

## ENVIRONMENT AND REGENERATION SCRUTINY COMMITTEE

Minutes of a meeting held on 8<sup>th</sup> November, 2018.

Present: Councillor V.J. Bailey (Chairman); Councillor M. Lloyd (Vice-Chairman); Councillors Mrs. P. Drake, V.P. Driscoll, S.T. Edwards, G. John, N. Moore, A.R. Robertson, Ms. S. Sivagnanam and S.T. Wiliam.

Also present: Councillor Dr. I.J. Johnson.

### 474 MINUTES –

RECOMMENDED – T H A T the minutes of the meeting held on 11<sup>th</sup> October, 2018 be approved as a correct record.

### 475 DECLARATIONS OF INTEREST –

No declarations were received.

### 476 CIVIL PARKING ENFORCEMENT UPDATE (DEH) –

The Head of Neighbourhood Services and Transport presented the report, the purpose of which was to provide an update on Civil Parking Enforcement activities in the Vale of Glamorgan for 2017/18 and from 1<sup>st</sup> April, 2018 to 25<sup>th</sup> October, 2018.

On 1<sup>st</sup> April, 2013, Bridgend County Borough Council and the Vale of Glamorgan Council were made responsible for the enforcement of the majority of on-street and off-street parking regulations under a scheme called Civil Parking Enforcement (CPE). The two neighbouring Councils operated a shared service arrangement which was led by Bridgend County Borough Council and governed by a Joint Service Agreement.

The Council was responsible for the enforcement of on-street and off-street parking regulations. Most parking contraventions, including yellow lines and parking bays could be enforced.

Civil Enforcement Officers helped to identify illegal and irresponsible parking. Their role was to keep the roads clear and safe and to help achieve compliance with parking restrictions. In most instances, before issuing a ticket they would use their discretion and try to explain to the driver why they should not be parked illegally.

Any illegally or irresponsibly parked vehicles would be given a parking ticket known as a Penalty Charge Notice (PCN). PCNs were only issued where vehicles were parked in contravention of the parking restrictions. PCNs were administered by the Wales Penalty Processing Partnership (WPPP) based in North Wales. They also processed and collected penalty charges on behalf of other Local Authorities.

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If the PCN was not paid or challenged during the initial 28 day period, as specified on the front of the PCN, a Notice to Owner would be served on the registered keeper of the vehicle, requiring full payment of the penalty charge. If payment was made within 14 days of the date of issue, then the charge was reduced by 50%. If no payment was received within 14 days then the full amount was required.

There were no targets for the number of PCNs that a Civil Enforcement Officer must issue. All Officers underwent comprehensive training and only issued a PCN if they believe a contravention had occurred.

The Police could still issue parking tickets known as a Fixed Penalty Notice for parking on pedestrian crossing zig-zags, but this contravention could also be enforced by the Council (without the associated penalty points). The Police also continued to deal with dangerous parking and general obstructions such as parking on footways and moving traffic offences and could take action against any driver where security or other traffic policing safety issues were involved.

The total number of Parking Charge Notices issued for 2013/14, 2014/15, 2015/16, 2016/17, 2017/18 and part of 2018/19 is shown below. Since inception to 25<sup>th</sup> October, 2018 there had been 38,989 notices issued.

Year	Total Number of Contravention Notices Issued	Formal Appeals	Successful Appeals
2013/14	8547	130	67
2014/15	7128	97	33
2015/16	6903	74	28
2016/17	6317	218	28
2017/18	6132	223	32
2018/19 (1st April to 25th October 2018)	3962	89	12
Total	38989	831	200 (24% Success rate)

The data for 2017/18 illustrated that PCNs were issued in the Council's main urban areas including Barry, Penarth, Cowbridge, Dinas Powys, Sully, Llantwit Major and Sully as well as other areas such as Ogmoredon by Sea, Southerndown and at the M4 Junction 34 (Miskin interchange).

