refuse.	Revoke.

* Subject to any right of appeal, a period of suspension shall run from the date of the Licensing Committee hearing or the date by which all application requirements have been met, whichever is the later.

B Drug Offences

Drug related offences should be carefully considered as Hackney Carriage and Private Hire Vehicle Drivers are professional drivers and are expected to be fully in control of themselves and their vehicles whilst working or they may have close contact with vulnerable members of the public, e.g. children, young adults and addicts.

OFFENCES	COMMITTED WHILST NOT LICENSED BY COVENTRY CITY COUNCIL		COMMITTED WHILST LICENSED BY COVENTRY CITY COUNCIL		
	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant <small>(First Grant/Re-Grant)</small>	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant <small>(Renewal/First Grant/Re-Grant)</small>	Guideline for Licensee <small>(Current licence holder)</small>
B.1 Drug conviction/caution.	4 years.	Refuse.	5 years.	Refuse.	Revoke.

C Sexual Offences

As Hackney Carriage and Private Hire Vehicle Drivers often carry unaccompanied or vulnerable passengers, applicants with convictions/cautions for sexual offences should be

refused a licence until they can show a substantial period free of such conviction/caution.

Licensees should have their licence revoked and not be re-granted a licence until a similar substantial period has elapsed.

OFFENCES	COMMITTED WHILST NOT LICENSED BY COVENTRY CITY COUNCIL		COMMITTED WHILST LICENSED		
	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant <small>(First Grant/Re-Grant)</small>	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant <small>(Renewal/First Grant/Re-Grant)</small>	Guideline for Licensee <small>(Current licence holder)</small>
C.1 Any sexual offence.	10 years.	Refuse.	15 years.	Refuse.	Revoke.

D Violence Offences

As Hackney Carriage and Private Hire Vehicle Drivers have close contact with the public, applicants with convictions/cautions for violence offences should be refused a licence until they can show a substantial period free of such behaviour. Licensees should have their licence revoked and not be re-granted a licence until a similar substantial period has elapsed.

OFFENCES	COMMITTED WHILST NOT LICENSED BY COVENTRY CITY COUNCIL		COMMITTED WHILST LICENSED BY COVENTRY CITY COUNCIL		
	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant <small>(First Grant/Re-Grant)</small>	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant <small>(Renewal/First Grant/Re-Grant)</small>	Guideline for Licensee <small>(Current licence holder)</small>

D.1	Assault/Battery.	3 years.	Grant and suspend for up to 4 months* or Refuse.	4 years.	Grant and suspend for up to 6 months* or Refuse.	Suspend for up to 6 months or Revoke.
D.2	Grievous bodily harm.	4 years.	Refuse.	5 years.	Refuse.	Revoke.
D.3	Wounding.	5 years.	Refuse.	6 years.	Refuse.	Revoke.
D.4	Threats to kill.	7 years.	Refuse.	8 years.	Refuse.	Revoke.
D.5	Manslaughter/Murder.	10 years	Refuse.	15 years	Refuse.	Revoke.

* Subject to any right of appeal, a period of suspension shall run from the date of the Licensing Committee hearing or the date by which all application requirements have been met, whichever is the later.

E Dishonesty Offences

Hackney Carriage and Private Hire Drivers are expected to be persons of trust. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in drivers. Moreover, it is comparatively easy for a driver to defraud the public by demanding more than the legal fare etc. Overseas visitors can be confused by the change in currency and be considered “fair game” for an unscrupulous driver. For these reasons, a serious view should be taken of any conviction involving dishonesty.

OFFENCES E.g. Theft, Burglary, Handling, Fraud, Forgery, Deception, Making a false statement, Using a conveyance without authority, etc.	COMMITTED WHILST NOT LICENSED BY COVENTRY CITY COUNCIL		COMMITTED WHILST LICENSED BY COVENTRY CITY COUNCIL		
	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant (First Grant/Re-Grant)	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant (Renewal/First Grant/Re-Grant)	Guideline for Licensee (Current licence holder)
E.1 Any dishonesty offence where a non- custodial sentence was imposed.	3 years.	Grant and suspend for up to 4 months* or Refuse.	4 years.	Grant and suspend for up to 6 months* or Refuse.	Suspend for up to 6 months or Revoke.

