

**Time and Date**

11.30 am on Wednesday, 18th August, 2021

Place

Diamond Rooms 1 and 2 - Council House

Please note that in line with current Government and City Council guidelines in relation to Covid, there will be reduced public access to the meeting to manage numbers attending safely. If you wish to attend in person, please contact the Governance Services Officers indicated at the end of the agenda.

Public Business**1. Apologies****2. Declarations of Interests****3. Minutes** (Pages 3 - 10)

- (a) To agree the minutes of the meeting held on 5th July 2021
- (b) Matters Arising

4. Objection to Experimental Traffic Regulation Order - Whittle Arch (Pages 11 - 18)

Report of the Director of Transportation and Highways

Notes:

(i) The objector has been invited to the meeting for the consideration of this item

(ii) In accordance with the Constitution, Councillor N Akhtar, Chair of the Scrutiny Co-ordination Committee, has been invited to attend the meeting for this item of business to agree the need for urgency such that call-in arrangements will not apply. The reason for urgency is that there is an urgent need for a formal decision on the Experimental Traffic Regulation Order before it expires on 8th September 2021, so that the legal requirements and any required signage changes can be in place, based on the decision made, by this date. Additional costs will be incurred if it is not completed and interim measures are required.

5. **Petitions Determined by Letter and Petitions Deferred Pending Further Investigations** (Pages 19 - 26)

Report of the Director of Transportation and Highways

6. **Outstanding Issues**

There are no outstanding issues

7. **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, 10 August 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: Councillors N Akhtar, L Bigham and M Heaven (Shadow Cabinet Member)

Public Access

Please note that in line with current Government and City Council Covid guidelines, there will be reduced public access to the meeting to manage numbers attending safely. Any member of the public who would like to attend the meeting in person is requested to contact the following officer in advance of the meeting regarding arrangements for public attendance. A guide to attending public meeting can be found here: <https://www.coventry.gov.uk/publicAttendanceMeetings>

**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 2.00 pm on
Monday, 5 July 2021

Present:

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

Other Invited Members: Councillor R Bailey (For Agenda Item 4)
Councillor J Clifford (Substitute for Councillor Lancaster for Agenda Item 5)

Employees (by Service):

Law and Governance L Knight, M Salmon

Transportation and Highways P Bowman, S Evans, R Goodyer, M Wilkinson

Apologies: Councillor L Bigham - Chair of Communities and Neighbourhoods Scrutiny Board (4) (invited Member)
Councillor R Lancaster

Public Business

1. Declarations of Interests

There were no disclosable pecuniary interests.

2. Minutes

The minutes of the meeting held on 14th April 2021 were agreed as a true record. There were no matters arising.

3. Petition - Parking on Daventry Road Shopping Centre

The Cabinet Member for City Services considered a report of the Director of Transportation and Highways concerning an e-petition, bearing 459 signature, requesting that the previous layout of the parking bays at the Daventry Road Shopping Centre, be reinstated. The petition was supported by Councillor R Bailey, a Cheylesmore Ward Councillor, who, together with a representative of the Petition Organiser, attended the meeting and spoke on behalf of the petitioners.

The report indicated that, in accordance with the City Council's procedure for dealing with petitions, those relating to road safety were heard by the Cabinet Member for City Services. The Cabinet Member had considered the petition prior to this meeting and 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.

Daventry Road was a local distributor road between London Road and Leamington Road and was subject to a 30mph speed limit. The shopping centre was located on a service road that ran parallel to Daventry Road between Queen Isabel's Avenue and Quinton Road. The service road was one-way running from Queen Isabel's Avenue and Quinton Road. It was located in the City's Cheylesmore Ward. A location plan was attached as an Appendix to the report.

The determination letter advised that the changes to the configuration of the parking bays at the shopping centre were introduced on a temporary basis to facilitate social distancing. When social distancing guidance was withdrawn, local consultation would be undertaken to determine whether the temporary layout was made permanent or the previous layout was reinstated.

The cost of road safety measures was funded from the Highways Maintenance and Investment Capital Programme budget through the Local Transport Plan.

The representative of the Petition Organiser informed the Cabinet Member that the current parking layout caused particular problems for disabled people and children getting in and out of vehicles and opening doors into the path of pedestrians and/or on-coming traffic, due to the design of the parking. It had also resulted in a loss of spaces and vehicles were not parking within the marked bays.

