

Parking Scrutiny Report Cabinet Response – September 2015

Recommendation	Detail	Status	Response
Recommendation 3 Planning Regulations for Parking	<p>The Committee recommends that the 'Supplementary Planning Guidance for Access, Circulation & Parking Standards' should be revised to include a clearer definition of 'parking saturation'. The new definition should attempt to place a numerical value on what is acceptable in terms of parking volume. In implementing this change the Council should consider definitions used by other authorities and look at how these definitions have been used to manage parking levels in built-up areas.</p>	Partially Accept	<p>The SPG is being revised and refined alongside the LDP Process. The feasibility of including a definition of Parking Saturation, and controls that may be able to improve the management of parking levels will be investigated as part of this work.</p>
Recommendation 4 Cycle Lanes	<p>When implementing new or updating existing cycle lanes the Council should do more to identify appropriate locations which allow the competing priorities to co-exist, and where possible to create segregated cycle lanes. In addition to this the Council should consider the use of traffic regulation orders to protect cycle lanes where appropriate, and consider the widths and placement of any new cycle lanes so as to maximise the protection afforded to cyclists.</p>	Accept	<p>In accordance with the Cardiff Cycle Design Guide, Cardiff Council will seek TROs to implement double yellow lines in all mandatory cycle lanes, to ensure waiting prohibitions are clear and enforceable through Civil Parking Enforcement. Cardiff Council will also seek TROs to implement waiting and, where necessary, loading restrictions to advisory cycle lanes to ensure they are kept free of stationary vehicles. Alternative locations for loading bays will be considered where feasible. The delivery of any cycle lane scheme in Cardiff is subject to consultation with stakeholders, including local residents and businesses, to ensure that the concerns of all road users are taken into account as part of the scheme design process.</p>
Recommendation 5 Verge & Pavement Parking	<p>The Council should liaise with Welsh Government to establish the proposals that it is currently considering in relation to dealing with pavement parking. Once established, the</p>	Accept	<p>The Council has already had discussions with the WG regarding this issue. We will continue to raise it. There is a Bill being considered by the UK Government with regard to making</p>

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	Council should consult on how these proposals would impact upon Cardiff and provide feedback to the Welsh Government.		<p>pavement parking illegal – this will be monitored for updates on progress. Policy 2.16 States that:</p> <p><i>‘The Highway Code states that people MUST NOT park partially or wholly on the pavement unless signs permit it. Parking on the pavement can obstruct and seriously inconvenience pedestrians, people in wheelchairs or with visual impairments and people with prams or pushchairs. This can be enforced, by way of penalties for “driving over the footway” when arriving and departing, and of “obstructing the footway” whilst parked but these can only be enforced by the police. Subject to changes in legislation, consideration will be given to legal mechanisms for making footway parking a specific offence in its own right.’</i></p>
	Where significant damage is caused to verges on a regular basis and a large number of complaints are received, the Council should consider using specific Traffic Regulation Orders to improve management of the problem	Accept	<p>There is a Parking Policy in place to address this issue. Policies are being reviewed as part of the work towards the new Parking Strategy. Policies 2.16 and 2.17 address this issue. Policy 2.16 States that:</p> <p><i>‘Where appropriate, the Council will make traffic regulations Orders making it an offence to drive on or park on grassed verges.’</i></p> <p>Operational Parking Policies are being reviewed and updated as part of the work</p>

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			undertaken to develop the new Parking Strategy.
<p>Recommendation 6 Management of the Blue Badge Scheme</p>	<p>The Council should lobby for photos to be placed on the front of the blue badge so that Civil Parking Enforcement officers are able to compare the photograph against the individual using the blue badge.</p> <p>The blue badge should be redesigned and reissued on as regular basis as is practicable to include as many safeguards against forgery (such as hologram imprints) as possible.</p> <p>When the blue badges are reissued they should include a set of directions which clearly explain how and when the badge may be used.</p> <p>If a Civil Parking Enforcement Officer suspects that the person using the blue badge is not the actual holder then they should obtain contact details of the holder from the blue badge scheme administrators and call the holder at home. If they answer the phone and confirm their identity and the Civil Parking Enforcement officer believes that there is no practical way that they could be using the blue badge, then a ticket should be issued forthwith.</p>	<p>Partially Accept</p>	<p>The Council will continue to lobby for photographs to be front sided. However, as these were previously moved to the reverse side for data protection reasons it is unlikely they will revert to the front side in the foreseeable future.</p> <p>The Blue Badge scheme is a UK/ EU scheme. This scheme in Wales was recently part of a comprehensive review by WG and some changes were made. Badges are now produced by a central government print company and badges now include holograms, embossments and other features to prevent fraudulent copying.</p> <p>The blue badge users booklet is supplied with each new badge issued. This information is also available online.</p> <p>CEOs now have power to confiscate badges if mis-use is established. Back office support is now in place to confirm the identity of the badge owner. Motorists can be questioned at the roadside if it is suspected that the badge owner is not present.</p>

