

ENVIRONMENTAL SCRUTINY COMMITTEE

6 NOVEMBER 2018

Present: Councillor Patel(Chairperson)
Councillors Philippa Hill-John, Owen Jones, Lancaster,
Jackie Parry, Owen, Wong and Wood

40 : APOLOGIES FOR ABSENCE

Apologies were received from Councillors Derbyshire, Michael and Wild.

41 : DECLARATIONS OF INTEREST

No declarations of interest were received.

42 : MINUTES

The minutes of the meeting held on 2 October 2018 were approved by the Committee as a correct record and were signed by the Chairperson.

43 : CLAMPING AND REMOVAL OF NUISANCE VEHICLES FROM HIGHWAY AND PUBLIC LAND

The Committee received a report on the introduction of a new policy for the clamping and removal of nuisance vehicles. The policy would allow for the clamping and removal of the following:

- Vehicles owned by persistent offenders and evaders of parking and traffic tickets;
- Vehicles causing an immediate obstruction and/or parked contrary to parking regulations;
- Vehicles with no registered keeper on DVLA records;
- Vehicles that are not taxed in accordance with the Vehicle Excise and Registration Act.

Members were advised that illegally parked vehicles can cause an obstruction and create a danger for pedestrians and other road users. There are instances where enforcement action is either not possible or not a significant enough deterrent to owners of vehicles. Similarly, vehicles not registered with the DVLA are very difficult to enforce against. For example, it is difficult to enforce against foreign vehicles as no details are held against which a penalty notice can be issued. Such vehicles can create a parking nuisance and the only practical option to address the problem is removal from the highway.

Some drivers are also known to regularly and deliberately contravene parking and traffic regulations and fail to settle the debts they incur. The Welsh Government issued guidance suggesting that local authorities take the strongest possible enforcement action against these 'persistent evaders'. There are currently 9,183 PCNs that have been issued against persistent evaders equating to £381,397.67.

The DVLA partner initiative is separate from Civil Parking Enforcement. The adoption of devolved powers from the DVLA will allow the Council to take action against vehicles that are untaxed, abandoned or creating a nuisance. In 2017 the

Council received of 1000 reports of abandoned vehicles from members of the public, the police and other agencies. Only 28 vehicles of those reported were removed. By having devolved powers the Council will be able to remove untaxed vehicles. It is anticipated that having such powers will help reduce the number of abandoned vehicles, incidents of crime, vandalism and uninsured drivers.

Members were advised that in order to establish the scale of the problem of untaxed vehicles in Cardiff, the Council worked with the DVLA to undertake a one day sample audit across the city using an Automatic Number Plate Recognition system. The sample audit identified a total of 8,526 untaxed vehicles.

The Committee received a presentation from Matt Wakelam, Assistant Director. Members were invited to comment, seek clarification or raise questions on the information received. Those discussions are summarised as follows:

- It was noted that initially 20 clamps will be available. Members asked whether 20 clamps were enough to deal with problem parking in the city, particularly on major event days. Officers estimated that 20 clamps would be sufficient at the start of the scheme. However, this number would be reviewed as the scheme progressed. It was only possible to enforce on the basis of traffic restrictions. Persistent evaders will also be clamped. Anti-social or nuisance parking will be impounded and any untaxed vehicles entering the City will also be dealt with. If there are any significant safety relating to a parked vehicle, then the vehicle will be removed and impounded.
- Officers confirmed that any funds raised would be ringfenced and managed in a similar way to the parking reserve. However, unlike the parking reserve, there would be no restriction governing where those funds can be spent. The service area would be looking to deliver savings by increasing income.
- Members were advised that caravans cannot be dealt with under this legislation. The service areas has tendered for a contractor to remove caravans and other legislation allows for this. The contractor must be able to remove any vehicle.
- Members asked for clarification of how an abandoned vehicle is classified. Officers stated that if a vehicle is taxed and has an MOT then it cannot be removed from the highway.
- Officers advised that if a vehicle is clamped then the owner will have 24 hours to pay for the clamp to be removed, in line with DVLA guidelines. After 24 hours the vehicle will be removed from the highway and taken to a secure site within the city. As the requirement for safe storage forms part of the tender, the potential sites will be identified by the bidders. Any proposed site will need to have good public transportation links. It is anticipated that the vehicles impounded will have varying values. The majority of impounded vehicles will be of low value. Evidence has shown that many vehicles will have links to criminality. Approximately 40% of the vehicles impounded are subsequently

collected.

- Members asked whether additional staff will be employed. Officers advised that additional staff will not be employed and existing Civil Enforcement Staff will be asked to discharge these duties. No lone working will be permitted and staff will always work in pairs. Teams will be supported by the ANPR vehicles. Staff will be provided with body cameras.
- Members were advised that requests/complaints and intelligence from DVLA will be used to prioritise areas of the city. The authority was also investigating the possibility of working in partnership with supermarkets to enforce restrictions on parking in disabled bays.
- In terms of identifying a suitable site for the safe storage of vehicles, officers confirmed that a Council-owned plot of land might be made available to potential bidders – this had yet to be confirmed.
- Members asked whether the new enforcement powers were aimed at service improvement or were they aligned with income generation. Officers stated that the service area is tasked with looking at increasing revenue to off-set savings. The opportunity to do this presented itself following an approach to the Council by DVLA. The powers would be used to improve behaviour and ensure that bad behaviour does not increase.
- Members asked for details of the financial model used to support the business case. Officers stated that a number of models were considered – these included outsourcing the operation completely and keeping all of the service in-house. After considering internal resources the authority decided to keep operations for clamping in-house to retain control.
- Members asked how quickly vehicles would be clamped following the receipt of a complaint. Officers indicated that the enforcement officers were aiming to respond to complaints received within 24 hours, or otherwise as soon as possible. Areas where limited on street parking is available are likely to be prioritised.
- Members asked whether it was an efficient use of resources to base responses on complaints received. Officers stated that when responding to complaints the enforcement teams will be able to identify untaxed vehicle, persistent evaders or nuisance parking. The ANPR vehicle is working at all times and gathering intelligence. Enforcement officers will return at a later date.
- Officers confirmed that a vehicle must be without tax for a minimum of 2 months to be considered untaxed.
- Members asked how many vehicles will be clamped each day. Officers advised that 20 clamps are available. The business model was based