Councillor Bailey referred to many adverse comments he had received from residents on this matter. He indicated that the current parking layout encouraged speeding as it provided a clear run for travelling vehicles. There was also an issue for vehicles turning into Quinton Road due to the positioning of the parking spaces located close to end of the service road, which provided limited space for vehicles to manoeuvre. The street furniture located along the pavement next to the parking bays, made opening car doors very difficult, also vans were parking across two spaces which further exacerbated the limited number of spaces available.

Having considered the report and the comments made by Councillor Bailey, the representative of the Petition Organiser and the officer who presented the report, the Cabinet Member agreed that once social distancing guidance was withdrawn, a local consultation would be undertaken on the future layout of the shopping centre parking bays.

RESOLVED that the Cabinet Member for City Services:

- 1) Notes the petitioners' concerns.**
- 2) Endorses the actions confirmed by determination letter to the petition organisers, as detailed in paragraph 1.5 of the report.**

4. Petition - Safety of Pedestrians and Property at Malmesbury Road - Charlecote Road

The Cabinet Member for City Services considered a report of the Director of Transportation and Highways concerning an e-petition, bearing 20 signatures, supported by Councillor Lancaster, a Holbrook Ward Councillor, who was unable to attend the meeting, that requested measures to facilitate verge parking on

Malmesbury Road and Charlecote Road. The petition organiser was also unable to attend the meeting. Councillor Clifford, another Holbrook ward Councillor attending the meeting to speak on behalf of the petitioners.

In accordance with the City Council's procedure for dealing with petitions, those relating to road safety are heard by the Cabinet Member for City Services. The Cabinet Member had considered the petition prior to this meeting and 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 the roads highlighted had been added to the verge scheme request list, but that requests were prioritised in line with the Verge Protection Policy, which gave greater priority to roads on major routes. On receipt of the determination letter, the petition organisers advised that they wanted the issue to be considered at a Cabinet Member for City Services meeting.

The cost of introducing verge protection measures was funded from the Highways Maintenance and Investment Capital Programme budget through the Local Transport Plan.

Councillor Clifford informed the Cabinet Member that this had been a longstanding issue in which all Holbrook Ward Councillors had been involved. He indicated that on-street parking in Malmesbury Road caused many problems and was particularly dangerous on the bend in the road. He gave an example of where a pavement crossing had been installed at an address in Malmesbury Road that had resulted in the grassed area/verge being removed to enable vehicles to use the driveway at the property. The Cabinet Member was provided with copies of photographs of the vehicle crossing. Although residents enjoyed the green space and didn't want the verge totally removed, they wanted to see if there were any solutions that would resolve their parking issues whilst maintaining the green space and would welcome the opportunity to discuss the matter.

Having considered the report and the comments made by Councillor Clifford and the officer who presented the report, the Cabinet Member agreed that officers liaise with residents to obtain further details on the issues, to determine if any additional assistance could be provided

RESOLVED that the Cabinet Member for City Services:

- 1) Notes the petitioners' concerns.**
- 2) Endorses the actions confirmed by determination letter to the petition organisers, as detailed in paragraph 1.5 of the report.**
- 3) Requests that officers liaise with residents to obtain further details on the issues, to determine if any additional assistance can be provided.**

5. **Petition - Speed Measures on the A444 between Binley Road and Heath Crescent**

The Cabinet Member for City Services considered a report of the Director of Transportation and Highways concerning a petition, bearing 14 signatures, requesting a reduction in the speed limit on the A444 between Binley Road and Heath Crescent, to reduce the disturbance caused by traffic noise.

In accordance with the City Council's procedure for dealing with petitions, those relating to road safety are heard by the Cabinet Member for City Services. The Cabinet Member had considered the petition prior to this meeting and 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 there were currently no proposals to change the speed limit on the A444, which was determined in line with national guidance according to the nature of the road. The letter recommended that, if the noise of vehicles travelling on the A444 was creating a disturbance, the petitioners should contact the developer of the estate to request measures to shield their properties from the traffic noise.

The cost of road safety measures was funded from the Highways Maintenance and Investment Capital Programme budget through the Local Transport Plan.