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Recommendation 7 Vehicles Illegally Sold on the Public Highway	Where appropriate, single yellow lines supported by short term parking signs are used at sites where it has been established that vehicles are illegally sold on a regular basis.	Accept	TROs are employed where possible to allow enforcement.
	Members were told that penalties for illegally selling vehicles on the public highway are low and that the ways in which cases are dealt with are inconsistent. Members felt that it would be beneficial for Council officers to contact the Cardiff Magistrates Court to arrange a briefing session on the subject and to encourage a more consistent approach to the issue.	Reject	<p>Court action is ad hoc and infrequent. A person guilty of an offence under S.3 Clean Neighbourhoods and Environment Act 2005 is liable on summary conviction to a fine not exceeding level 4 (approximately £4,000). However it is unlikely fines anywhere near the maximum would be given. Magistrates cannot fine a person more than they can pay back within 12 months. There are no sentencing guidelines for these types of offences and it is left to the discretion of the courts.</p> <p>Alternatively the authority may offer the opportunity to discharge liability by payment of a fixed penalty notice of £100.</p> <p>It is unlikely that the Courts would allocate time to allow the Council to address Magistrates in a separate briefing on the matter but we would continue to work with magistrates through their annual training programme to raise awareness of public protection issues.</p>
	The Council takes every practical effort to crack down on rogue traders who persist in illegally selling vehicles on the highway asset. In doing this they should liaise with local businesses to help gather information about these rogue traders.	Partially Accept	Trading Standards routinely monitor prevalent sites for roadside sales across Cardiff, and respond to individual complaints received. More often than not, these are areas surrounded by residential homes and not businesses. As such, most information gained derives from residents and not businesses.

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Recommendation 8 Unlicensed, Unregistered & Foreign Vehicles	The Committee recommends that the Council establishes a tow-away solution via a partnership agreement or commissioning exercise. This would enable the Council to remove unlicensed, unregistered and foreign vehicles that currently avoid paying parking fines from Cardiff's road network	Accept	Powers provided under civil enforcement allow for parking tow-aways. The Council's Financial Recovery team has recently joined with the CPE team and targeted tow-away operations have now commenced.
Recommendation 9 Resident Only Parking Schemes	The Committee, recommends that the residential parking permit criteria are reviewed with consideration being given to:		
	Asking for resident parking permit holders to provide a V5 registration document; a licence number plate; a driving licence and a valid insurance certificate.	Reject	This was considered unnecessary by Council when it reviewed the parking permit policy in 2011, on the basis that the number of permits per household was capped at two. The licence number is still collected and printed onto the permit.
	Owners of low emission vehicles receiving a discount against the cost of purchasing a residential parking permit.	Partially Accept	This will be considered as part of the new parking strategy.
	Specialist city-wide residential parking permits are made available for care workers and other health & social care professionals. Allocation of this type of permit would help make the provision of domiciliary care easier in many parts of Cardiff.	Reject	Issues for parking requirements for care workers etc will be resolved by options/new approaches to residential parking addressed in the parking strategy.
Recommendation 10 Bus Lane & Moving Traffic Regulations	Members were told that new regulations for dealing with enforcement of bus lanes and moving traffic offences have now been agreed for Wales. This means that Cardiff Council can now submit a business case to the Welsh Government asking for these powers. The Committee, therefore, recommends that:		

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	Cardiff Council submits a business case to the Welsh Government for these powers as they would improve the Council's ability to manage Cardiff's road network.	Accept	The powers were applied for in early 2014 and were granted and came into force on 10 th November 2014.
	The Environmental Scrutiny Committee is provided with an opportunity to scrutinise and comment on the business case before it is submitted to the Welsh Government.	Accept	This was undertaken on 14 th January 2014
	That an approach is made by Cardiff Council to Cardiff Bus to establish the feasibility of installing bus lane cameras on the front of their buses.	Accept	This is under discussion with Cardiff Bus and we are awaiting news of the system they intend to install on their buses.
Recommendation 11 Football Parking – Cardiff City in the Premier League	The Committee would recommend that Cardiff Council works with Cardiff City Football Club to review match day parking arrangements before the start of the 2013/14 Premier League season.	Accept	Match Day arrangements are reviewed on a match by match basis and the council liaises with CCFC for events. Cardiff is no longer in the Premier League but this matter will be reviewed on a regular basis and will be considered for further action should the situation change.
Recommendation 12 Travel Planning	The Committee recommends that the Council should ensure that all new businesses locating to the city implement a robust travel plan which sets out how employees and members of the public get to and from their premises.	Accept	Work is undertaken in collaboration with the WG Travel Plan Coordinators. Resources are available via the Keeping Cardiff Moving Website and from Sustrans and WG. CC requires a TP for all new developments reaching the thresholds set out in the SPG.
	These travel plans should be reviewed on a regular basis, particularly if the number of employees increases or reduces.	Partially Accept	The review of Travel Plans is the responsibility of the organisation to which the TP is relevant.
Recommendation 13 Student Parking in Cardiff	Cardiff Council works with transport providers, local universities and the student's union to help develop a Cardiff student travel card which	Accept	Cardiff Council is a member of a working group which has lobbied transport providers to increase discounts for student travel. This

