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For all enquiries relating to this agenda please contact Rebecca Barrett
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Date: 28th September 2022

To Whom It May Concern,

A multi-locational meeting of the **Environment and Sustainability Scrutiny Committee** will be held in Penallta House, and via Microsoft Teams on **Thursday, 6th October, 2022 at 5.30 pm** to consider the matters contained in the following agenda. Councillors and the public wishing to speak on any item can do so by making a request to the Chair. You are also welcome to use Welsh at the meeting, both these requests require a minimum notice period of 3 working days. A simultaneous translation will be provided on request.

Members of the public or Press may attend in person at Penallta House or may view the meeting live via the following link: <https://civico.net/caerphilly>

This meeting will be live-streamed and a recording made available to view via the Council's website, except for discussions involving confidential or exempt items. Therefore the images/audio of those individuals speaking will be publicly available to all via the recording on the [Council's website](#).

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Chrissy'.

Christina Harrhy
CHIEF EXECUTIVE

AGENDA

	Pages
1 To receive apologies for absence.	

A greener place Man gwyrddach



2 Declarations of Interest.

Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

To approve and sign the following minutes: -

- 3 Environment and Sustainability Scrutiny Committee held on 28th June 2022. 1 - 10
- 4 Consideration of any matter referred to this Committee in accordance with the call-in procedure.
- 5 Environment and Sustainability Scrutiny Committee Forward Work Programme. 11 - 26
- 6 To receive and consider the following Cabinet reports*: -
1. Marriage And Civil Partnership Fees - Registration Service – 13th July 2022;
 2. Proposed Construction of a Multi-purpose Cadet and Sports Pavilion at Morgan Jones Park, Caerphilly – 27th July 2022.
 3. Caerphilly County Borough Council Car Parks Task and Finish Group (Joint Scrutiny Committee) – 26th September 2022.

**If a member of the Scrutiny Committee wishes for any of the above Cabinet reports to be brought forward for review at the meeting please contact Rebecca Barrett, 01443 864245, by 10.00 a.m. on Wednesday, 5th October 2022.*

To receive and consider the following Scrutiny report: -

- 7 Parking for Resident Permit Holders. 27 - 36

Circulation:

Councillors M.A. Adams, R. Chapman, C.J. Cuss, D.T. Davies (Chair), N. Dix, C. Elsbury, M. Evans, A. Gair, A. Hussey (Vice Chair), S. Kent, A. Leonard, D.W.R. Preece, H. Pritchard, J.E. Roberts, S. Williams and C. Wright

And Appropriate Officers

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ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE

MINUTES OF THE MULTI-LOCATIONAL MEETING HELD IN PENALLTA HOUSE AND VIA MICROSOFT TEAMS ON TUESDAY, 28TH JUNE 2022 AT 5.30 P.M.

PRESENT:

Councillor D.T. Davies (Chair)
Councillor A. Hussey (Vice-Chair)

Councillors:

M.A. Adams, R. Chapman, C.J. Cuss, N. Dix, C. Elsbury, M. Evans, A. Gair, S. Kent, D.W.R. Preece, H. Pritchard, J.E. Roberts, S. Williams, C. Wright

Cabinet Members:

Councillors C. Morgan (Waste, Leisure and Green Spaces), J. Pritchard (Prosperity, Regeneration and Climate Change)

Together with:

M.S. Williams (Corporate Director for Economy and Environment), J. Morgan (Trading Standards, Licensing and Registrars Manager) C. Edwards (Environmental Health Manager), R. Lloyd (Principal Waste Management Officer), G. Mumford (Team Leader - Senior Environmental Health Officer), C. Forbes-Thompson (Scrutiny Manager), R. Barrett (Committee Services Officer), J. Lloyd (Committee Services Officer)

RECORDING, FILMING AND VOTING ARRANGEMENTS

The Chair reminded those present that the meeting was being live-streamed and recorded and would be made available following the meeting via the Council's website – [Click Here to View](#) Members were advised that voting on decisions would be taken via Microsoft Forms.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor A. Leonard, together with R. Hartshorn (Head of Public Protection, Community & Leisure Services)

2. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

3. MINUTES – 22ND MARCH 2022

It was moved and seconded that the minutes of the meeting held on 22nd March 2022 be approved as a correct record and by way of Microsoft Forms (and in noting there were 8 for, 0 against and 2 abstentions) this was agreed by the majority present.

RESOLVED that the minutes of the Environment and Sustainability Scrutiny Committee held on 22nd March 2022 (minute nos. 1 – 7) be approved as a correct record.

4. CALL-IN PROCEDURE

There had been no matters referred to the Scrutiny Committee in accordance with the call-in procedure.

5. ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE FORWARD WORK PROGRAMME

C. Forbes-Thompson (Scrutiny Manager) presented the report, which outlined details of the Environment and Sustainability Scrutiny Committee Forward Work Programme (FWP) for the period June 2022 to March 2023.

Members were asked to consider the FWP alongside the Cabinet work programme and suggest any changes prior to publication on the Council's website. The Scrutiny Committee noted the details of reports scheduled for the forthcoming meetings and also noted the meeting of the Joint Scrutiny Committee on 28th July 2022 (in conjunction with Housing and Regeneration Scrutiny Members) to consider the outcome of a report from the Car Park Task and Finish Group.

The Scrutiny Committee were advised that a Member's request had been received for a report (Review of Local Toilet Strategy) and approval was sought to add this to the Forward Work Programme for the meeting scheduled on 23rd March 2023.

It was moved and seconded that subject to the inclusion of the aforementioned report, the report recommendation be approved. By way of Microsoft Forms (and in noting there were 14 for, 0 against and 0 abstentions) this was unanimously agreed.

