

PARKING ENFORCEMENT UPDATE

Reason for the Report

1. To provide Members 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;
 - The consistency of standards applied within parking enforcement and the level of flexibility allowed to Civil Parking Enforcement Officers when making decisions.

Background

2. In 2010 Cardiff Council took on the responsibility for enforcing a range of parking contraventions. This has helped contribute towards the transportation policy objectives by addressing illegal parking which causes unnecessary congestion and traffic delays. In 2013, new legislation was made available in Wales to allow local authorities to enforce bus lanes, yellow box junctions and a range of other moving traffic contraventions.
3. In 2014, The Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013 was passed and came into force on 25th March 2014. These regulations enable the Council to assume responsibility for enforcement of bus lane and some moving traffic offences, pursuant to Part 6 of the Traffic Management Act 2004. By having access to these powers, Cardiff Council now has

a full suite of legal powers to control parking and travel along the highway. This gives the Council maximum control in terms of deploying its enforcement resource in support of its transportation policies, with the intention of assisting the movement of public transport and generally keeping traffic moving.

4. 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.
5. Enforcement is therefore needed to ensure compliance with regulations in order 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.
6. The Council accepts parking on the highway in accordance with two fundamental considerations:
 - That safety is not compromised; and,
 - That traffic flow is not impeded.
7. The Traffic Management Act imposes a duty on the Council as highway authority to ensure the smooth flow of traffic. Whilst roads may appear capable of accommodating parking, the Council may deem this does not facilitate meeting the requirements of the Act and therefore may find it necessary to restrict parking. The following policies and operational criteria guide the day-to-day management of parking space. These policies should be read in conjunction with the Council's:
 - Local Development Plan;
 - Supplementary Planning Guidance (Managing Transport Impacts - Incorporating Parking Standards and Guidance on Travel Plans);
 - Local Transport Plan; and,
 - Parking Strategy.

8. The objectives of the Council's Parking Policies align with Cardiff Council's Local Transport Plan objectives, as follows:
- **Environment** - Parking will be provided and managed to minimise the negative impacts of travel and parking on the built and natural environment.
 - **Economy** - To contribute to an efficient economy, to support sustainable economic growth in appropriate locations and promote the vitality, attractiveness and viability of the City Centre, district and local centres.
 - **Safety & Security** - Parking will be provided and managed to promote safety and security for all travellers.
 - **Accessibility** - Parking will be provided and managed to promote accessibility for people and goods, particularly, by sustainable modes of transport. Particular attention will be paid to improving accessibility for people with mobility problems.
 - **Integration** - To integrate parking with all forms of transport, network management and land use planning, leading to a better, more efficient and sustainable transport system.

Way Forward

9. Councillor Caro Wild, Cabinet Member for Strategic Planning & Transport has been invited to attend for this item. He will be supported by officers from the Planning, Transport & Environment Directorate.

Legal Implications

10. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural

requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

11. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATION

The Committee is recommended to:

- i. Note the contents of the report; and,
- ii. To consider future actions in relation to future scrutiny of this item.

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29 August 2018