
Council Meeting

5 December 2017

Booklet 1

Answers to Written Questions

NOTES:

- (a) Questions 1 and 2 below were deferred from the Council Meeting held on 10 October, 2017
- (b) Questions 3-6 and 8 were directed at the Cabinet Member for City Services. These questions relate to legal enforcement action and the Leader has subsequently clarified that these should be dealt with by the Cabinet Member for Policing and Equalities in line with his portfolio responsibilities for issues including community safety, public protection, local policing and Legal Services.

1.	<p>QUESTION SUBMITTED BY: Councillor Crookes</p> <p>TO BE ANSWERED BY: Councillor Bigham, Cabinet Member for Community Development</p>
<p>TEXT OF QUESTION:</p> <p>“Would the Cabinet Member please supply the following information on the Council's official Travellers Site at Tollbar End: The number of pitches on the site? The number of pitches currently occupied? The figures for pitches occupied over the last 3 years? Whether any of the currently unoccupied pitches are fit for renting?”</p> <p>ANSWER:</p> <p>The total number of pitches is 22. 3 pitches are currently occupied. 4 pitches were occupied in 2015 dropping to 3 in late 2015. None of the unoccupied pitches are fit for renting.</p>	

2.	<p>QUESTION SUBMITTED BY: Councillor Crookes</p> <p>TO BE ANSWERED BY: Councillor Bigham, Cabinet Member for Community Development</p>
<p>TEXT OF QUESTION:</p> <p>“What has been the cost of cleaning up and repairing/upgrading defences after Traveller incursions onto Council owned land in the last 12 months? It would be appreciated if these figures could be broken down per incursion”</p> <p>ANSWER:</p> <p>To date in 2017/18 the City Council has spent £43,100 on illegal traveller incursions. £20,200 of this has been on defences and site clearance, and £22,900 has been spent on legal fees and bailiffs etc. We currently do not hold this information for individual sites, and the information is stored in financial years rather than as a rolling total</p>	

3.

QUESTION SUBMITTED BY: Councillor Mayer

TO BE ANSWERED BY: Councillor A Khan, Cabinet Member for Policing and Equalities

TEXT OF QUESTION:

“Following recent press articles claiming our PCN’s deter the public from appealing because they state that all representations are on the full £60, the Coventry Council website that had 8 headings at the top was changed to 9 in the last week in October 2017. A new point entitled ‘How to challenge a bus lane / bus gate PCN) has been added, and you will see that all representations are on the full £60 has been removed.

Traffic officers have also recently confirmed in writing to a member of public that they admit the Council website was ‘unclear’ on the process and that they would arrange the website to be changed as soon as possible. They also both confirmed that despite the statement “All representations are on the full amount, not the discounted rate’ being used by the Council, it is in fact incorrect. Both officers confirmed that representations received within 14 days are NOT on the full £60, but in fact on the reduced £30.

Would the cabinet member agree that as the website contained no advisement, and neither do the bus gate / bus lane PCNs sent via post, therefore the public have not been informed of the opportunity to appeal within 14 days on the reduced amount, and have in fact been misled by the statement “All representations are on £60?”

ANSWER:

The Coventry City Council website has been updated to make the wording clearer for recipients of PCN’s. A Penalty Charge Notice (PCN) is reduced by one half if paid within the 14 day period from the date of the service of the PCN. Representations can be made at any time within the 28 day period from the date of service if people are disputing liability. A recipient of a PCN is now entitled to make representations and then subsequently pay the discounted penalty charge both within the 14 day period.

If a motorist submits a representation within the initial 14 day period and the representation is subsequently rejected, a further 14 day period will now be offered from the date of the Notice of Rejection letter to pay at the reduced rate of one half of the PCN.

The website has already been changed to reflect these updates and the PCN paperwork is currently being updated with new wording. The revised wording on the PCN is currently being checked to ensure it is correct and the changed PCN paperwork will be implemented as soon as possible.

4.

QUESTION SUBMITTED BY: Councillor Mayer

TO BE ANSWERED BY: Councillor A Khan, Cabinet Member for Policing and Equalities

TEXT OF QUESTION:

“There have been 3 separate rulings by the Tribunal, going back nearly 2 years. The tribunal have been asking Coventry to alter the statement on Coventry's PCN's **"You cannot pay the discounted rate and make representations at the same time"** This statement is incorrect. Why did the council take nearly 2 years to make these amendments? Why have the Council only acted on this in October 2017.”

ANSWER:

The Council reviews the independent adjudicator's decisions and considers if any changes to its documentation is required. Following the review of decisions received in late 2016 and early 2017 revised documentation was developed in the spring of 2017 and changes to the PCN were made in May 2017. Further changes have been made to the documentation during October and November to make the information clearer for motorists.