RESOLVED that subject to the inclusion of a report for 23rd March 2023 (Review of Local Toilet Strategy), the Forward Work Programme as appended to the meeting papers be published on the Council's website

6. CABINET REPORTS

It was confirmed that there had been no requests for any of the Cabinet reports listed on the agenda to be brought forward for discussion at the meeting.

7. TO RECEIVE A NOTICE OF MOTION - ADOPT SECTION 99 OF THE ENVIRONMENTAL PROTECTION ACT 1990

Councillor N. Dix presented his Notice of Motion, which asked Council to adopt Section 99 of the Environmental Protection Act 1990 to give Council greater powers to deal with supermarket trolleys being left on the streets, polluting the rivers and green spaces. The

Notice of Motion also asked Council to note that the current arrangement is failing, trolleys are not being collected, the current system is not monitored, and no one has overall responsibility to ensure that trolleys are collected, which needs to be addressed to protect the local environment.

Councillor Dix explained he had brought this Notice of Motion due to the significant increase in supermarket trolleys being abandoned along the Blackwood-Pontllanfraith stretch of the Sirhowy River, with a number of trolleys having lain there for several years. Councillor Dix referred to the photographs attached to his Notice of Motion showing examples of abandoned trolleys in the river and surrounding embankments. He explained that these abandoned trolleys accumulate debris on their journey down the river, and consequently cause blockages in the water and disturbance to the watercourses and banking, which would cost many thousands of pounds to remediate. Councillor Dix was of the view that adopting the Section 99 policy would give the Council the powers to ensure that supermarkets take their duty seriously and retrieve trolleys in a timely manner and he asked the Scrutiny Committee to support his Notice of Motion.

Officers were invited to respond to the Notice of Motion and they provided an overview of the current processes in place to tackle the issue of abandoned trolleys and the Council's proposals to address the issue moving forward. Members were also referred to a briefing note containing further information from Officers that had been circulated to the Scrutiny Committee in advance of the meeting.

Rhodri Lloyd (Principal Waste Management Officer) explained that by way of context, the issue of abandoned trolleys has not ranked highly in terms of service requests and that recovery rates for local supermarkets have proven effective, with over 98% of trolleys being retrieved. Many local supermarkets are signed up to a retrieval scheme called TrolleyWise, although one major retailer in Blackwood has not signed up to this, which might explain the relatively high number of trolleys that have migrated outside the curtilage of the supermarkets. Mr Lloyd added that during the Covid-19 pandemic, community cleansing and collaborative clean-up work was suspended, which was possibly reflected in the high number of abandoned trolleys in the vicinity of Asda Blackwood.

Mr Lloyd outlined solutions which could improve this situation without the need to utilise Section 99. The Council have been liaising with local organisations to improve and refine the recovery rates of the small amount of trolleys that have ended up in watercourses. He explained that it is not recommended for Caerphilly Council to go down the enforcement routes utilised by other councils (such as Cardiff) in view of the significant costs attached, but to utilise other more conducive measures, such as working with the TrolleyWise scheme, undertake collaborative clean-ups to retrieve abandoned trolleys in and around the Blackwood area and other identified hotspots. launch a website page where the public can report abandoned trolleys, and engage with relevant organisations such as Keep Wales Tidy and Groundwork Wales. The Council have also been liaising with Natural Resources Wales to address issues around any watercourses which have been affected by abandoned trolleys.

Ceri Edwards (Environmental Health Manager) then provided a detailed overview of the legislation associated with Section 99 of the Environmental Protection Act, together with the work that the Council has undertaken with local supermarkets to address this issue. It was noted that Schedule 4 of the Environmental Protection Act 1990 (EPA), if formally adopted by a local authority, enables that authority to take enforcement action against the owners of trolleys and to resolve problems associated with abandoned trolleys. Members were advised of the seizure and removal process under Schedule 4 for abandoned trolleys on public and occupied land, the notice period for sale and disposal and the mechanisms for advising the owner of the trolley (if known) of the disposal or reclamation process. Additionally, the Clean Neighbourhoods and Environment Act 2005 (CNEA) further

amended the EPA so as to additionally enable local authorities to recover their costs irrespective of whether or not the owner wants their trolley be returned.

In terms of enforcement, Members were advised that since 1st January 2021, Caerphilly Council has received 12 public complaints of fly-tipped trolleys across the county borough. Although it is feasible to use existing fly tipping legislation to take enforcement action against those who abandon the trolleys, due to a lack of evidence linking the fly-tipping to the perpetrator, the Council have been unable to take forward any enforcement action to date for the fly-tipping of shopping trolleys. Environmental Health have worked with local stores in the Blackwood area to ensure mitigation is in place to minimise trolleys being taken from the land, but there is only so much that stores can be reasonably expected to do. ASDA Blackwood have invested a significant sum of money in a wheel-locking system to stop customers using the trolleys past the carpark boundary, and have employed the Collex trolley management service to collect any trolleys belonging to ASDA if they are reported to the store as abandoned or fly tipped.

Miss Edwards explained that the majority of local authorities in the UK that have adopted the Section 99 scheme are large towns, city authorities or those in the boroughs of London, with large retail areas and supermarkets. The main costs of the process relate to collection, storage and return, with further costs incurred by staff carrying out the legal searches and paperwork, and as the legislation suggests, cost recovery is a major driver in this new process.

The majority of local authorities contacted by Caerphilly (including Newport and Torfaen), use TrolleyWise, a not for profit organisation that provide a range of services to return abandoned trolleys to local supermarkets and patrol trolley hotspots in local communities. The Scrutiny Committee were provided with a detailed overview of the TrolleyWise scheme and were advised that at this stage, this scheme would be the most suitable and cost effective way to resolve problems with abandoned trolleys in the area. The public would be able to directly contact TrolleyWise to report an abandoned trolley who will collect and return it to the store, and Caerphilly Council can assist with this by placing links to TrolleyWise and the app on the Council website.