The Petition Organiser referred to the traffic noise experienced by residents whose properties were part of the estate that bordered a section of the A444. She indicated that this road had heavy and often speeding traffic 24 hour per day, 7 days per week, which was having an adverse effect on residents and in particular, disturbed their children's' sleep. She suggested that an extension to the 30mph speed limit on part of the A444 to include the section where properties were located, would help the situation. She also indicated that residents had been unsuccessful in securing any further assistance with noise protection for their properties, from the developers of the estate.

Having considered the report and the comments made by the petition organiser and the officer who presented the report, the Cabinet Member agreed that officers contact the developers of the housing estate bordering the section of the A444 to see if they were able to provide any further assistance to residents regarding noise insulation at their properties.

RESOLVED that the Cabinet Member for City Services:

- 1) Notes the petitioners' concerns**
- 2) Endorses the actions confirmed by determination letter to the petition organisers as detailed in paragraph 1.5 of the report.**
- 3) Requests that officers contact the developers of the housing estate bordering the section of the A444 to see if they are able to provide any further assistance to residents regarding noise insulation at their properties.**

6. **On-street Residential Chargepoint Scheme (ORCS) - Tender/Contract Award**

The Cabinet Member for City Services considered a report of the Director of Transportation and Highways that sought approval to award the concession contract and execute all necessary legal documents with the successful tenderer, for the On-street Residential Chargepoint Scheme.

Coventry was at the cutting edge of the automotive industry and a leader in innovation. Electric vehicles lay 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. The 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 chargepoints and associated dedicated parking bays (where applicable). This funding had been made available to Local Authorities in a grant agreement format.

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.

The Council had over the past three years successfully submitted four funding applications to OZEV securing grant funding to the value of £1,446,010. This funding was being used to install a mix of slow and fast chargepoints on residential streets across the city.

There was still the opportunity for the Council to bid for additional funding from OZEV, however, the current Charge Point Operator (CPO) contract had now come to an end and a new CPO needed to be procured. The intention was to publish tender documents to the value of £1.5 million (over a two-year period) which would allow the Council to bid for additional funding when it became available and allow the Council to explore a fully funded option by the CPO. A Proc 2 was submitted to Procurement Board and was approved on 24th February 2021.

Tender documents for a concession contract were published on 9th June 2021 with a return date of 9th July 2021.

RESOLVED that the Cabinet Member for City Services:

- 1) Following evaluation of received tenders, approves the award of a concession contract to the successful tenderer.**
- 2) Delegates authority to the Director for Transportation and Highways and the Director of Law and Governance to execute all necessary legal documents with the successful tenderer.**

- 3) Notes that the submission for grant funding is made to Office for Zero Emission Vehicle for up to £500,000 per year for the next two years, which will be used to install charge points if successful.
- 4) Notes the advertisement of Experimental Traffic Regulation Orders (ETRO's), Temporary Traffic Regulation Orders (TTRO's) and Traffic Regulation Orders (TRO's) as necessary, to safely install charge points at various locations.

7. Coventry Electric Bus City - Closure of Cox Street Car Park and Application to Stop Up Highway (Part of Ford Street)

The Cabinet Member for City Services considered a report of the Director of Transportation and Highways that proposed the closure of Cox Street Car Park located next to the West Midlands Travel Ltd Bus Depot and Pool Meadow Bus Station, to accommodate an electric bus charging facility.

The Department for Transport (DfT) launched the All Electric Bus Town fund in February 2020, with £50 million in grant funding made available to allow one town or city within England to make the transition to a bus network operated fully by electric powered buses. The West Midlands Combined Authority (WMCA), as the strategic transport authority, submitted an Expression of Interest, which was developed by Coventry City Council in partnership with Warwickshire County Council, Transport for West Midlands and incumbent Coventry and Warwickshire bus operators.

Consideration of the full business case (FBC) was devolved from the DfT to the WMCA, which was now the accountable body for the Coventry and Warwickshire scheme. The FBC was approved by the WMCA board on 19th March 2021 and the funding of £50 million was passported from the DfT to the WMCA on 31st March 2021, allowing the project to proceed.