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	would provide the option of discounted travel for all students based in the city.		work has been successful to date. Travel research from the universities suggests that most students in Cardiff already travel by walking and cycling.
	The Council liaises with the local universities and asks them to reinforce the message that it is not necessary for students to bring their vehicles to Cardiff as suitable travel alternatives are available.	Accept	Work is ongoing in this regard.
	The Council should liaise with local universities and an appropriate car club to establish if it would be practical to locate car club bays in and around university campuses in Cardiff.	Partially Accept	City Car Club has already installed vehicles close to campuses. The operation of City Car Club is a commercial matter for the operators. Other car clubs can also locate in Cardiff.
Recommendation 14 Communications	The Council - in association with South Wales Police - should do more to highlight who now deals with which parking and traffic regulations. In particular they should make it clear how obstructions on pavements, verges and other parts of the road network are managed. Members felt that this would help prevent future confusion.	Accept	A document setting out the split of responsibilities was provided to South Wales Police shortly after CPE commenced and this will be reissued shortly, adding in the responsibilities for bus lane and moving traffic contraventions.
	The Council runs a new campaign to highlight the issues caused by problem parking in Cardiff. The campaign should raise the profile of Civil Parking Enforcement officers; explain the valuable work that they carry out and highlight the difficulties that they encounter in keeping Cardiff's network moving. The message should be clear that the Council will not tolerate unwarranted aggression, verbal and physical abuse of its employees.	Accept	This type of issue will be addressed in the communication of the new Parking Strategy
	Promote the implementation of 'Bus Lane &	Accept	This was carried out in November 2014 in

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	Moving Traffic Offence' regulations. The campaign could include the extensive use of various forms of social media and the creation of a short public information film highlighting the issues caused by problem parking. The film should feature a character similar to 'Rory the Racing Car'.		advance of BL&MTO enforcement going live. Consideration will be given to a follow up campaign after a suitable period of enforcement has elapsed so that anecdotal and factual information can be presented to the public.
Recommendation 15 Dealing with Obstructions	The Council took over responsibilities for Civil Parking Enforcement from South Wales Police in 2010. Since then they have been able to deal with most areas of parking enforcement except for obstructions, which are still dealt with by South Wales Police. This has created confusion for the Council, South Wales Police and most importantly the public. The Committee feels that it would be appropriate for the Council to obtain these powers; therefore, they would recommend that the Council contacts Welsh Government to ask if the regulations can be changed to enable local authorities in Wales to receive these powers	Partially Accept	This will be deferred for the time being, as the Bill regarding pavement parking may eventually provide the Council with the powers to resolve this issue.
Recommendation 16 Building the principles of sustainable development into the Local Development Plan	The Committee, therefore, recommends that the principles of sustainable development and travel are built into the new Local Development Plan.	Accept	The Local Development Plan (Deposit) Section 3.8 sets out that: 'The vision fully recognises economic, social, environmental, as well as sustainability issues. It is the aim of the LDP objectives to respond to the evidenced economic and social needs but in a way that is co-ordinated, respects and enhances Cardiff's environment and sets out a framework for delivering the sustainable neighbourhoods of the future. This is delivering sustainable development

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			locally and improving the long term economic, social and environmental wellbeing of people and communities in Cardiff. In this way, the LDP can help create sustainable neighbourhoods that form part of a sustainable city that lies at the heart of a sustainable city-region.'
Recommendation 17 Review of free parking for the first hour	The Committee recommends that the free parking period is reviewed with the view of bringing it into line with other authorities	Reject	While it is recognised that other authorities might not give a free hour, in Cardiff it provides a positive way to attract shoppers to local district shopping centres. Most of Cardiff's district centre car parks now allow an initial free parking period as a way to encourage local trade while discouraging commuter parking. At this time it would not be advantageous to remove this feature although the Parking Strategy allows for the need for periodic review of all parking charges.