Appendix A to the report showed the data for 2017/18 and Appendix B the latest data for 2018/19 from 1<sup>st</sup> April, 2018 to 25<sup>th</sup> October, 2018. This year there had been successful targeted enforcement at several locations as a result of complaints relating to traffic management. As a result Appendix B showed PCNs this year served in locations such as Brig y Don Car Park, Ogmoredon by Sea (11) and Cymrau Car Park, Southerndown (10). For Committee's information the top three streets receiving PCNs for each year to date are as follows:

2013/14      (1) Holton Road, Barry – 1,295  
                  (2) Paget Road, Barry - 579

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	(3) Rivermouth Car Park, Ogmore by Sea - 437
2014/15	(1) Holton Road, Barry – 1,066 (2) Windsor Road, Penarth - 636 (3) High Street, Cowbridge - 462
2015/16	(1) Holton Road, Barry - 875 (2) Windsor Road, Penarth - 489 (3) Paget Road, Barry - 419
2016/17	(1) Holton Road, Barry- 1,308 (2) Windsor Road, Penarth - 706 (3) Paget Road, Barry - 489
2017/18	(1) Windsor Road, Penarth - 771 (2) Holton Road, Barry - 540 (3) Glebe Street Penarth - 289
2018/19	(1) Windsor Road, Penarth - 359 (2) Holton Road, Barry - 261 (3) Glebe Street, Penarth - 180 (Part 2018/19 to 25 <sup>th</sup> October 2018)

A Committee Member referred to the fall in Penalty Notices issued since 2016 and stated that an interpretation of this was that enforcement was not as rigorous as first thought. In reply, the Head of Service referred to level of successful appeals, which was around 20%. This was lower than private enforcement companies. She went on to state this was linked to the areas where the Notices were issued with the key data shown in Appendix A. This was provided for the whole of the previous year and for part of the current year. She referred to targeted enforcement action such as that undertaken at Ogmore by Sea, which was a result of issues raised by residents. This had meant that, Fixed Penalty Notices for this area had increased. The Head of Service also referred to paragraph 12 which illustrated the trend in targeted enforcement. This had shown that for the past year the top three streets receiving Penalty Notices were Windsor Road and Glebe Street in Penarth and Holton Road in Barry. She stated that this would be expected as these were town centre areas. She then referred to paragraph 13 of the report which showed the level of charges for parking contraventions that could be imposed in Wales. The range of offences could also be an indication of why in some areas the level of Notices had reduced. The Head of Service then referred to the financial situation of the Service which, for 2017/18, had shown a £19k deficit. The previous three years' budget had shown a surplus. The surpluses had indicated that there was a big financial outlay which had since reduced, and so there was either the need to find budget savings or to increase the management of parking enforcement.

Councillor Dr. I.J. Johnson, with permission to speak, thanked the officer for the thorough report and enquired about enforcement within Barry town centre and specifically Holton Road. He stated that since April 2017 the number of Notices issued was around 2,000 which made up around 35% of the Council's total. He referred to a major difference between the Notices issued during 2016/17 and

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2017/18 and he queried why there had been a fall. In reply, the Head of Service clarified that for Holton Road, 540 Penalty Notices were issued during 2017/18, 1308 were issued during 2016/17 and 875 issued during 2015/16. However, what was not shown was the number of visits undertaken by Parking Enforcement Officers. She advised that apart from some sickness she was not aware of any issues in relation to patrol officers' visits to Holton Road and so the fall may be due to greater compliance by residents. She stated that she would check with Bridgend Council, as the Host Authority, as to whether there had been any changes noticed.

The Committee also considered whether information was available for the number of visits undertaken by Enforcement Officers to each town or urban areas. In reply, the Head of Service stated that a number of visits would be available but it would be important to clarify what information was currently available and whether it was meaningful. The Committee agreed that future consideration should be given to what additional information was available in terms of visits undertaken by Enforcement Officers.

The Committee queried actions around prevention of illegal parking around schools. In reply, the Head of Service stated that this area of enforcement was carried out by the Police who reported that most people complied with parking restrictions. She added that an answer to tackle this would be a camera car as individuals would not be aware that the car was in position. She added that Cardiff Council had been undertaking a trial, but the cars were expensive to purchase and would require increased revenue. There may be a need for a business case for the purchase of a camera car to be devised.

In commenting on parking around schools, a Committee Member stated that not all schools had the correct yellow lines painted outside. As a result, Enforcement Officers could not issue Fixed Penalty Notices and it was only the Police that could issue fines for obstruction. The Member stated that an audit needed to be undertaken of schools' yellow lines. In addition, the Committee also requested data around the number of Penalty Notices issued in relation to schools.