Miss Edwards outlined a series of activities proposed as an alternative to adopting Section 99 of the Environmental Protection Act. These included:

- Specific website pages advising on how to deal with trolleys in the wrong place;
- Visits by LA officers to retail premises as and when issues are raised /identified and request assistance to remove any offending units;
- Utilisation of the TrolleyWise scheme to recover units;
- Developing a link with Symonds Hydroclean (recondition specialists based in Abercarn);
- Purchase of specialist equipment to facilitate a programme of collaborative clean ups/retrieval exercises specifically targeting hot spot aquatic and embankment locations;
- Maintaining the working relationship with NRW and involving them in certain situations i.e. flood risks;
- An awareness raising exercise on the subject to all relevant departments and other partnering organisations.

In conclusion, Miss Edwards explained that adopting Section 99 would require a specific administrative, legal, monitoring and financial service, together with a storage compound and additional staff to administer and coordinate the scheme, which would entail considerable financial implications with no gain. It was the view of Officers that implementing the alternative proposals as outlined to the Scrutiny Committee would meet the needs and aspirations of residents, stakeholder groups and elected representatives.

The Scrutiny Committee discussed the Notice of Motion and the recommended measures put forward by Officers. Clarification was sought on the £100k cost that had been cited to implement and enforce Section 99, and Officers confirmed that this included the cost of an Officer plus the cost of a storage facility, although it should be noted that this was merely a suggested cost because there is insufficient room at Tiryberth Deport for a facility of this size if the full range of Section 99 enforcement activities were to be enforced, and therefore an alternative location would have to be sourced.

Clarification was sought on responsibility in terms of river courses and embankments. Officers explained that although Natural Resources Wales have responsibilities in terms of managing flooding risks, it is the responsibility of the relevant landowner(s) to maintain the particular stretch of water course on their side of the land

An enquiry was received on expected timescales if the measures recommended by Officers were to be implemented. Officers confirmed that some of these measures could be implemented straightway, and dates for the community clean-ups are currently being planned.

A Member of the Scrutiny Committee explained that he had downloaded the TrolleyWise app and suggested that it might be good practice for other Councillors to also download the app so that any instances of abandoned trolleys can be reported and acted upon promptly

A Member suggested that the adoption of Section 99 itself would not incur cost implications, and that it would be merely the enforcement aspect that would generate costs, and asked whether it would be more conducive for the Council to adopt Section 99 even if it is not utilised. Mark S. Williams (Corporate Director – Economy and Environment) explained that there are costs and bureaucracy associated with the adoption of any legislation and that other authorities have proven that alternative measures as outlined to the Scrutiny Committee are far more effective.

A Member referred to the list of proposals suggested by Officers and asked which of these measures would have cost implications, and also sought clarification on whether Section 4 of the Environmental Protection Act had been adopted by the Council. Officers confirmed that the Council had not as yet resolved to adopt Section 4 of the EPA and that the measures proposed by Officers are relatively cost free.

The Scrutiny Committee were also advised that the adoption of Section 99 could substantially impact upon and reduce the volunteer work that goes on within local communities and that the adoption of Section 99 would increase costs and outweigh any benefits to the Authority as a whole.

Following discussion on the Notice of Motion, an alternative motion was moved and seconded, which proposed the operational enhancement of current practices (in accordance with the update and series of activities detailed by Officers at the meeting) in order to tackle the issue of abandoned trolleys across the county borough, and that an update report be provided to the Scrutiny Committee in 12 months' time on the progress being made under the new initiatives. By way of Microsoft Forms and verbal confirmation (and in noting there were 14 for, 0 against and 0 abstentions) this was unanimously agreed.

As a result of the above proposal, Councillor Dix formally withdrew his Notice of Motion proposing that Council adopt Section 99 of the Environmental Protection Act 1990.

It was therefore RESOLVED that:-

- (i) In accordance with the update and series of activities detailed by Officers at the meeting, current operational practices across the Council be enhanced in order to tackle the issue of abandoned trolleys across the county borough;
- (ii) An update report be provided to the Scrutiny Committee in 12 months' time on the progress being made under the new initiatives.

REPORTS OF OFFICERS

Consideration was given to the following reports.

8. MARRIAGE AND CIVIL PARTNERSHIP FEES - REGISTRATION SERVICE

Jacqui Morgan (Trading Standards, Licensing and Registrars Manager) presented the report, which sought the views of the Scrutiny Committee prior to a further report to Cabinet in relation to proposed increases to the fees charged for the administering of wedding and civil partnership ceremonies by the Registration Service.

Marriage and Civil Partnership fees are set nationally at £46 where a "commissioned" ceremony room is used, and every local authority has to offer a ceremony in a statutory room at this fee. However, this national fee does not cover the costs of the statutory attendance levels of Registration Officers, and many Registration Services, including Caerphilly, also offer ceremonies in de-commissioned rooms where the chargeable fees are discretionary. Additionally, where marriage and civil partnerships are conducted at approved premises across the county borough, the chargeable fee is again discretionary.

The Scrutiny Committee were advised that ceremony fees are set on a cost recovery basis and have not increased since 2019, and a recent review has indicated the need to increase these in order to cover the cost of providing the service. Members were referred to Section 5.2 of the report which detailed the current and proposed fees, with increases ranging from 3.2% to 6.6%. Members also noted Section 5.5 of the report which summarised the highest and lowest fees charged across Wales and those proposed for CCBC. It was explained that the proposed fees are reasonable and will remain amongst the lower level of fees charges across Wales. The increases range from £7 to £25 and any delay in implementing an increase now will lead to higher increases in future years. The report also proposed that in future, ceremony fees are routinely reviewed every 2 years, or sooner should there be a significant change in circumstances, to ensure that a reasonable level of costs are recovered.

