

## ENVIRONMENTAL SCRUTINY COMMITTEE

4 SEPTEMBER 2018

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

### 21 : APOLOGIES FOR ABSENCE

Apologies were received from Councillors Derbyshire and Parry.

### 22 : DECLARATIONS OF INTEREST

No declarations of interest were received.

### 23 : MINUTES

The minutes of the meeting held on 3 July 2018 were approved by the Committee as a correct record and were signed by the Chairperson.

### 24 : MEMBER BRIEFING: SECOND CARDIFF LOCAL DEVELOPMENT PLAN ANNUAL MONITORING REPORT

The Cabinet is to receive a report titled 'Second Cardiff Local Development Plan Annual Monitoring Report' on 20 September 2018. The Committee received a briefing on the Cabinet report. Members were asked to note the contents of the report and discuss any future actions.

Members were advised that the Local Development Plan 2006 to 2026 (LDP) was formally adopted by the Council on 26 January 2016 and as part of the process the Council is required to prepare an Annual Monitoring Report (AMR) for submission to the Welsh Government.

The Cabinet is to receive the second AMR providing a short-term position statement and a comparison with the baseline data provided by the first AMR. Monitoring in future years will enable trends to be identified and firmer conclusions to be drawn. It will also help inform the extent to which LDP strategy, objectives and policies are being achieved. These findings will help the review process that the Council is required to undertake in 2020.

It was reported that the AMR findings were generally positive with the majority of indicators shown as green, indicating that the majority of LDP policies are being implemented effectively. A summary of the performance against the main topics was set out in the report. The data and conclusions were set out in more detail in Appendix A.

The Chairperson welcomed Andrew Gregory, Director and James Clemence, Head of Planning to the meeting. The officers summarised the contents of the report. Members were invited to comment, seek clarification or raise questions on the information received. This discussions are summarised as follows:

- Members noted that average house prices have risen by 27% between 2006 and 2017. Members asked whether this was affecting the saleability or take up of new housing developments. Officers stated that this was a contextual indicator which underlined the importance of a planned approach in terms of the range and choice of housing made available. The range of stock in the City is wider than 10 years ago when 90% of new developments was on brownfield sites which resulted in a narrow range of housing types. The LDP allows for new housing stock across a range of sites.
- Members asked whether indicators that have a 'yellow' status – no action required – warranted further scrutiny. Officers considered that it was difficult to build a detailed picture of trends after two years of monitoring. The LDP was introduced in January 2016 and planning applications were not expected immediately. There was a lag between the introduction of the LDP and the commencement of new developments. Construction has started on 3 of the 5 strategic sites.
- Members asked for further information on the level of vacancy rates in retail property in the City and whether any trends had been identified over the last five years in relation to the changing make up of 'the high street'. In particular, the Councillor asked whether there had been an increase in the number of charity shops. Officers were agreed to investigate this issue further but were unsure whether the authority kept that level of detail. The Councillors suggested that it may be possible to identify charity shops from business rates.
- The Committee noted that completion rates for new housing were behind target. Members asked why the targets had been set at their respective levels if officers were aware that there would be some delay between the approval of the LDP, the receipt of planning application and the completion of new housing units. Members also asked whether there would be any other limiting factors and whether developers were able to increase the rate at which new housing units are completed. Officers advised that the targets were set based on an assessment/data provided by developers. Targets are set by the Planning Inspectorate. Strategic sites aim to maximise delivery by having more than one outlet – more than 1 developer – on site. There are considerations in terms of infrastructure and Section 106 arrangements – as these are linked to triggers and are built in phases.
- Members asked whether officers were aware of any reasons to prevent the building completion target getting back on track. Officers were optimistic that they would. This was the point of annual monitoring but we are only 2 years in and the authority will be in a better position in 2 more years. However, it should also be noted that there are external factors at play which may determine the outcome.
- Members noted the disparity between the target for affordable homes and the number being delivered. Members felt that the difference between the two was considerable and asked how much larger the gap

would need to be for the indicator to be rated 'orange'. Officers stated that 30% of housing on the strategic sites would be affordable and this would be delivered. Developers tend to build housing stock that generates cashflow at the beginning and affordable housing during later stages. Officers were confident that the affordable housing percentages would be met.