E.2	Any dishonesty offence where a custodial sentence was imposed.	4 years.	Refuse.	5 years.	Refuse.	Revoke.
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* Subject to any right of appeal, a period of suspension shall run from the date of the Licensing Committee hearing or the date by which all application requirements have been met, whichever is the later.

F Hackney Carriage/Private Hire Offences

Hackney Carriage and Private Hire Drivers are expected to operate within the laws governing their trade and comply with the requirements and policies of Coventry City Council.

OFFENCES Covered by the:- Local Government (Miscellaneous Provisions) Act 1976. Town Police Clauses Act 1847 Any relevant Coventry Local Byelaws.	COMMITTED WHILST NOT LICENSED BY COVENTRY CITY COUNCIL		COMMITTED WHILST LICENSED BY COVENTRY CITY COUNCIL		
	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant <small>(First Grant/Re-Grant)</small>	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant <small>(Renewal/First Grant/Re-Grant)</small>	Guideline for Licensee <small>(Current licence holder)</small>
F.1 Any other contravention not mentioned below.	3 years.	Grant with written warning or grant and suspend for up to 3 months*.	3 years.	Grant with written warning or grant and suspend for up to 3 months*.	Written warning or suspend for up to 3 months.
F.2 Plying for hire when licensed as a Coventry private hire driver.	N/A.	N/A.	3 years.	Grant with written warning or grant and suspend for up to 3 months*.	Written warning or suspend for up to 3 months.
F.3 Not wearing ID.	3 years.	Grant with written warning or grant and suspend for up to 6 months*.	3 years.	Grant with written warning or grant and suspend for up to 6 months*.	Written warning or suspend for up to 6 months.
F.4 Plying for hire whilst licensed in another district.	3 years.	Refuse.	N/A.	N/A.	N/A.
F.5 Obstructing an officer.	3 Years.	Refuse.	3 years.	Refuse.	Revoke.

F.6	False Declaration.	3 Years.	Grant and suspend for up to 6 months* or Refuse.	3 years.	Grant and suspend for up to 6 months* or Refuse.	Suspend for up to 6 months or Revoke.
F.7	Driving without any private hire or hackney carriage driver's licence.	5 Years.	Refuse.	N/A.	N/A.	N/A.

* Subject to any right of appeal, a period of suspension shall run from the date of the Licensing Committee hearing or the date by which all application requirements have been met, whichever is the later.

G Other Offences

This section includes offences which do not easily fit within one of the above categories but are considered relevant to the suitability of an individual to hold a Hackney Carriage and/or Private Hire Drivers licence.

OFFENCES	COMMITTED WHILST NOT LICENSED BY COVENTRY CITY COUNCIL		COMMITTED WHILST LICENSED BY COVENTRY CITY COUNCIL			
	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant <small>(First Grant/Re-Grant)</small>	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant <small>(Renewal/First Grant/Re-Grant)</small>	Guideline for Licensee <small>(Current licence holder)</small>	
G.1	Perverting the course of justice.	4 years.	Refuse.	5 years.	Refuse.	Revoke.
G.2	Arson.	4 years.	Refuse.	5 years.	Refuse.	Revoke.
G.3	Possession of a weapon.	4 years.	Refuse.	5 years.	Refuse.	Revoke.
G.4	Public order offences including Riot, Violent Disorder, Affray, Harassment, Threatening abusive insulting words or behaviour etc, Drunk and Disorderly, Breach of the Peace, Obstruct police.	3 years.	Grant and suspend for up to 3 months* or Refuse.	4 years.	Grant and suspend for up to 6 months* or Refuse.	Suspend for up to 6 months or Revoke.
G.5	Criminal damage.	2 years.	Grant and suspend for up to 2 months*.	3 years.	Grant and suspend for up to 4 months*.	Suspend for up to 4 months.