Members discussed the report and asked why the fees were to be reviewed every two years rather than every year, particularly in view of rising costs. The Scrutiny Committee were advised that the fees are set on a cost recovery basis, and cover costs such as salaries and electricity. It was felt that a 2 year review would be a reasonable approach, however if Members felt that it should be done annually this could be taken into account. Members were informed that there is also an annual increase built into the budget report which takes into account inflation levels.

Following consideration of the report, and having provided their views on its contents, it was moved and seconded that the following recommendations be supported by the Scrutiny Committee and forwarded to Cabinet for approval. By way of Microsoft Forms (and in noting there were 14 for, 0 against and 0 abstentions) this was unanimously agreed.

RECOMMENDED to Cabinet that the proposed increase in ceremony fees and the proposal for ceremony fees to be reviewed routinely every 2 years, be approved.

9. PUBLIC PROTECTION ENFORCEMENT, CONSUMER ADVICE, AND COVID-19 RESPONSE 2021/22

Jacqui Morgan (Trading Standards, Licensing and Registrars Manager) and Ceri Edwards ((Environmental Health Manager) presented the report, which asked the Scrutiny Committee to consider the review of Public Protection enforcement and other activities during 2021-22, including those associated with the pandemic, CCTV provision, and to note the activity in relation to Consumer Advice.

Mrs Morgan provided a detailed overview of Public Protection enforcement activity across the Authority, including CCTV Activities, Regulation of Investigatory Powers Act 2000 (RIPA) Authorisations, Underage Sales, Illegal Tobacco Activities and Consumer Advice. Further details of these activities were set out in the report, and a comparison of enforcement activity numbers between 2019 and 2022 was also appended to the report.

It was noted that Public Protection did not obtain any RIPA Authorisations during 2021-22, mainly due to reduced activities due to Covid-19 impacts, and no test purchase operations were possible due to Covid-19 and the obvious concerns for the safety of the public, officers and volunteers. However, 48 complaints were received in relation to allegations of underage sales of alcohol, tobacco and vaping products, and all premises that were the subject of a complaint received a visit from Trading Standards and in some cases jointly with Gwent Police. A joint exercise was also carried out to premises which sold knives to make them aware of the requirements to comply with legislation. The Authority is currently seeking new volunteers for underage test purchases to replace its current bank of volunteers. Members were reminded that if they have any concerns regarding underage sales, then to contact Mrs Morgan with details of the premises so this can be acted upon as soon as the new team of volunteers has been recruited.

In terms of illegal tobacco sales, this is an increasing problem in both CCBC and throughout the UK. Throughout 2021/2022, Trading Standards have continued to take action against known sellers, with one business awaiting prosecution, and four more awaiting a court date. Members were also updated on Consumer Advice and intervention and the top 10 main complaint categories during 2021-22, with it noted that there has been a significant increase in home improvement complaints linked to rogue traders, as well as an increase in illegal dog breeders. The total value of all goods and services dealt with by the Council's advice service for the financial year was £3,527,016 and the total value of all goods and services where Caerphilly consumers sought advice either directly from the service or through Citizens Advice Consumer Service was £20,037,991.

In response to a query on CCTV monitoring processes, Mrs Morgan confirmed that the CCTV team monitor over 170 cameras across the borough and will reactively respond to detected incidents by contacting the police or community safety wardens in that area as needed, and operators will also respond to police requests for assistance if the police need to view a situation in a certain area or need to obtain the footage for evidence. A Member also queried the use of covert cameras in fly-tipping incidents and Mrs Morgan outlined the application process under RIPA and the processes used in fly-tipping surveillance. Miss Edwards added that the Authority are also testing the use of trail cameras in remote locations such as country lanes identified as fly-tipping hot spots.

A Member sought clarification on the Council's stance in terms of drugs paraphernalia being openly sold in shops. Mrs Morgan confirmed that this is not under the remit of Trading Standards and that the Council have no powers to deal with the sale of such equipment, although the supply of drugs themselves would be a matter for the police. However, she confirmed that she would double-check to confirm the position following the meeting and reply to Members in due course.

Reference was made to nationwide reports of the majority of car washes using illegal workers, and clarification was sought on the Council's approach to protecting people from human trafficking and slave labour. Mrs Morgan confirmed that this is not under the remit of Trading Standards but if any such instances of modern slavery or other matters of concerns are suspected when the Council are inspecting a premises in relation to pricing structures, then this information would be reported to the relevant authorities.

Miss Edwards then provided a detailed overview of the Covid 19 response, advice and enforcement activities undertaken by the Authority. She explained that many of these duties have not been carried out in recent times due to the impact of Covid-19 and the report sought to address the balance and explain what is being done moving forward.

It was noted that throughout the last two years, Public Protection Officers responded to the ever changing legislation and restrictions aimed at reducing the spread of the coronavirus, with Environmental Health Officers and Community Safety Officers diverted from "normal" Public Protection work to meet the demands of the Covid response. The Teams have been helping to keep Caerphilly safe by investigating and managing individual cases and clusters of Covid 19 cases, providing regular Infection Prevention and Control advice to Care Homes, schools, and other educational settings, along with all types of businesses and employers including large factories in order to keep essential services running, and the EHOs worked in collaboration with the Test Trace and Protect (TTP) Team. Importantly, Public Protection played an invaluable role in the "Team Caerphilly" collaborative approach in responding to the pandemic.

Considerable input was provided to the safe operation of school hubs provided for children of various key workers during the lockdowns and EHOs provided advice to collective services that have tackled food insecurity throughout the pandemic, via the operation of food banks and delivery of food, medicines, and care packages to vulnerable residents, and the delivery of free school meals. The service put in place comprehensive support and advice arrangements for schools, to minimise the risk of education disruption, and advice to businesses and the public has been provided throughout to protect the health safety and welfare of all involved. Enviro-crime Enforcement Officers assisted with visits to Covid-19 positive individuals that were not responding to attempted contacts from the TTP team, with the visits being primarily to check on their welfare and to ensure they were isolating as required. Such visits were also conducted to returning travellers from abroad to check on isolation requirements and to reduce the risk of introducing a new variant to the UK.