on a conservative estimate of 20 vehicles per week. Officers reiterated that the principle aim was to improve behaviour.

- Members noted that the DVLA audit exercise only focussed on the principal routes in the city and yet over 8,000 untaxed vehicles were identified. Members felt that that the actual figure could be much higher. Officers were asked whether the authority has the capacity to deal with 1000 vehicles per year. Officers stated that more resources can be allocated if necessary. When enforcement begins public awareness is raised and members of the public become aware.

RESOLVED – That the Chairperson write to the Cabinet Member on behalf of the Committee to convey their comments.

44 : WASTE MANAGEMENT STRATEGY UPDATE

The Committee received a report providing a progress update on the changes being applied to Cardiff's Waste Management Strategy. Members were advised that it was hoped the updated strategy would build on the Recycling and Waste Management Strategy 2015-18 and outline the planned changes to drive forward the next phase of the Council's recycling delivery and meet the Council's statutory obligations.

The commitments made in the Council's Capital Ambition document will be of key importance in the updated strategy, which would place great value on recycling and education, cleaner streets and community partnerships to drive sustainable attitudes and behaviours. The core legislative drivers for the document were detailed in the report.

The Chairperson welcomed Matt Wakelam, Assistant Director and Jane Cherrington, Operational Manager - Strategy & Enforcement in Planning, Transport & Environment, Street Scene. The officers were invited to deliver a presentation. Members were invited to comment, seek clarification or raise questions on the information received. Those discussions are summarised as follows:

- A Member asked whether lightbulbs were recyclable. Officers stated that lightbulbs were recyclable and they can be taken to HWRCs. However, Members of the public are recommended to purchase long-life energy saving lightbulbs instead.
- Members asked what sort of waste presented the biggest problems in terms of recycling. Officers stated that laminated paper or items that contain multiple materials are difficult to process. A lightbulb is also a good example. Polystyrene is has high value per tonne, but a tonne of polystyrene is a large amount. Similarly, with plastic film. The Council is working with Welsh Government to pressure producers to ensure that component parts in their packaging can be separated. Members asked where the responsibility for separating waste lies. Officers stated that responsibility lies with the authority and with the public. The more the members of the public can be encouraged to separate their recycling, the better for the authority. Officers advised that more recently 'citizen power' is producing a shift in behaviour. For example, there has been a

recent campaign encouraging customers to post non-recyclable crisp packets back to their manufacturers. There has also been a move towards paper straws and paper cups and away from single use plastic items. Citizens now have more choice and officers envisage that cycling will improve as a result.

- Members asked whether the service area has considered best practice in other countries in terms of recycling models. Officers stated that Welsh Government studies have shown that citizens in other countries behave differently and questioned whether continental recycling schemes would be as effective as the current scheme. Officers considered that schemes such as deposit return scheme would be a backward step. Wales has the 3rd highest recycling rate in the world. However, it is currently not a legal requirement for commercial operators to separate their waste. Waste is also not a priority for businesses when compared to other factors, such as business rates.
- Members asked whether officers have considered the effect moving to a 6 or 7 day per week service would have on staff. Officers stated that the service operates a traditional 5-day per week shift pattern and a number of different options are being considered. Any move away from the current model will consider the effect on staff and will be subject to full consultation and financial modelling.
- Members asked whether the service was prepared for a potential increase in glass collection intake over the Christmas period. Officers stated that residents participating in the glass separation trial are able to request additional caddies. Information is provided online and via C2C.
- Officers stated that Natural Resources Wales has changed with definition for the categorisation of recycled wood so that MDF and chipboard can no longer be classified as recycling.
- Members noted that the Council is receiving £25 per tonne for resale of recycled glass. Members asked whether this figure will cover the cost of new vehicles. Officers stated that the business case was based on the receipt of £15 per tonne. The break-even figure is between £10 and £15 per tonne.
- Members were advised that the expansion of the wheeled bin scheme was at an early stage but is progressing. The a few hundred bins have been provided to residents. Residents in the Pontcanna conservation area will receive their bins in March 2019.

RESOLVED – That the Chairperson write to the Cabinet Member on behalf of the Committee to convey their comments.

45 : MEMBER BRIEFING NOTE: ROAD NAMING POLICY

Members received a briefing note on the Council's Street Naming Policy. Members were asked to note the contents.

RESOLVED – That the contents of the briefing note be noted.

46 : CORRESPONDENCE - VERBAL UPDATE

The Principal Scrutiny Officer updated Members on recent correspondence. Three letters were sent to Cabinet Members after the 4 September 2018. No replies have been received.

47 : URGENT ITEMS (IF ANY)

No urgent items were received.

48 : DATE OF NEXT MEETING

Members were advised that the next Environment Scrutiny Committee is scheduled for 4 December 2018.

The meeting terminated at 6.40 pm