With regard to Penalty Notices issued for Lakeside in Barry, a Committee Member observed that Notices for 2017/18 were 4, which had jumped to 78 for part for 2018/19. The Member queried whether this was a result of a more visits by Parking Enforcement Officers, the Member asked whether the Committee could request Cabinet to look into the purchase of a camera car. The Member also queried whether there were enough Traffic Wardens. In reply, the Head of Service advised that she did not have details around the number of visits to Lakeside, and that a report on a camera car would be an interesting topic. This could also include the views of other local authorities that had being using them. In relation to the number of Traffic Wardens, the Head of Service commented that in 2013 the decision had been made to contract the Service out. This meant that current operations had to be cost neutral, so there was a need to either provide extra funding for more officers or increase the level of parking monitoring. She then alluded to the Draft Car Parking Strategy, which may result in the need for more Parking Enforcement Officers, and so a review would be required of the business case of what the Vale needed.

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With regard to Boverton and Llantwit Major, a Committee Member stated that Boverton Road was a hot spot with many residents complaining of parking infringements outside the local shop. The Head of Service stated that she would look into the enforcement action undertaken for this road. She added that town centres were the priority areas as were schools, and again, an answer for issues at Boverton Road would be the camera car which would act as a deterrent and also provide intelligence around issuing more Fixed Penalty Notices.

A Committee Member referred to parking in Dinas Powys and the number of infringements observed outside a local convenience store. The Member stated that people would usually park outside the shop for 15 minutes and were unconcerned as it was felt that very little action would be taken against them. Following this, a point was raised regarding a test court case in which a parking enforcement appeal was allowed as a person had to be observed to be parking illegally for specified period of time. In reply, the Head of Service stated that there was a time duration in which Enforcement Officers had to observe before issuing a Fixed Penalty Notice. She added that a possible solution for this was a camera car which could cover a wide area as well as being prioritised for schools.

Again and in relation to parking in Dinas Powys, another Committee Member referred to a stretch of road 80m long for which 13 Fixed Penalty Notices were issued last year. The Member queried why the number of Fixed Penalty Notices had reduced for the current year. In reply, the Head of Service stated that this would be clarified and a response e-mailed to Members.

A Committee Member then referred to the paragraph within the report covering the Service's finances, and the Member requested that a more detailed breakdown of the budget should be provided to the Committee. In reply, the Head of Service stated that payments to Bridgend were bigger this year and so there was a need to look at why some costs were increasing. The Committee agreed that a further report detailing the budget breakdown should be presented when available.

With regard to legal costs, the Head of Service stated that it was her understanding that this was covered by Bridgend County Borough Council but she would clarify and report back. She added that a report to Cabinet was being completed around an all-encompassing enforcement unit that brought together multiple areas of mixed enforcement including litter and parking.

In clarifying the partnership agreement with Bridgend Council, the Head of Service stated that five officers were based in the Alps Depot and these were dedicated to the Vale of Glamorgan. She added that ideally it would be better for these officers to be based nearer the main town areas, but unfortunately she was not able to do that. In comparison, she added that Bridgend Council had somewhere in the region of 17 Enforcement Officers and she referred to the difficult working environment that these officers experienced.

Subsequently, it was

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RECOMMENDED –

- (1) T H A T consideration be given as to whether future reports on Civil Parking Enforcement should include information on the number of visits undertaken by Enforcement Officers.
- (2) T H A T an audit of schools in the Vale of Glamorgan and the use of roadside double yellow lines be undertaken.
- (3) T H A T a report on camera cars with comparative data of other Local Authorities be presented which also looks at how the camera cars would be utilised.
- (4) T H A T a Member of the Committee be sought undertake a site visit to the Unit using the camera car at Cardiff City Council, and for the findings to be report back to the Committee.
- (5) T H A T a report on the financial breakdown of the Civil Parking Enforcement Unit be brought to the Committee.

Reasons for recommendations

- (1) In order for the Committee to consider whether there were fluctuations in the rate of visits undertaken by Civil Parking Enforcement Officers.
- (2) In order to ensure that the parking regime outside schools meets current needs.
- (3) In order to assess a business case for the Council in utilising camera cars.
- (4) In order for a Member of the Committee to undertake a site visit with the City of Cardiff Council around the use of a camera car with the Member to report back their findings to the Committee.
- (5) In order for the Committee to assess the financial viability of the Civil Parking Enforcement Unit.

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RECOMMENDATIONS AND UPDATED WORK PROGRAMME SCHEDULE  
2018/19 (MD) –

The Democratic and Scrutiny Services Officer presented the report, the purpose of which was to advise Members of progress in relation to the Scrutiny Committee's recommendations and to confirm the updated Work Programme Schedule for 2018/19.