Throughout this time, a Multi-Disciplinary Team met weekly to review, advise and manage the incidents in care settings and to organise additional testing as required. This work was reported to the Caerphilly CBC Incident Management Team (IMT), and Cluster Management meetings have also been held which focus on the management, control and testing of specific clusters of cases and which also report to the CCBC IMT.

As a consequence of the above commitments, much of the enforcement of coronavirus legislation associated with commercial premises and licensed premises has fallen to the Trading Standards and Licensing Teams. The Environmental Health teams have been responsible for dealing with close contact services and have delivered enforcement action (as a follow up to advisory visits) as necessary to businesses which have been non-compliant. The service has continued to support businesses with advice in complex circumstances arising from the numerous variations to the regulations since the start of the pandemic. Additionally, a comprehensive, high profile advice and enforcement response has been delivered to encourage compliance and to address those who choose not to comply in order to keep Caerphilly safe.

Enforcement officers across Public Protection dealt with over 900 complaints about compliance with the Regulations, and proactively monitored premises on a regular basis,

carrying out almost 6000 visits and proactively advising over 2000 businesses. Several close contact services posed particular challenges, along with the hospitality sector during various relaxations, with officers working evenings/weekends in order to advise and monitor compliance. Sadly, several members of staff were verbally abused and threatened with violence whilst carrying out their duties. Additional resources were provided from November 2020, with the appointment of Covid 19 Enforcement officers and the ability to bring in dedicated police support as required.

Throughout the pandemic, there has been an escalation in groups of youths causing anti-social and not adhering to the Covid regulations. As a result, the Community Safety Wardens (CSWs) have continued to conduct joint patrols with Gwent Police and partners to manage anti-social behaviour in communities with 378 people referred into the Safer Caerphilly Anti-Social Behaviour 4-Strike Process for committing acts of ASB.

Members were referred to Appendix 1 of the report which detailed the number of Improvement, Closure, Prohibition and Fixed Penalty Notices issued during the year. Enviro-crime Enforcement is another area that has been impacted during the pandemic and the Council is aware that this remains a priority for local communities, with the results of the "Caerphilly Conversation" survey published in 2021 reflecting lower levels of satisfaction with street and environmental cleansing and with respondents identifying littering, dog fouling, and fly tipping as factors.

Since the recent relaxation of restrictions, officers have begun the process of transitioning back to core work. However, they face an enormous backlog of work, particularly associated with food safety and standards inspections. Additionally, it is noted that several recent inspections and interventions have taken longer than normal, as the operating standards in some premises have unfortunately declined throughout the pandemic.

The Scrutiny Committee were also advised that Covid-19 cases are currently increasing again at a national level and across Caerphilly County Borough. The Council have maintained a small TTP team designed to cope with Covid surges and this will be kept under review. Public Protection are also linking in with the Gwent IMT and Welsh Government so that the position can be monitored, and Welsh Government will review the situation as time goes on. In recognition of the pressures and demands across the Public Protection service, the Council approved budgetary growth for 15 additional posts in 2022-23 including Environmental Health officers, Enforcement Officers, Fair Trading Officers and Community Safety Wardens, and Miss Edwards expressed her thanks to Council and all Members for agreeing to this request and providing these much-needed additional resources which are greatly appreciated at this time.

The Scrutiny Committee thanked Miss Edwards for the in-depth overview and a query was received regarding the Council's health and safety obligations around hospital discharges of care home residents during the pandemic. It was acknowledged that the matter is now the subject of an ongoing Parliamentary public enquiry across the UK, but in terms of Caerphilly's position, the Council followed all official advice and measures that were put in place to maintain the safety of those patients and care home residents. It was emphasised that Public Protection staff met on an almost daily basis (and sometimes several times a day) when issues were emerging in relation to care homes, and worked with Social Services and other colleagues within Public Health Wales and ABUHB to ensure that the safest practices were adhered to at all possible times, which was an evolving situation and changed on numerous occasions during the pandemic.

The Scrutiny Committee requested that their thanks be conveyed to the Public Protection Team for their dedicated and continued efforts during the pandemic, and that the appreciation of Members to all relevant staff be placed on record.

Having considered the report and the review of Public Protection Enforcement and other activities, including those associated with the pandemic and CCTV provision, the Scrutiny Committee noted its contents, including the activity in relation to Consumer Advice.

The meeting closed at 6.54 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 6th October 2022, they were signed by the Chair.

CHAIR



ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE – 6TH OCTOBER 2022

**SUBJECT: ENVIRONMENT AND SUSTAINABILITY SCRUTINY
COMMITTEE FORWARD WORK PROGRAMME**

**REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND
CORPORATE SERVICES**

1. PURPOSE OF REPORT

- 1.1 To report the Environment and Sustainability Scrutiny Committee Forward Work Programme.

2. SUMMARY

- 2.1 Forward Work Programmes are essential to ensure that Scrutiny Committee agendas reflect the strategic issues facing the Council and other priorities raised by Members, the public or stakeholder.

3. RECOMMENDATIONS

- 3.1 That Members consider any changes and agree the final forward work programme prior to publication.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To improve the operation of scrutiny.

5. THE REPORT

- 5.1 The Environment and Sustainability Scrutiny Committee forward work programme includes all reports that were identified at the scrutiny committee meeting on Tuesday 28th June 2022. The work programme outlines the reports planned for the period September 2022 to March 2023.
- 5.2 The forward Work Programme is made up of reports identified by officers and members. Members are asked to consider the work programme alongside the

cabinet work programme and suggest any changes before it is published on the council website. Scrutiny committee will review this work programme at every meeting going forward alongside any changes to the cabinet work programme or report requests.