It is important to note that when a PCN is paid it is deemed to be closed as the motorist has accepted liability for the contravention incurred. Any representations that have been made up until that point of payment will not be considered once the PCN has been paid. This does not prevent the motorist from making a representation and then paying the reduced amount within the initial 14 day period.

5.

QUESTION SUBMITTED BY: Councillor Mayer

TO BE ANSWERED BY: Councillor A Khan, Cabinet Member for Policing and Equalities

TEXT OF QUESTION:

“The current Coventry PCN confirms that any sums already paid to Coventry Council will be refunded. Senior officers have very recently told an elected member that the public cannot pay and appeal. Why would the PCN state this if you cannot pay and appeal? Can the Cabinet member confirm whether residents can pay the discounted rate and make representations at the same time?”

ANSWER:

A recipient of a PCN is entitled to make representations at any point within the 28 day period from the date of service of the PCN. If the recipient of a PCN

submits a representation within the 14 day period from the date of the service of the PCN and then subsequently pays the PCN still within the first 14 days, the penalty charge is reduced to one half of the original amount, i.e. £30. If a recipient of a PCN submits a representation and then subsequently pays before receiving a reply to their representation then their case will be closed as liability of the contravention by the motorist will be deemed to have been accepted.

6. QUESTION SUBMITTED BY: Councillor Mayer

TO BE ANSWERED BY: Councillor A Khan, Cabinet Member for Policing and Equalities

TEXT OF QUESTION:

“The cabinet member informed BBC C&W that only a tiny, tiny amount of PCNs out of thousands had not been collected due to ‘issues’ at Whittle Arch. Can the cabinet member please advise why over 2000 PCNs at Whittle Arch have been cancelled by the Council in the last few years if there was no issues at the location? Especially as the lion share of them were due to missing / hidden signage. This figure does not include appeals upheld by the TPT.”

ANSWER:

The number of appeals that have been upheld by the Independent Adjudicator relative to the number of PCN’s issued during the period 2013 to 2017 is extremely small: 42 PCN’s from circa 65,000 PCN’s issued during this period.

Data that was provided in response to an FOI showed that circa 2,000 PCN’s had been cancelled as a result of representations that were accepted. It is incorrect to state that the “lion’s share” of these were due to missing / hidden signage – as they were cancelled for a number of reasons.

7. QUESTION SUBMITTED BY: Councillor Mayer

TO BE ANSWERED BY: Councillor Innes, Cabinet Member for City Services

TEXT OF QUESTION:

“In the last full council Meeting October 10th I asked – “If the council have stated the bus gate signage was stolen why was a drawing produced in May 2014 with the signage removed?” This drawing would have had the signage present if officers thought we needed them. The drawing from Feb 2014 have the signs present. The worry is though these signs were actually missing from 2012.

This information was emailed to Cllr Innes on the 10th October. Can the Cabinet Member please respond to this question?”

ANSWER:

You ask a question that relates to a technical drawing that was done by Highways Officers before you became a Councillor, and 2 years before I became Cabinet Member. No useful purpose can be served by speculating on the reason for the absence of an icon from a drawing that was done 3 years ago, particularly when a new sign was introduced at this site earlier this year.

8.

QUESTION SUBMITTED BY: Councillor Mayer

TO BE ANSWERED BY: Councillor A Khan, Cabinet Member for Policing and Equalities

TEXT OF QUESTION:

“On the 22nd November, a link in the PCN page of the website was removed. This link told people about the refunds for Park Road, Warwick Road and Gosford Street. How are the public supposed to know they can claim a refund if the link is missing or hidden? Was there a reason why it was removed on the 22nd November?”

ANSWER:

This information was in two places on the Council’s website. As part of the routine tidying up of Council web pages one of the links was removed, the second location still remains. This is the link:

http://www.coventry.gov.uk/info/117/parking/279/parking_bus_lane_and_bus_gate_enforcement/9

9.

QUESTION SUBMITTED BY: Councillor Ridley

TO BE ANSWERED BY: Councillor J Mutton, Cabinet Member for Strategic Finance and Resources

TEXT OF QUESTION:

“Should the council have an ethical investment policy?”

ANSWER:

The Council’s Scrutiny Board 1 considered a paper on Ethical Investment in November 2014.

The Board noted that the adoption of an ethical investment strategy would have no practical impact on the Council’s investing activities.

Where the Council makes direct investments or loans with organisations such as Coombe or CAWAT, these decisions are the subject of debate and approval

at Cabinet and Council and are therefore open to full scrutiny by members.

The Council's treasury management investments are made either with mainstream financial institutions or with pooled funds used by large numbers of local authorities. There are no examples of effective ethical investment policies within councils for such treasury purposes. The clear advice of the Council's Treasury Management Advisors is that it is not practical to implement an Ethical Investment Policy for Local Authority treasury investments.