* Subject to any right of appeal, a period of suspension shall run from the date of the Licensing Committee hearing or the date by which all application requirements have been met, whichever is the later.

4.11 There are no guidelines available to Committee for the conviction listed as 1.

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Cabinet Member for City Services

14 April 2021

Name of Cabinet Member:

Cabinet Member for City Services – Councillor P Hetherton

Director Approving Submission of the report:

Director of Transportation and Highways

Ward(s) affected:

Bablake, Cheylesmore, Earlsdon, Foleshill, Henley, Longford, Sherbourne, Wyken

Title:

Petitions Determined by Letter and Petitions Deferred Pending Further Investigations

Is this a key decision?

No. This report is for monitoring purposes only.

Executive Summary:

In accordance with the City Council's procedure for dealing with petitions, those relating to traffic management, road safety and highway maintenance issues are considered by the Cabinet Member for City Services.

In June 2015, amendments to the Petitions Scheme, which forms part of the Constitution, were approved in order to provide flexibility and streamline current practice. This change has reduced costs and bureaucracy and improved the service to the public.

These amendments allow for a petition to be dealt with or responded to by letter without being formally presented in a report to a Cabinet Member meeting.

In light of this, at the meeting of the Cabinet Member for Public Services on 15 March 2016, it was approved that a summary of those petitions received which were determined by letter, or where decisions are deferred pending further investigations, be reported to subsequent meetings of the Cabinet Member for Public Services (now amended to Cabinet Member for City Services), where appropriate, for monitoring and transparency purposes.

Appendix A sets out petitions received relating to the portfolio of the Cabinet Member for City Services and how officers propose to respond to them.

Recommendations:

Cabinet Member for City Services is recommended to:

1. Endorse the actions being taken by officers as set out in Section 2 and Appendix A of the report in response to the petitions received.

List of Appendices included:

Appendix A – Petitions Determined by Letter and Petitions Deferred Pending Further Investigations

Background Papers

None.

Other useful documents:

Cabinet Member for Policing and Equalities Meeting 18 June 2015 report: Amendments to the Constitution – Proposed Amendments to the Petitions Scheme

A copy of the report is available at: modern.gov.coventry.gov.uk.

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: Petitions Determined by Letter and Petitions Deferred Pending Further Investigations

1. Context (or background)

- 1.1 In accordance with the City Council's procedure for dealing with petitions, those relating to traffic management, road safety and highway maintenance issues are considered by the Cabinet Member for City Services.
- 1.2 Amendments to the Petitions Scheme, which forms part of the Constitution, were approved by the Cabinet Member for Policing and Equalities on 18 June 2015 and Council on 23 June 2015 in order to provide flexibility and streamline current practice.
- 1.3 These amendments allow a petition to be dealt with or responded to by letter without being formally presented in a report to a Cabinet Member meeting. The advantages of this change are two-fold; firstly, it saves taxpayers money by streamlining the process and reducing bureaucracy. Secondly it means that petitions can be dealt with and responded to quicker, improving the responsiveness of the service given to the public.
- 1.4 Each petition is still dealt with on an individual basis. The Cabinet Member considers advice from officers on appropriate action to respond to the petitioners' request, which in some circumstances, may be for the petition to be dealt with or responded to without the need for formal consideration at a Cabinet Member meeting. In such circumstances and with the approval of the Cabinet Member, written agreement is then sought from the relevant Councillor/Petition Organiser to proceed in this manner.

2. Options considered and recommended proposal

- 2.1 Officers will respond to the petitions received by determination letter or holding letter as set out in Appendix A of this report.
- 2.2 Where a holding letter is to be sent, this is because further investigation work is required of the matters raised. Details of the actions agreed are also included in Appendix A of the report.
- 2.3 Once the matters have been investigated, a determination letter will be sent to the petition organiser or, if appropriate, a report will be submitted to a future Cabinet Member meeting, detailing the results of the investigations and subsequent recommended action.