- 5.3 The Environment and Sustainability Scrutiny Committee Forward Work Programme is attached at Appendix 1, which presents the current status as at 26th September 2022. The Cabinet Work Programme is attached at Appendix 2. A copy of the prioritisation flowchart is attached at appendix 3 to assist the scrutiny committee to determine what items should be added to the forward work programme.

5.4 **Conclusion**

The work programme is for consideration and amendment by the scrutiny committee prior to publication on the council website.

6. **ASSUMPTIONS**

- 6.1 No assumptions are necessary.

7. **SUMMARY OF INTEGRATED IMPACT ASSESSMENT**

- 7.1 As this report is for information only an Integrated Impact Assessment is not necessary.

8. **FINANCIAL IMPLICATIONS**

- 8.1 There are no specific financial implications arising as a result of this report.

9. **PERSONNEL IMPLICATIONS**

- 9.1 There are no specific personnel implications arising as a result of this report.

10. **CONSULTATIONS**

- 10.1 There are no consultation responses that have not been included in this report.

11. **STATUTORY POWER**

- 11.1 The Local Government Act 2000.

Author: Mark Jacques, Scrutiny Officer jacqu@carphilly.gov.uk

Consultees: Mark S. Williams, Corporate Director for Economy and Environment
Robert Tranter, Head of Legal Services/ Monitoring Officer
Lisa Lane, Head of Democratic Services and Deputy Monitoring Officer,

Legal Services
Councillor Tudor Davies, Chair of Environment and Sustainability Scrutiny
Committee
Councillor Adrian Hussey Vice Chair of Environment and Sustainability
Scrutiny Committee

Appendices:

- Appendix 1 Environment & Sustainability Scrutiny Committee Forward Work Programme
- Appendix 2 Cabinet Forward Work Programme
- Appendix 3 Forward Work Programme Prioritisation Flowchart

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Forward Work Programme - Environment & Sustainability

Date	Title	Key Issues	Author	Cabinet Member
06/10/22 17:30	Parking for Resident Permit Holders		Lloyd, Marcus;	Cllr. Simmonds, Julian;
06/10/22 17:30	Information Item - Highway Maintenance Budget Apportionment.		Lloyd, Marcus;	Cllr. Simmonds, Julian;
06/10/22 17:30	Information Item - Environment & Economy 2022-23 Budget Report		Roberts, David;	Cllr. Stenner, Eluned;
06/10/22 17:30	Information Item - Environment & Economy 2022-23 Revenue Grants Report		Roberts, David;	Cllr. Stenner, Eluned;
06/10/22 17:30	Information Item - Environment & Economy 2022-23 P3 Budget Monitoring Report		Roberts, David;	Cllr. Stenner, Eluned;
06/10/22 17:30	Information Item - Play Sufficiency Strategy		Lougher, Jared;	Cllr. Morgan, Chris;
25/10/22 17:30	NOTICE OF MOTION – RE-EVALUATE THE CABINET DECISION OF THE 9TH FEBRUARY 2022 – B4251 YNYSDDU TO WYLLIE HIGHWAY IMPROVEMENT		Cllr. Reed, Janine;	Cllr. Simmonds, Julian;
25/10/22 17:30	Green Infrastructure Strategy Progress Report		Hartshorn, Robert;	Cllr. Simmonds, Julian;
25/10/22 17:30	Street Lighting Review		Williams, Mark S;	Cllr. Simmonds, Julian;
25/10/22 17:30	Section 6 Biodiversity and Resilience of Ecosystems Duty	To consider and approve a report on the actions taken to help maintain and enhance biodiversity prior to publication in accordance with the biodiversity duty under the Environment (Wales) Act 2016.	Hartshorn, Robert;	Cllr. Morgan, Chris;
	Waste Strategy **Meeting date to be confirmed**		Lloyd, Marcus;	Cllr. Morgan, Chris;
06/12/22 17:30	Information Item - Environment & Economy 2022-23 P5 Budget Monitoring Report		Roberts, David;	Cllr. Stenner, Eluned;
07/02/23 17:30	Information Item - Environment & Economy 2022-23 P7 Budget Monitoring Report		Roberts, David;	Cllr. Stenner, Eluned;
21/03/23 17:30	Review of the Local Toilets Strategy	To seek Cabinet approval for the Council's updated Local Toilet Strategy following a review and public consultation.	Lloyd, Marcus;	Cllr. Morgan, Chris;
21/03/23 17:30	Information Item - Environment & Economy 2022-23 P9 Budget Monitoring Report		Roberts, David;	Cllr. Stenner, Eluned;

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Meeting date: **Report title:** **Key issue:** **Presenting Officers:** **Cabinet Member:**

05/10/2022 13:00	Trinity Fields update	To update Members on the plans to expand Trinity Fields	Sue Richards/ Andrea West	Cllr. Carol Andrews
05/10/2022 13:10	Outline Business Case for Cwm Ifor Solar Farm Proposal	To seek Cabinet approval to proceed with the planning application, initiate the consultation processes and to sign the option agreement and lease that sits behind the proposed Solar Farm development	Anna Lewis, Sue Richards, Allan Dallimore	Cllr. James Pritchard
05/10/2022 13:20	Agile Working Update	To receive an update on the Councils approach to Agile Working.	Lynne Donovan	Cllr. Nigel George
05/10/2022 13:30	Shaping the Policy on cash collection	To receive an update on the payment methods currently available to our residents and service users and to consider recommendations in respect of the future policy on cash payments.	Stephen Harris	Cllr. Eluned Stenner
05/10/2022 13:40	Authorisation of Officers in Public Protection	For Cabinet to note the introduction of new legislation relevant to the responsibilities of the Public Protection service and to approve additional authorisation so that Officers may carry out their duties.	Robert Hartshorn, Jacqui Morgan	Cllr. Philippa Leonard

