

Cabinet Member for City Services

15th June 2022

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:

Sherbourne

Title:

Petitions - Save Upper Hill Street

Is this a key decision?

No

Executive Summary:

Two petitions (E33/1 and E46/21) have been received in respect of Upper Hill Street. These call for the Council to abandon plans to open Upper Hill Street to through traffic. These petitions received 950 and 44 signatures.

In accordance with the City Council's procedure for dealing with petitions, these are heard by the Cabinet Member for City Services. The Cabinet Member had considered the petitions prior to this meeting and requested that the petitions were 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 petitions be added to the record of the public consultation carried out in November and December 2021. On receipt of the determination letters the petition organisers advised that they wanted the matter considered at a Cabinet Member for City Services meeting.

In accordance with the Council's procedure for dealing with petitions, these petitions will be heard by the Cabinet Member for City Services at a meeting on 15th June 2022.

Since 2017 the Council has been working closely with the Government's Joint Air Quality Unit (JAQU) to develop an action plan to reduce NO₂ levels below the legal limit of 40ug/m³ in the shortest possible time.

The Council developed a Local Air Quality Action Plan (LAQAP) following consultation in 2019

and 2020. To develop the plan, around fifty individual packages of measures have been assessed using traffic and air quality models, with the resulting preferred option being approved by Cabinet in July 2020. A Full Business Case for that option was submitted to Government's Joint Air Quality Unit (JAQU) in December 2020 following further approval from Cabinet. A further consultation was held in November and December 2021 on the details of the infrastructure schemes which form a key part of the approved package of measures.

The mandated scheme which forms part of the legal Direction (Environment Act 1995 (Coventry City Council) Air Quality Direction 2021), issued by Government in May 2021, is a left in and left out junction arrangement that links Upper Hill Street to the slip road at Junction 8 of the A4053 Ringway. As part of the public consultation carried out in November and December 2021, the Council shared an alternative left in only option at Upper Hill Street.

The LAQAP measures allow Coventry City Council to achieve its legal obligations under the Direction without the need for a Clean Air Zone (CAZ), which would require all non-compliant vehicles entering the zone to be charged. With a daily charge of £12.50 for private cars and an impact on an area where 82,000 residents live, a CAZ would have had severe economic and social impacts for the city.

During the public consultation there was significant opposition to the proposed left in only option. Local residents, St Osburg's School, and St Osburg's Church all voiced significant opposition.

Construction of the new junction between the Ringway and Upper Hill Street represents some significant engineering and programming difficulties. In particular, the impact of major services on cost and programme has become more apparent as site investigation works have been carried out as part of the detailed design process. Additionally, the construction of the left in only option requires the re-dedication of some school land as highway, which requires the approval of the Secretary of State for Education.

The Council is investigating alternative engineering options that can achieve the required reduction in NO₂ levels to meet the outcome required in the Ministerial Direction, but which can be delivered quicker than the current proposals. However, any change would be subject to agreement by JAQU and the Council would need to go through a formal change process to get this agreed.

Recommendations:

Cabinet Member for City Services is recommended to:

1. Consider the petitions that have been raised in objection to the construction of a junction from the Ringway into Upper Hill Street
2. Note that work is continuing to seek a solution that can be delivered in a shorter time and with less impact on Upper Hill Street.

List of Appendices included:

Appendix A – Plan of Upper Hill Street works

Background Papers

None

Other useful documents:

Coventry Local Air Quality Action Plan – Cabinet Reports and Minutes of meetings held on 20 July 2020 and 1 December 2020.

Has it been or will it be considered by Scrutiny?

No – this report is not being submitted to Scrutiny, however a briefing note and presentation on this matter was considered by the Business, Economy and Enterprise Scrutiny Board (3) on 4th November 2020, who supported the progress made and the implementation of the Coventry Local Air Quality Action Plan.

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: Upper Hill Street Petitions

1. Context (or background)

- 1.1 Two petitions (E33/1 and E46/21) have been received in respect of Upper Hill Street. These call for the Council to abandon plans to open Upper Hill Street to through traffic
- 1.2 A new junction between the A4053 Ringway and Upper Hill Street is proposed as part of the works to address air quality exceedances in Coventry. These works are part of the Local Air Quality Action Plan(LAQAP) that has been mandated under a legal Direction issued by Government; Environment Act 1995 (Coventry City Council) Air Quality Direction 2021.
- 1.3 In November and December 2021, residents and other stakeholders were consulted regarding the detail of the LAQAP schemes. There was considerable public opposition to the proposed works in Upper Hill Street; specifically, representatives of St Osburg's School and St Osburg's Church expressed concerns regarding the impact of the works.
- 1.4 The construction of the proposed works faces significant engineering challenges such as diversion works to major utility apparatus, and the need for piled foundations to support the new widened slip road. In addition, there is need for a small area (110m²) of land which is currently within the boundary of St Osburg's School to be dedicated as highway.