As a result, Coventry would see over 290 electric buses operating within the city by the end of 2025, supporting the Council's objectives of a green economic recovery through the de-carbonisation of the city's transport network, with an estimated emissions saving of around 24,000 tonnes of carbon dioxide and 55 tonnes of nitrogen dioxide per year.

To facilitate the electrification of the bus fleet, it was necessary to provide additional land in the vicinity of the West Midlands Travel Ltd Bus Depot and the Pool Meadow Bus Station to accommodate an electric bus charging facility. Cox Street Car Park, as shown on the plan at Appendix 1 to the report, was ideally located for this initiative and so it was proposed that the car park was closed to the public and the site re-purposed as a bus charging facility.

It was further proposed to stop up the length of public highway in Ford Street (shown on the plan in Appendix 2 to the report) which served as a public vehicular access to Cox Street Car Park. This was to facilitate seamless integration and access to the electric bus charging infrastructure.

RESOLVED that the Cabinet Member for City Services:

- 1) Approves the permanent closure of Cox Street car park.
- 2) Subject to the approval of recommendation 1 above, approves that officers commence the legal process to remove Cox Street Car Park as identified edged in green on Plan A in Appendix 1 to the report, from the Off-Street Parking Places Order 2005.
- 3) Approves that an application be made to the Magistrates' Court for an Order stopping up the highway as identified on Plan B in Appendix 2 to the report and titled 'Highways Act 1980, section 116 – Application to Stop Up part of Highway known as Ford Street', in accordance with the provisions of sections 116 of the Highways Act 1980 and approves that officers commence the legal process required for achieving this.
- 4) Delegates authority to the Director of Highways and Transportation, following consultation with the Director of Property Services and Development, to negotiate terms for a market rent for the site.
- 5) Delegates authority to the Director of Highways and Transportation and the Director of Law and Governance, following consultation with the Director of Finance, to execute all necessary agreements and orders necessary to give effect to the recommendations set out in the report.

8. **Outstanding Issues**

There were no outstanding issues.

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

There were no other items of public business.

(Meeting closed at 3.00 pm)

This page is intentionally left blank

Cabinet Member for City Services

18th August 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:

St Michaels

Title:

Objection to Experimental Traffic Regulation Order – Whittle Arch

Is this a key decision?

No

Executive Summary:

In 2002, as part of the Phoenix Initiative Regeneration Project, the junction of Trinity Street and Fairfax Street was closed off to all traffic and pedestrianised. Following the closure, bus usage of the Pool Meadow Bus Station was significantly reduced making the bus station facility unsustainable in the long-term.

To address these concerns, in 2005, the City Council 'opened up' the Trinity Street/Fairfax Street junction (Whittle Arch) to buses and cycles to enable improved bus access to the bus station. Since 2005 there have been further changes which have resulted in the creation of the bus gate and additional vehicles being able to travel through the bus gate at certain times.

In 2018 further changes were made. The bus gate had been operating for several years and during this time alterations had been made to the road layout as part of the ongoing public realm works. In addition, issues had been raised by Adjudicators from the Traffic Penalty Tribunal (TPT) about the clarity of the signage, following the consideration of appeals.

The 2018 changes simplified the operation of the bus gate, allowing buses, cycles and taxis to travel through the bus gate at all times and also simplified the associated signage. To monitor the impact of these changes the traffic regulation order (TRO) was implemented as an Experimental TRO (ETRO). 2 objections were received and considered.

The recommended action to the 2018 ETRO was to further amend the operation of the bus gate; allowing private hire vehicles to also travel through the bus gate. Once again this was implemented using an ETRO to enable monitoring. The ETRO came into operation on 9th March 2020. 1 objection was 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 costs relating to making permanent or amending the ETRO 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. Consider the objection to the City of Coventry (Whittle Arch) (Bus Gate) Experimental Order 2020 being made permanent;
2. Subject to recommendation 1, approve the current ETRO is made permanent.

List of Appendices included:

Appendix A – Location Plan
Appendix B – Copy of objection

Background Papers

None

Other useful documents:

Cabinet Member for City Services report 20th January 2020- Objections to Experimental Traffic Regulation Order Whittle Arch.