Meeting date:	Report title:	Key issue:	Presenting Officers:	Cabinet Member:
05/10/2022 13:50	Safer Caerphilly Community Safety Partnership	For Cabinet to note an update on the work of the Safer Caerphilly Community Safety Partnership, to endorse the latest Terms of Reference, and to approve the Cabinet Member as a voting representative on the Safer Caerphilly Community Safety Partnership.	Robert Hartshorn	Cllr. Philippa Leonard
19/10/2022 13:00	Workforce capacity and associated challenges	For members to consider the recruitment and retention challenges	Lynne Donovan	Cllr. Nigel George
19/10/2022 13:10	Bryn Community Engagement Proposal	To propose a terms of reference for a Community Group to be established.	Mark S Williams	Cllr. Philippa Leonard

Meeting date:	Report title:	Key issue:	Presenting Officers:	Cabinet Member:
19/10/2022 13:20	Annual Corporate Complaints Report	To provide Cabinet with an overview of the complaints dealt with under the Corporate Complaints policy for the period 1st April 2021 to 31st March 2022 together with the outcomes and lessons learned.	Robert Tranter, Lisa Lane	Cllr. Nigel George
19/10/2022 13:30	Final Report from the Task and Finish Group on Tackling Potential Mental Health Issues Post-Pandemic	This report seeks to inform Members of the Social Services Scrutiny Committee of the findings of the task and finish group that was established to review how Caerphilly County Borough Council works with partners to tackle any potential mental health issues post-pandemic.	Mark Jacques/Cath Forbes-Thompson	Cllr. Elaine Forehead
02/11/2022 13:00	Caerphilly Homes (Development) Forward Work Programme	To discuss the next set of sites that will be brought forward as part of the Caerphilly Homes development programme and Caerphilly Homes governance arrangements	Nick Taylor-Williams, Jane Roberts-Waite	Cllr. Shayne Cook
02/11/2022 13:10	Low Cost Home Ownership Policy (Decision)	The LCHO (Low Cost Home Ownership) report will document the formulation, implementation and the publication of a new policy which governs the process by which the Council will sell homes to people living and/or working in the borough wanting to access homeownership but cannot afford to do so without some form of public subsidy.	Nick Taylor-Williams, Jane Roberts-Waite	Cllr. Shayne Cook

Meeting date:	Report title:	Key issue:	Presenting Officers:	Cabinet Member:
16/11/2022 13:00	Street lighting	Review of current street lighting part night lighting policy in view of increasing carbon reduction targets and the declared climate emergency.	Marcus Lloyd	Cllr. Julian Simmonds
16/11/2022 13:10	The Biodiversity and Resilience of Ecosystems Duty Ecosystem Resilience Duty	To consider and approve a report on the actions taken to help maintain and enhance biodiversity prior to publication in accordance with the biodiversity duty under the Environment (Wales) Act 2016.	Robert Hartshorn, Philip Griffiths	Cllr. Chris Morgan
16/11/2022 13:20	Notice of Motion - Wyllye Bends	For Cabinet to consider the proposals put forward by Cllr. Janine Reed/Cllr. Jan Jones.	Emma Sullivan	Cllr Janine Reed/Cllr Jan Jones
30/11/2022 13:00	Redevelopment of the former Ty Darran Care Home by Caerphilly Homes	For Cabinet to approve the contract, cost plan, procurement, design and environmental credentials of the scheme.	Nick Taylor-Williams, Jane Roberts-Waite	Cllr. Shayne Cook
30/11/2022 13:10	Cyber Security Strategy	To recommend endorsement and implementation of the Strategy	Lucas, Liz, Ian Evans	Cllr. Nigel George
30/11/2022 13:20	Programme for Procurement	To extend the Council's existing Programme for Procurement, which is due to expire in May 2023 for a period of up to 12 months to consider and where applicable incorporate aspects of the UK Procurement Bill and Social Partnership & Public Procurement (Wales) Bill in the Council's new Procurement Strategy (the new Procurement	Liz Lucas, Ian Evans	Cllr. Nigel George

Meeting date: Report title: Key issue: Presenting Officers: Cabinet Member:

Meeting date:	Report title:	Key issue:	Presenting Officers:	Cabinet Member:
		Strategy will replace the existing Programme for Procurement).		
14/12/2022 13:00	Waste Strategy Proposals	Consideration of options to achieve compliance with Welsh Government statutory recycling targets and other waste service improvements.	Mark S Williams, Marcus Lloyd	Cllr. Chris Morgan
14/12/2022 13:10	Redevelopment of the former Oakdale Comprehensive School site by Caerphilly Homes	For Cabinet to approve the contract, cost plan, design and environmental credentials of the scheme, along with continuation of the SCAPE framework agreement, social value plan and sales & marketing strategy.	Nick Taylor-Williams, Jane Roberts-Waite	Cllr. Shayne Cook

Meeting date:	Report title:	Key issue:	Presenting Officers:	Cabinet Member:
14/12/2022 13:20	Local Housing Market Assessment	The Delivery Plan sits underneath the Local housing Strategy which was approved in October 2021. It is designed to be a collaborative document that contains a number of key actions designed to take forward the objectives of the strategy.	Nick Taylor-Williams, Jane Roberts-Waite	Cllr. Shayne Cook
14/12/2022 13:30	Updated Welsh Government Prospectus (Decision)	Cabinet are asked to approve the principle of residential development on identified sites (subject to viability) and acquisition policy, the principle of package deals and new governance arrangements to underpin the development programme.	Nick Taylor-Williams, Jane Roberts-Waite	Cllr. Shayne Cook
14/12/2022 13:40	HRA Charges (Rent Increase) (Dec)	Members to agree the level of rent increase for council tenants effective from April 2023	Nick Taylor-Williams, Lesley Allen	Cllr. Shayne Cook
18/01/2023 13:00	Draft Budget Proposals for 2023/24 and Updated Medium-Term Financial Plan (MTFP)	To present Cabinet with details of the draft budget proposals for the 2023/24 financial year and an updated MTFP, to allow for a period of consultation prior to final decision by Council on the 28th February 2023.	Stephen Harris	Cllr Stenner