Attached at Appendix A to the report were recommendations for the 2<sup>nd</sup> Quarter, July to September 2018, while Appendix B were recommendations relating to the 1<sup>st</sup> Quarter, April to June 2018.

Attached at Appendix C was the updated Work Programme Schedule for 2018/19.

With regard to the meeting held on 12<sup>th</sup> July, 2018 and the Highway Resurfacing 3 Year Plan (Minute No. 167), the Committee requested that clarification be sought with the Operational Manager Engineering as the list in question related to the use of micro asphalt. It was therefore agreed that the status of this recommendation should be amended to “Ongoing”.

With regard to Appendix B and the Cleaning Update on Whitmore Bay (Minute No. 94), the Democratic and Scrutiny Services Officer advised that a letter had been sent to the new rail franchise operator and a copy sent to the Welsh Government Minister for the Environment. A response to this letter was still pending so the Committee agreed that this action status could be amended to “Ongoing”.

Following a brief verbal update by the Head of Neighbourhood Services and Transport, the Committee noted that a report on LED street lights had been deferred to a later meeting. In addition an update report on Junction 34 and the WelTAG Study 2 would soon be reported to Cabinet and then referred on to the Scrutiny Committee.

The Committee was advised that in relation to proposed Dog orders and as a result of consultation it had been agreed for further exploratory work to be undertaken. Finally, the Committee noted that a report on the Car Parking Strategy had slipped as a result of further consultation and a Joint Scrutiny Workshop held during October. Officers were currently assessing the project with a number of amendments being made following the extended consultation.

Subsequently, it was

**RECOMMENDED –**

- (1) T H A T the updated work programme schedule attached at Appendix C to the report be uploaded to the Council’s website.
- (2) T H A T the following recommendations be deemed completed:

<b>12 July 2018</b>	
<p><b>Min. No. 168 – Revised Waste Management Strategy: The Future Collection Arrangements for Waste and Recycling (REF) – Recommended</b></p> <p>(2) That a further report be presented to the Committee advising of the Welsh Government funding and the impact on the service.</p> <p>(3) That a report on the roll out of the revised collection arrangements be presented to Committee early in the New</p>	<p>(2) Added to work programme schedule. <b>Completed</b></p> <p>(3) Added to work programme schedule. <b>Completed</b></p>

Year 2019 and that this be added to the Committee's Forward Work Programme.	
<p><b>Min. No. 169 – Draft Parking Strategy Report (REF)</b> – Recommended that Cabinet be requested to rethink the Draft Car Parking Strategy, consider the lessons learned to date from previous car parking proposals, the comments made at the meeting and advised that undertaking a consultation during the summer months was not acceptable.</p>	<p>Referred to Cabinet meeting on 30<sup>th</sup> July, 2018 where it was resolved that the recommendations of the Environment and Regeneration and Corporate Performance and Resources Scrutiny Committees, and the comments made at the meetings, be noted and the consultation process proceed as planned as set out in the report of 2<sup>nd</sup> July, 2018. (Minute No C377 refers)</p> <p><b>Completed</b></p> <p>The drop-in public consultation sessions on the proposals have been extended further into the evening to ensure that members of the public can attend after work (the Interim Communications Manager confirmed that this amendment to the consultation proposals was as a direct result of the discussions at Scrutiny Committees).</p>
<p><b>Min. No. 172 – Cardiff Capital Region City Deal - Proposed Establishment of Joint Overview and Scrutiny Committee (MD)</b> – Recommended</p> <p>(1) That the Scrutiny Committee recommends to Full Council the establishment of a Joint Overview and Scrutiny Committee (JOSC) for the Cardiff Capital Region City Deal (CCRCD) with the Terms of Reference as contained in the appendices to the report.</p> <p>(2) That the Scrutiny Committee recommends to Full Council that the Chairman of the Environment and Regeneration Scrutiny Committee be appointed as the representative for the Vale of Glamorgan Council on the CCRCD JOSC.</p> <p>(3) That the Scrutiny Committee recommends to Full Council that Councillor N. Moore be appointed as the nominated deputy to represent the Council in the absence of the Chairman of the Environment and Regeneration Scrutiny Committee.</p>	<p>Referred to Full Council meeting on 18<sup>th</sup> July, 2018, were Council resolved</p> <p>[1] That the establishment of a Joint Overview and Scrutiny Committee (JOSC) for the Cardiff Capital Region City Deal (CCRCD) with the Terms of Reference as contained in the appendices to the report be approved.</p> <p>[2] That the Chairman of the Environment and Regeneration Scrutiny Committee be appointed as the representative for the Vale of Glamorgan Council on the CCRCD JOSC.</p> <p>[3] That Councillor N. Moore be appointed as the nominated deputy to represent the Council in the absence of the Chairman of the Environment and Regeneration Scrutiny Committee. (Min No 194 refers)</p> <p><b>Completed</b></p>