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 Experimental Traffic Regulation Order – Whittle Arch

1. Context (or background)

- 1.1 In 2002, as part of the Phoenix Initiative Regeneration Project, the junction of Trinity Street and Fairfax Street was closed off to all traffic and pedestrianised. Following the closure, bus usage of the Pool Meadow Bus Station was significantly reduced making the bus station facility unsustainable in the long-term.
- 1.2 To address these concerns, in 2005, the City Council 'opened up' the Trinity Street/Fairfax Street junction (Whittle Arch) to buses and cycles to enable improved bus access to the bus station. A Traffic Regulation Order (TRO) was subsequently introduced to prohibit left and right turning movements except for buses and cycles onto this section of Millennium Place, thus creating a bus only link between Trinity Street and Fairfax Street.
- 1.3 Following the introduction of the TRO, representations were received on behalf of the taxi and private hire trades within the City requesting that taxis and private hire vehicles also be allowed to use the link road. After careful consideration, in 2006 the City Council amended the TRO to include access by taxis and private hire vehicles between the hours of 10.30pm and 5.00am (a time when use of the link road by buses was minimal and no disruption to bus flows would be experienced).
- 1.4 The police were responsible for the enforcement of the restrictions at Whittle Arch. However, due to limited Police resources, enforcement of the restrictions was not effective. To address this issue the City Council commenced works to enable the introduction of civil enforcement; in June 2011 Civil Enforcement commenced.
- 1.5 On 25th November 2011 changes were made to the operation of the Whittle Arch bus gate, this was an extension of the times taxis and private hire vehicles could travel through the bus gate. The time period being extended to 6.00pm to 8.00am for these vehicle types.
- 1.8 In 2018, further changes were made. The bus gate had been operating for several years and during this time changes had been made to the road layout, as part of the ongoing public realm works. In addition, issues had also been raised by Adjudicators from the Traffic Penalty Tribunal (TPT) after hearing appeals, in regard to the clarity of the signage. The changes simplified the restriction allowing, in addition to buses and cycles, taxis to travel through the bus gate 24 hours a day, but no longer permitting private hire vehicles.
- 1.10 To monitor the impact of this change the traffic regulation order (TRO) was implemented as an ETRO. 2 objections were received, which were considered at a Cabinet Member for City Services meeting in January 2020, at which it was approved to make another change; to also let private hire vehicle travel through the bus gate. This change was also introduced as an ETRO, to enable monitoring, and came into operation on 9th March 2020.
- 1.11 Shortly after the implementation of the revised ETRO, measures were put in place in response to the Coronavirus pandemic, including 'lockdowns'. The changes to our daily lives dramatically affected traffic flows and therefore impacted on monitoring.
- 1.12 Prior to the new bus gate restrictions becoming operational, on the 3rd March 2020 an objection was received to the new ETRO. This is detailed in Appendix B.

2. Options considered and recommended proposal

- 2.1 The proposed changes to the operation of the Whittle Arch Bus Gate were made using an ETRO to enable monitoring to be undertaken and any objections to be considered, before deciding whether to make the changes permanent.
- 2.2 The options considered are to:
- i. Make the ETRO permanent.
 - ii. Not to make the ETRO permanent and on expiry return to the existing TRO (currently suspended); the bus gate operating at all times, with taxis and private hire vehicles permitted through from 6.00pm to 8.00am
 - iii. Not to make the ETRO permanent and on expiry implement an alternative ETRO with further operational changes.
- 2.3 The issues raised in the objection include:
- Only buses should be allowed to use the bus gate
 - There should be a cycle path under Whittle Arch
 - There are substantial concerns for pedestrian safety at this location
 - Need a full assessment of risks imposed by allowing more traffic through the gate and consider the needs of pedestrians with protected characteristics.
 - The council has repeatedly ignored its duty to make considerations in terms of this Act (Equality Act 2010). This breach is consistent, and quite deliberate in its manifestations. This repeated failure might also be considered to be a hate crime, especially in respect of vulnerable road users with physical and mental disabilities.
- 2.4 Unfortunately, shortly after the introduction of the ETRO allowing the bus gate to be used by private hire vehicles, as well as buses, cycles and taxis there were the substantial impacts on daily life and routines due to the coronavirus pandemic. This significantly changed (reduced) the traffic flows and in addition further changes were made such as the closure of Hales Street (west) to traffic for a period of time as part of the Covid related measures. Due to the reduction in traffic it was not possible to obtain traffic surveys at comparable levels to previous monitoring counts.
- 2.5 A review of the personal recorded injury collision history of both the current ETRO and the previous ETRO (which came into operation on 10th September 2018) show that no personal injury collisions have been recorded.
- 2.6 The police and the CPS in England and Wales have agreed the following definition for identifying and flagging hate crimes: "Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity." The Council has not committed any criminal offences motivated by protected characteristics or otherwise.
- 2.7 Cyclists are not a group of people with a particular protected characteristic in terms of the Equality Act 2010. They have a range of protected characteristics as do the users of buses, taxis and private hire vehicles.
- 2.8 The change to allow taxis and private hire vehicles to use the bus gate, at all times, means that a part of the transport network can assist to facilitate passengers in terms of direct access from their home to places they want to visit. Many people due to youth, age, disability, infirmity and pregnancy will rely on taxis and private hire vehicles when buses do not supply the service they require.
- 2.9 In addition, the change to allow taxis and private hire vehicles to use the bus gate at all times, rather than only during the previous permitted time of 6pm to 8am, assists to simplify the signage for the bus gate, which addresses issues raised by Adjudicators from the Traffic Penalty Tribunal (TPT) in regard to the clarity of the signage.