2. Options considered and recommended proposal

- 2.1 The scheme for Upper Hill Street, which is mandated under the Direction, is to construct a new junction which provides left in and left out access from the Ringway to Upper Hill Street. This option requires additional land to construct, would require the removal and reconstruction of the historic sandstone wall, would require the removal of a line of mature trees and would require major utility diversions: gas, water and a major BT trunk main. The works would have been very disruptive in Upper Hill Street and the excavations would have extended to near the entrance to St Osburg's School.
- 2.2 Due to the issues with the construction of the mandated option, the Council have sought alternatives. The option presented during the public consultation in November and December 2021 was a left in only option from the Ringway to Upper Hill Street. This option included widening of the slip road from Junction 8 so that it could accommodate two lanes; one linking into Upper Hill Street and the second linking onto the Ringway. A new retaining wall would be constructed to allow the levels on the link to Upper Hill Street to be raised along the slip road and minimise the need for major excavations and impact on services in Upper Hill Street.
- 2.3 Additional investigation works on the second option has highlighted that the new widened slip road would have to be piled due to poor ground conditions. This piling would add additional costs but there would also be an impact on the Ringway, which would require closure while the piling was carried out. The option lessens the impact on services but does not eliminate it, especially on the water mains.
- 2.4 The left in only option also requires the re-dedication of a small area of land as highway, which is currently within the boundary of the St Osburg's School. This land would need to be re-dedicated from educational purposes and this re-dedication requires approval from the Secretary of State for Education.
- 2.5 The Council is currently working on alternative solutions that avoid the need for the difficult and expensive engineering works in Upper Hill Street. These options are currently undergoing further modelling work to verify that they achieve the air quality improvements required.
- 2.6 Any changes will also be subject to a formal change control process with JAQU. Discussions on

the principle of change has commenced but resolution is likely to take some time.

3. Results of consultation undertaken

- 3.1 A public consultation was undertaken in November and December 2021 regarding the details of the Air Quality scheme. This consultation included a number of face to face sessions. These were held at the Koco Centre in Spon End, the Albany Theatre in Butts Road and St Osburgs Church in Upper Hill Street. In all 40 people attended the face to face sessions, including parties and individuals who support the petitions. Additionally, meetings were held with Bablake School, St Osburgs School and Church and Chapelfields Area Residents and Traders Association (CARTA).
- 3.2 The consultation material was viewed by 2,200 people, with around 300 people completing the questionnaire or responding direct in writing or in person at drop-in events. Of those responding to the questionnaire, 56% did not consider that the Upper Hill Street scheme will improve air quality, and specific concerns were raised about the impact on schoolchildren attending St Osburg's School as well as the impact on activities at the churches on Upper Hill Street.
- 3.3 Two petitions (E33/21 and E46/21) were received by the Council objecting to the proposals.

4. Timetable for implementing this decision

- 4.1 Investigation of options and agreement of any changes with JAQU is likely to take a number of months to resolve. The Council cannot control JAQU's timetable and neither can the Council be sure that JAQU will agree any changes.

5 Comments from Chief Operating Officer (Section 151 Officer) and Comments from the Director of Law and Governance

5.1 Financial implications

All costs associated with the prohibition of parking are funded via Government Grants; the Air Quality Implementation Fund and the Transforming Cities Fund.

5.2 Legal implications

Pursuant to Environment Act 1995 (Coventry City Council) Air Quality Direction 2021), the Council is under a legal obligation to address NO₂ exceedance in the city, in the shortest possible time.

6 Other implications

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

The proposed works form part of the Local Air Quality Action Plan. This LAQAP is in response to the Government Direction to improve air quality in Coventry in the shortest possible time.

6.2 How is risk being managed?

None

6.3 What is the impact on the organisation?

None

6.4 Equalities / EIA

The air quality schemes will have a positive benefit for all residents and workers in Coventry.

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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Councillor P Hetheron	Cabinet Member for City Services			7/6/22

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Appendix A – Plan of Proposed Works at Upper Hill Street