3. Results of consultation undertaken

- 3.1 In the case of a petition being determined by letter, written agreement is sought from the relevant Petition Organiser and Councillor Sponsor to proceed in this manner. If they do not agree, a report responding to the petition will be prepared for consideration at a future Cabinet Member meeting. The Petition Organiser and Councillor Sponsor will be invited to attend this meeting where they will have the opportunity to speak on behalf of the petitioners.

4. Timetable for implementing this decision

- 4.1 Letters referred to in Appendix A of the report will be sent out by May 2021.

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

5.1 Financial implications

There are no specific financial implications arising from the recommendations within this report.

5.2 Legal implications

There are no specific legal implications arising from this report.

6. Other implications

6.1 How will this contribute to the Council Plan (www.coventry.gov.uk/councilplan)?

Not applicable.

6.2 How is risk being managed?

Not applicable.

6.3 What is the impact on the organisation?

Determining petitions by letter enables petitioners' requests to be responded to more quickly and efficiently.

6.4 Equalities / EIA

There are no public sector equality duties which are of relevance.

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

None.

6.6 Implications for partner organisations?

None.

Report author(s)

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Service:

Transportation and Highways

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Enquiries should be directed to the above person.

Contributor/approver name	Title	Service	Date doc sent out	Date response received or approved
Contributors:				
Caron Archer	Principle Officer - Traffic Management	Transportation and Highways	31/03/2021	31/03/2021
Liz Knight	Governance Services Officer	Law and Governance	31/03/2021	31/03/2021

This report is published on the council's website: www.coventry.gov.uk/councilmeetings

Appendix A – Petitions Determined by Letter and Petitions Deferred Pending Further Investigations

Petition Title	No. of signatures	Councillor Sponsor	Type of letter to be sent to petition organiser(s) and sponsor	Actions agreed
Pedestrian Crossing for the War Memorial Park Access	442	N/A	Holding	Crossing count to be conducted.
Residents Parking for Coundon Road	10	N/A	Holding	Parking provision on Coundon Road is proposed to change as part of highway changes and nearby development works.
Request for Speed Bumps on Tamworth Road	6	N/A	Determination	Tamworth Road has been added to the list for consideration for a future safety scheme. However, it has not been prioritised for inclusion in this year's programme. It will continue to be monitored as part of the annual review of reported personal injury collisions. The petitioners' concerns have also been shared with the Police.
Parking Permits for Eld Road	79	N/A	Holding	Parking surveys to be conducted.
Request for the Construction of On Road Parking on Deedmore Road	5	N/A	Determination	Location not suitable for parallel parking. It will be added to verge scheme request list; however, verge programme requests are prioritised in line with the verge protection policy, which gives greater priority to roads on major routes. Petitioners to be referred to the option of creating parking on their property, as the minimum space requirement has recently been reduced.
Request for Road Safety Improvements for Woodshires Green	TBC	Councillor Duggins	Determination	Revised low bridge signage currently being prepared; area of existing weight limit proposed to be extended to include Wilson's Lane. The Council is working towards Coventry becoming a safer speed city and additional 20mph zones are being introduced; however, this is a long process and Wilson's Lane is not currently prioritised for inclusion in the programme.

Measures to Discourage HGVs from Using Local Roads in Longford, Aldermans Green and Foleshill	131	Councillor Duggins	Determination	The following measures are currently under investigation / development to address the issues raised: Wilsons Lane / Woodshires Road HGV zone – improved signage and possible expansion Windmill Road / Aldermans Green Road – possible junction improvement Ringwood Highway – alteration to terms of HGV restriction Oakmoor Road – proposed improvements to signage at Longford Road junction and Grange Road / Jackers Road junction Foleshill Road - traffic reduction proposals
Traffic Calming Measures - Junction of Brownhill Green Road and Norman Place Road	81	Councillor Jandu	Determination	Proposed scheme to be consulted on shortly.
Introduce a Safe School Crossing for our Children on Belgrave Road	256	N/A	Determination	Following consultation, scheme currently being installed.

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