<p><b>Min. No. 173 – 1<sup>st</sup> Quarter Scrutiny Decision Tracking of Recommendations and Updated Work Programme Schedule 2018/19 (MD) – Recommended</b></p> <p>(2) That the Forward Work Programme for 2018/19 attached at Appendix C to the report be approved for uploading to the Council's website.</p>	<p>Forward Work Programme updated and uploaded to the Council's website. <b>Completed</b></p>
<p><b>13 September 2018</b></p>	
<p><b>Min. No. 288 – Vale of Glamorgan Annual Report (Improvement Plan Part 2) 2017-18 (MD) – Recommended</b></p> <p>(1) That Cabinet is advised that prioritisation should be given in improving the Council's performance for the condition of A Roads and the rate of recycling.</p> <p>(2) That in regard to fly tipping and recycling that Cabinet consider the proposal to roll out a proof residence scheme.</p> <p>(3) That Cabinet considers the possibility for introducing charges to enable small builders and contractors to access Council Waste facilities for the purpose of waste removal.</p> <p>(4) That Cabinet consider the proposal to explore opening hours of Waste Recycling facilities beyond the current periods, which could include one evening a week when the facilities are open beyond the usual closure time.</p> <p>(5) That more information and clarity is available to Members of the Public around recycling and for there to be more engagement with schools and young people.</p>	<p>Cabinet, at its meeting on 17<sup>th</sup> September, 2018, resolved –</p> <p>[1] That the views and recommendations reported verbally from the Scrutiny Committee Environment and Regeneration in relation to the Vale of Glamorgan Annual Report (Improvement Plan Part 2) 2017/18 be noted.</p> <p>[2] That the Vale of Glamorgan Annual Report (Improvement Plan Part 2) 2017/18 be endorsed and referred to Full Council on 26<sup>th</sup> September, 2018 for approval.</p> <p>[3] That the Council's overall performance on the National Performance Indicator dataset for 2017/18 relevant to all Welsh Local Authorities as published by the Local Government Data Unit (now Data Cymru) on 8<sup>th</sup> August, 2018 together with the fact that the Vale of Glamorgan Council is ranked as the highest performing Local Authority in Wales for the fourth year running be noted. (Min. No. C412 refers) <b>Completed</b></p>
<p><b>14 June 2018</b></p>	
<p><b>Min. No. 94 – Whitmore Bay: Resort Cleaning Update (DEH) – Recommended</b></p> <p>(2) That Cabinet be requested to provide an update on the installation of water fountains in and around the Vale and in particular at seaside locations.</p> <p>(3) That Cabinet be recommended to consider that where there is a pre-</p>	<p>Cabinet, at its meeting on 16<sup>th</sup> July, resolved</p> <p>[1] That the contents of the report and Resolution [1] above be noted.</p> <p>[2] That a further report be brought to Cabinet on the issues outlined by the Environment and Regeneration Scrutiny Committee in Resolutions (2)-(4) above.</p> <p>[3] That a letter be forwarded to traders</p>

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<p>organised litter picking arrangement, that volunteers be provided with vouchers to ensure that they do not receive any parking fines.</p> <p>(4) That Cabinet be requested to consider a hard hitting approach for a public campaign to raise awareness of the issues of litter.</p>	<p>on Barry Island regarding the request as outlined above. (Min. No. 360 refers) <b>Completed</b></p>
<p><b>Min. No. 95 – Enterprise Zones Report to National Infrastructure and Skills Committee (MD) – Recommended</b></p> <p>(2) That Welsh Government be requested to provide on an annual basis detailed specific job creation information.</p>	<p>Request submitted by the Head of Regeneration and Planning. <b>Completed</b></p>

Reasons for recommendations

- (1) For public information.
- (2) To maintain effective tracking of the Committee's recommendations.