- 2.10 Following the temporary changes that were introduced at various times in the City Centre since March 2020, such as the closure of High Street to traffic and the closures at Hales Street (west), further reviews are being undertaken of the management of traffic through the city centre, to try to reduce the levels of traffic. This may result in the operation of the Whittle Arch Bus Gate being reviewed again in the future.
- 2.11 Taking into consideration 2.4, 2.5, 2.8, 2.9 and 2.10 it is recommended that the current ETRO is made permanent and that further monitoring is undertaken. If any changes are proposed at this location a further ETRO or TRO, depending on the proposal, will be required and any objections referred to a future Cabinet Member for City Services meeting.

3. Results of consultation undertaken

- 3.1 The ETRO came into operation on 9th March 2020. The ETRO was advertised in the Coventry Telegraph on 27th February 2020; notices were also placed on street in the vicinity of the proposals and letters were also sent to other various consultees. The closing date for objections was 10th September 2020. 1 objection was received. A response from West Midlands Fire Service was also received advising they had no objections to the proposal.

4. Timetable for implementing this decision

- 4.1 Subject to approval, the ETRO would be made permanent on expiry of the current ETRO on 8th September 2021.

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

5.1 Financial implications

The cost of making permanent the ETRO, 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 Order, including an experimental 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.

An experimental order takes effect 7 days after public notice is given and can remain in force for up to 18 months. Objections may be made during the first 6 months of operation and any objections must be considered before any decision to make the order permanent.

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 will contribute to the City Council's aims 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 the changes, which allows both taxis and private hire vehicles to use the bus gate, provides an additional means of direct access to the city centre for all passengers.

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, caron.archer@coventry.gov.uk

Enquiries should be directed to the above person.