- Members considered that it would be useful if the Annual Monitoring Report including details of what has been achieved at each strategic site across the city, in terms of completions. The Committee also asked for clarification of the process for submitting the Annual Monitoring Report. Members asked whether the Council would have an opportunity to consider the report. Officers confirmed that the details requested in the first point raised would be included in the Annual Monitoring Report. As the Annual Monitoring Report was a technical report and not a policy document it would be considered by Cabinet prior to submission to the Welsh Government.
- Referring to the Housing in Multiple Occupation (HMO) Supplementary Planning Guidance (SPG), Members asked whether any monitoring of the SPG was being undertaken – for instance whether the number of applications being received was increasing/decreasing, number of appeals, etc. Officers advised that colleagues are engaged and HMOs are closely monitored. Planning Committee members receive regular updates regarding the outcome of appeals to the Planning Inspectorate. Members asked whether it would be possible to see the data and any trends emerging. Officers stated that the Annual Monitoring Report is a statutory document and its parameters are set down. However, officers agreed to consider a way forward on this issue.
- Members expressed concerns around increased traffic flows as the Annual Monitoring Report indicated that the authority was not achieving the required increases in the use of public transport. Members asked whether adequate public transport infrastructure was being put in place. Officers advised that the development of strategic sites has started recently. Section 106 funding has been secured which is released in phases and as each phase is triggered investment will be made in transport infrastructure. It was too early to see any physical changes yet, but as more houses are completed, more infrastructure will be put in place. The new bus service operating at the St Ederyns site provided tangible evidence of this.
- Members of the Committee considered the LDP made it clear that Bus Rapid Bus Corridors (RBC) routes were essential and are a major factor in transport policy. Officers were asked to explain why RBC schemes were on hold and why funds are not being allocated. Members were advised that there was a correlation between house building and the release of funding. Most sites were at an early stage of development and the triggers which would release funding have not yet been reached. The Director agreed to report back to the Committee regarding delays on Phase 1 of the Rapid Bus Corridors at the A469 and A470.

- In terms of the reduction in travel made by sustainable modes of transport, Members asked whether consideration has been given to travel to and from school. Officers indicated that work was being undertaken by colleagues in Transportation and Education as the issue is higher up the agenda, however, there will be resource implications. A Member suggested that the drop in bus usage indicated that parents are less inclined to use bus services. Officers considered that the figure reflects a wider national trend which is linked to a range of issues including safety and air quality.
- A Member questioned whether consideration was being given to the provision of housing stock specifically designed for those living for longer – in terms of assisted living. The Member asked whether something could be built into the LDP to influence this issue locally. Officers stated that there was nothing specifically within the LDP to address this issue and there was no firm guidance from Welsh Government. Whilst the issue was recognised the authority does not have a policy ‘switch’ that it can turn to. Different house building trends are emerging and this is one of them. There may be more scope for local authorities to address this issue within their own house building developments.
- Members asked whether developers were delaying housing building because house prices are increasing. Furthermore, there was an urgent need for social housing and there was unlikely to be any improvement within a decade. Members asked whether there are any plans to improve the rate at which social housing is being delivered. Officers stated that there is no evidence to suggest that developers are delaying building new units whilst house prices increase. Delay as cause by an arrange of complex reasons which may take time to consolidate or which may result in less pressure to proceed. Affordable housing is usually delivered concurrently. Delivery rates are forecast to increase per annum.
- Officers confirmed that following the completion of an assessment there were no conclusions and work was ongoing, potentially with Welsh Government involvement, with a view to the provision of a new site for the travelling community.

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

## 25 : PARKING ENFORCEMENT UPDATE

Members received a report providing with an update on the Council approach to parking enforcement with particular reference to the recent proposal of a ‘Residents Parking Scheme – Virtual Permit’; how civil parking enforcement resources are currently being targeted; the financial implications of parking enforcement and the wider Parking Revenue Account; and the consistency of standards applied within

parking enforcement and the level of flexibility allowed to Civil Parking Enforcement Officers when making decisions.

Members were advised that in 2010 Cardiff Council was made responsible for the enforcement of a range of parking contraventions. This helped has contribute towards transportation policy objectives by addressing illegal parking which causes unnecessary congestion and traffic delays.

The Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013 was passed and came into force on 25 March 2014. These regulations enable the Council to enforce bus lane, yellow box junctions and some other moving traffic offences. Cardiff Council now has a suite of legal powers to control parking and travel along the highway and allows maximum control when deploying its enforcement resource to support its transportation policies, with the intention of assisting the movement of public transport and keeping traffic moving.

Illegal parking can create problems with the operation of the highway network including impacting on the ability of public transport to run smoothly and for people to be able to use 'active modes' such as walking and cycling safely and confidently. It affects the safety of other road users, and causes a nuisance for local residents and businesses. Illegal parking can affect the enjoyment and facility of local areas and detract from them as good places to live and work.

Enforcement is necessary to keep the highway network and public transport working, tackle dangers to other road users from illegal parking and ensure parking bays are used for parking and not for other purposes, for example, for illegal trading.