The West Midlands Pension Fund make investments on behalf of its members, many of whom are current or ex-employees of the City Council. Due to the massive long-term investments placed by the Pension Fund, including the purchase of shares in companies, this means that the Fund can operate a Responsible Investment Framework. However, the Framework does not allow the Fund to exclude companies on ethical grounds and the fund has a duty to ensure that investment returns are the top priority. The West Midlands Pension Fund website states that "if companies indirectly or directly involved in subjectively deemed unethical activities were excluded for investment purposes, there would be very few companies left in which to invest."

For these reasons it is impractical for the Council to operate an ethical investment policy.

10. **QUESTION SUBMITTED BY: Councillor Ridley**

TO BE ANSWERED BY: Councillor O'Boyle, Cabinet Member for Jobs and Regeneration

TEXT OF QUESTION:

"Could the cabinet member confirm when he plans to bring forward a public report about the purchase of Coombe Abbey?"

ANSWER:

"A public report concerning the purchase of Coombe Abbey will be presented to my Cabinet Member meeting on 14 December 2017"

11. **QUESTION SUBMITTED BY: Councillor Lapsa**

TO BE ANSWERED BY: Councillor K Caan, Cabinet Member for Public Health and Sport

TEXT OF QUESTION:

"Can the Cabinet Member inform the chamber what facilities for disabled swimmers there are in Coventry?"

ANSWER:

Please see below details of disabled facilities for swimmers in Coventry (Public Leisure Facilities).

Xcel Sports and Leisure Centre

- Disability Parking
- Hearing Induction Loops on Reception
- Disability Friendly Reception Counter
- Half Movable Pool Floor
- Portable Hoist
- Changing Places Toilet
- 1 x Disabled Toilet (wetside)
- 2 x Disability Shower Area
- Textured poolside tiling for individuals with visual impairment

Coventry Sports and Leisure Centre

- External ramp access to front on facility automatic access / egress doors
- Reception hearing loop
- Lift that goes from ground floor to 2nd floor providing access / egress to swimming pools / changing facilities at level 1.
- X1 disabled change / shower that service the Olympic pool
- X2 disabled change / shower areas that service the splash / teaching pool hall
- One disabled hoist with separate access fixing points in the Olympic, splash and teaching pool
- The splash pool has a beached entry starting from 0m and has a gradual gradient leading to a maximum depth of 1.2m

AT7

- Disability Parking
- Hearing induction loops on reception
- Ramped access to facility
- Disability Low counters
- Changing Places Toilet
- 1 x disabled changing wet changing
- Disabled wet side toilets male / female
- Disability shower area
- Platform Pool Lift
- Pool Hoist
- Beach on splash pool with gradual graded access to a maximum depth of 0.7 metres

In addition the following have been included within the design and fixtures, fittings and equipment allowances for the City Centre Destination Leisure Facility (CCDLF) and the Development of 50 Metre Swimming Pool and Enhancement of the Associated Public Leisure Facilities at the Alan Higgs Centre:

CCDLF

Ground floor:

- Pool pod to 25m pool
- Mobile hoist access to 25m pool and spa pool
- Induction loops at reception desk and servery
- Accessible change and a Changing Places Facility to serve Health and fitness and the spa pool.
- Accessible change to serve the spa.

First floor

- Accessible change and Changing Places Facility to wet change for waterpark
- Two ambulant toilet cubicles to the male and female wet changing areas.
- Eight Accessible changing cubicles within the wet changing area.
- Accessible access throughout children's play area.
- Ramped access to waterpark.
- Lift access to waterpark and health and fitness.
- Accessible toilet to health and fitness area.

Alan Higgs Centre

Ground floor

- Induction loop at reception.
- Three accessible changing rooms to wet change.
- One Changing Places Facility to wet change.
- Pool pod access to both halves of pool.
- Easy tread stair access to both sides of pool.
- One ambulant cubicle to wet change toilets
- One accessible toilet cubicle to wet change.
- Two existing dry side accessible changing rooms.
- Four new accessible toilets in GF corridor.
- Two existing accessible toilets in GF dry changing.

First Floor

- One new accessible toilet
- One existing accessible toilet
- Lift access via existing lift or new lift to spectator seating.

12.

QUESTION SUBMITTED BY: Councillor Williams

TO BE ANSWERED BY: Councillor Innes, Cabinet Member for City Services

TEXT OF QUESTION:

“Would the Cabinet Member confirm how many traffic accidents there have been on Keresley Road over the past 4 years?”

ANSWER:

There is no way of knowing how many traffic accidents there have been on Keresley Road over the past 4 years, as 'the number of traffic accidents' is not collected data.

I can, however, inform you that data collected by the police reveals there have been 20 personal injury accidents on Keresley Road since 1st January 2013.