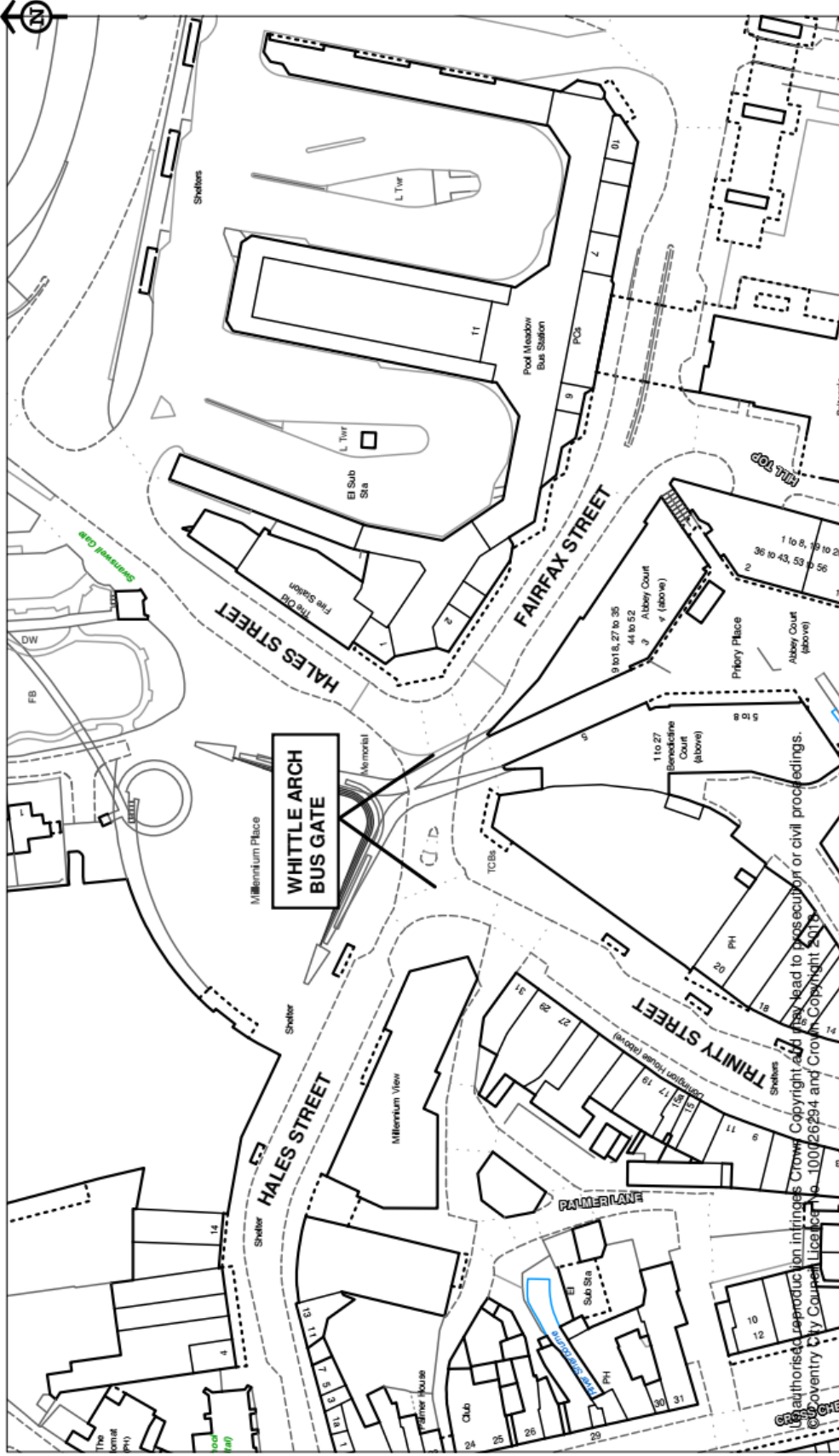
Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Rachel Goodyer	Traffic & Road Safety Manager	Place	03.08.2021	09.08.2021
Liz Knight	Governance Services Officer	Place	03.08.2021	04.08.2021
Names of approvers: (officers and members)				
Graham Clarke	Lead Accountant	Place	03.08.2021	03.08.2021
Rob Parkes	Team Leader	Place	03.08.2021	05.08.2021
Councillor P Hetheron	Cabinet Member for City Services		04.08.2021	06.08.2021

This report is published on the council's website: moderngov.coventry.gov.uk

Appendix A – Location Plan



LOCATION PLAN - WHITTLE ARCH BUS GATE



Unauthorized reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.
 © Coventry City Council Licence No. 100026294 and Crown Copyright 2010

Appendix B – Copy of Objection

Objection 1

Subject: Re: City of Coventry (Whittle Arch) (Bus Gate) Experimental Order 2020

Further to the recent cabinet member meeting on this matter, I would like to restate my OBJECTION to this order being made permanent at any point.

I have just returned from the eastern side of a city on a bus, which was delayed in passing through the arch by having to wait behind taxis, in addition to other buses.

There is a very clear traffic management issue with allowing any more than strictly ESSENTIAL traffic through this point. Clearly, the buses themselves are essential, since they need to stick to set routes, which should of course be as straight as possible.

Emergency service vehicles and necessary council maintenance vehicles should also be permitted. All other forms of motorised transport do not need to use this gate. The current regulations should be revoked, and it should return to being for BUSES ONLY.