The Chairperson welcomed Matt Wakelam, Assistant Director Street Scene and Andrew Gregory, Director, to the meeting. The officers were invited be deliver a brief presentation. Members were invited to comment, seek clarification or raise questions on the information received. Those discussion are summarised as follows:

- Members referred to the consultation process on virtual parking permits. Concerns were expressed that the consultation was undertaken during July. Officers were asked to clarify how many responses were received and whether there would be any further consultation undertaken. Members also asked whether two parking enforcement vehicles would be sufficient if an e-permit system is to be introduced. Officers advised that the consultation related to the Traffic Regulation Orders needed to enable an e-permit scheme and not the scheme itself. The service area was in the process of looking at how e-permits would work in Cardiff. It was likely that a pilot scheme would be implemented in part of the City. Consideration was also being given to bolstering the authority's 2 ANRP vehicles.
- It was suggested that consultation on TROs should be carried out with elected Members in the first instance. Officers stated that they understood the sensitivities around this issue and suggested that e-permits be considered more fully in due course at a future meeting of the Committee. Officers agreed to provide details of the number of responses received from the TRO consultation exercise.

- Members asked whether officers were able to provide a breakdown of the numbers of moving traffic offences committed by drivers who are not resident in the City. Officers were also asked to comment on the fact that 50% of parking appeals were successful. Officers stated that the addresses of those drivers committing offences are known and therefore it would be possible to provide further details. In terms of FPN appeals, a service review identified this as a concern. Officers are drafting a policy setting out how the appeals process will be managed in the future. The policy will ensure that a consistent approach is applied. Officers believed that without policy guidance there is a variance in the decision-making process. A robust policy will support officers and assist in benchmarking with other authorities.
- Members considered that enforcement should seek to change behaviour and, if successful, the numbers of offences being committed should decrease over time. The Committee requested that future reports contain data that would allow Members to evaluate whether enforcement is effective in changing behaviour. Members also asked whether there are any offences which are increasing. Officers advised that there are able to undertake significant analysis of the data. All data is made available on an open source website. Generally, evidence suggested that at certain locations behaviours improve. However, parking offences remain constant at around 60,000 FPNs per annum.
- Members asked whether the blue badge scheme used by disabled people would be included in the e-permit scheme, as blue badges provided to individual people not to vehicles and, therefore, there was a potential risk that blue badge holders could receive FPNs when parking in accordance with the blue badge scheme. Officers stated that the blue badge scheme was a national scheme and it would not be changed. The ANPR vehicles will be employed as a directional tool used to highlight problem areas and to deploy enforcement officers accordingly. If a blue badge is correctly displayed and there was no contravention of the scheme then a FPN will not be issued.
- Members requested that the circulation of monthly reports on the numbers of parking FPNs issued by ward via Democratic Services be restarted. Members also requested that a similar report on the moving traffic offences FPNs by ward also be circulated.

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

26 : ENVIRONMENTAL SCRUTINY COMMITTEE - DRAFT WORK PROGRAMME 2018/19

The Principal Scrutiny Officer invited comments on the draft work programme. No comments were received and the Work Programme was approved.

Members received a verbal update on the progress made on the Litter and Flytipping Task and Finish Group. A Member asked whether there was any scope to merge some of the 94 potential issues identified. A Member also reminded those present that the shadowing of waste teams by Members of the Committee needed to be included in the list of items.

#### 27 : CORRESPONDENCE UPDATE - VERBAL UPDATE

The Principal Scrutiny Officer indicated that all Cabinet responses to previous correspondence have been published on the relevant meeting page on the Council website. A correspondence update item will be included as a standing item on future agendas.

#### 28 : COMMITTEE BUSINESS - WEBCASTING VERBAL UPDATE

The Chairperson welcomed Gary Jones, Head of Democratic Services.

The Principal Scrutiny Officer advised that, under the terms of the current contract for webcasting, there were a limited number of hours available for the webcasting of Committee meetings.

The Committee discussed the issue. Members questioned how much additional cost there would be to procuring additional hours. Gary Jones advised that the Council is about to enter into a tender exercise and there was a need to maximise the outcomes in terms of webcasting, and therefore the webcasting of meetings where there are key topics of public interest should take precedence.

Members of the Committee suggested that, in accordance with the principal of openness and transparency there was an argument that all proceedings should be webcast. Members questioned how any policy on the assessment of what issues are in the public would be applied – and who would be responsible for making the decision.

#### 29 : URGENT ITEMS (IF ANY)

No urgent items were received.

#### 30 : DATE OF NEXT MEETING

Members were advised that the next Environment Scrutiny Committee is scheduled for 2 October 2018.

The meeting terminated at 6.40 pm