There is sufficient width at this location to provide for a fully protected cycle path under the arch. The current arrangement of sharing with buses is patently unsafe.

Clearly, there are already substantial concerns for pedestrian safety at this location. The council needs to make a full assessment of the risks imposed by allowing more traffic through this bus gate, and this also needs to consider the needs of pedestrians with protected characteristics, as per the Equality Act 2010.

The council has **repeatedly ignored its duty** to make considerations in terms of this Act. This breach is consistent, and quite deliberate in its manifestations. This repeated failure might also be considered to be a hate crime, especially in respect of vulnerable road users with physical and mental disabilities.

The council is perfectly well aware that it is a serial offender in this respect, and the responsibility lies with officers as much as with the council leadership.

Cabinet Member for City Services

18 August 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, Binley & Willenhall, Cheylesmore, Holbrook, Longford

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 September 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)

Name and job title:

Martin Wilkinson
Senior Officer - Traffic Management

Service:

Transportation and Highways

Tel and email contact:

Tel: 024 7697 7139

Email: martin.wilkinson@coventry.gov.uk

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	05/08/2021	06/08/2021
Michelle Salmon	Governance Services Officer	Law and Governance	05/08/2021	06/08/2021

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
Request for Average Speed Cameras and Other Speed Restrictions on Lentons Lane	113	Cllr Duggins	Determination	Does not meet the criteria for inclusion in the safety scheme or Average Speed Enforcement programmes. Review of recorded personal injury collisions on Lentons Lane shows 1 recorded in last 3 years. Speed survey shows average weekday speeds of less than 30mph. Faded and damaged road signs to be replaced. Request for Community Speed Watch to be forwarded to Police.
Average Speed Camera's Needed on Quinton Road	7	N/A	Determination	Does not meet the criteria for inclusion in the safety scheme or Average Speed Enforcement programmes. Review of recorded personal injury collisions shows 3 recorded in last 3 years; 1 where speed was recorded as contributory factor). Refer to Community Speed Watch and add to mobile vehicle-activated speed sign programme for deployment during 2022.
Speed Deterrent on Daventry Road	130	Cllr Bailey	Determination	Does not meet the criteria for inclusion in the safety scheme or Average Speed Enforcement programmes. Review of recorded personal injury collisions shows 5 recorded in last 3 years; 1 where speed was recorded as a contributory factor). Refer to Community Speed Watch.
Speed Deterrent on The Mount	91	Cllr Bailey	Determination	Does not meet the criteria for inclusion in the safety scheme or Average Speed Enforcement programme. Review of recorded personal injury collisions shows 1 recorded in last 3 years. Refer to Community Speed Watch and add to mobile vehicle-activated speed sign programme for deployment during 2022.
Permit Scheme in Lollard Croft	7	Cllr Bailey	Determination	Result of previous consultation in 2019 showed less than 60% of households in favour of inclusion in residents' parking scheme. Consultation can only be repeated once 24 months have elapsed since previous consultation. Therefore, residents will be re-consulted in November 2021.
Off Road Parking for Residents of London Road, Whitley	47	Cllr Bailey	Determination	There has been no change to parking restrictions and no verge damage; Therefore, location does not meet criteria for inclusion in verge programme. It is not a duty of the City Council to provide on-street parking.

A45 Average Speed Camera Installation	6	N/A	Determination	Does not meet Average Speed Enforcement criteria (history of speed-related injury collisions). Continue to monitor as part of annual review of recorded personal injury collisions.
Request for Traffic Calming and other Highway Interventions on Parkville Highway	34	Cllr Lancaster	Determination	Does not meet the criteria for inclusion in the safety scheme programme (review of recorded personal injury collisions shows 3 recorded in last 3 years). Refer to Community Speed Watch and add to mobile vehicle-activated speed sign programme for deployment during 2022.
Traffic Calming Measures on Binley Avenue	49	Cllr Thomas	Determination	Does not meet the criteria for inclusion in the safety scheme programme (review of personal recorded injury collisions shows none recorded in last 3 years). Refer to Community Speed Watch.
Parking Restrictions Along Gardenia Drive Including in Front of the Shopping Parade	117	Cllr Birdi	Determination	Propose Limited Waiting bay in next waiting restriction review in the autumn.

This page is intentionally left blank