Meeting date:

Report title:

Key issue:

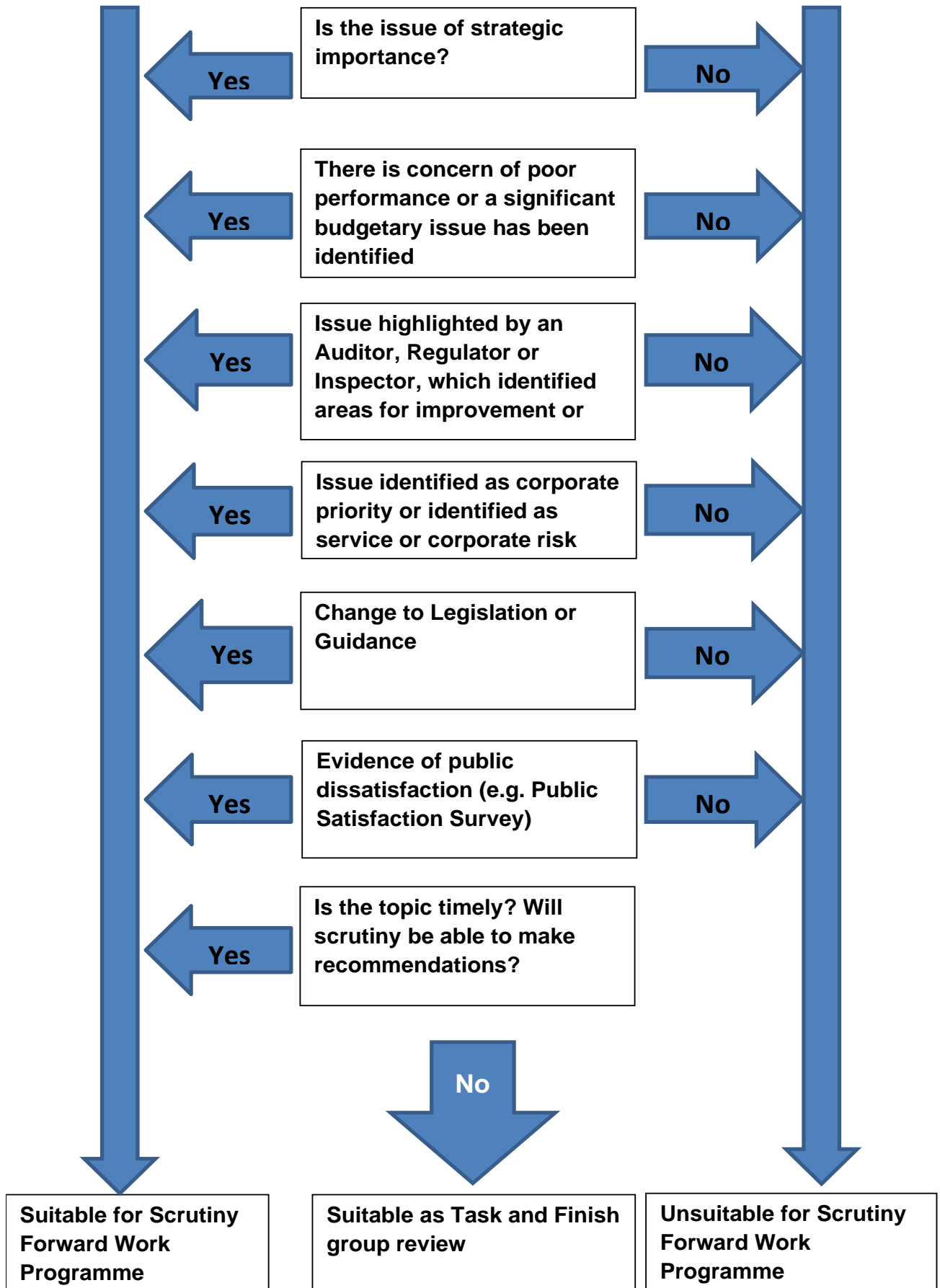
Presenting Officers:

Cabinet Member:

25/01/2023 13:00	No items currently scheduled			
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Scrutiny Committee Forward Work Programme Prioritisation



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ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE – 6TH OCTOBER 2022

SUBJECT: PARKING FOR RESIDENT PERMIT HOLDERS

**REPORT BY: CORPORATE DIRECTOR FOR ECONOMY AND
ENVIRONMENT**

1. **PURPOSE OF REPORT**

- 1.1 To advise Scrutiny Committee on the key issues associated with changing the existing residents' parking policy and implementing the physical changes to the restrictions on site and suggest steps to taking this forward. The information contained within the report will also help to assist the Scrutiny Committee in deciding whether the existing policy needs to be amended.

2. **SUMMARY**

- 2.1 The report has been prepared in response to requests received from Cllr D T Davies MBE and Cllr Adrian Hussey and endorsed by the Joint Scrutiny Committee (Environment & Sustainability and Housing & Regeneration) on 15th December 2020 for amendments to be considered to the parking restrictions in residential areas.
- 2.2 The specific changes that have been requested by Cllr D T Davies MBE and Cllr Adrian Hussey relate to a) extending the times of operation of the existing residents' parking scheme (current scheme operates Monday to Saturdays, 8.00 am to 6.00 pm as a maximum restriction), and b) replacing/amending existing limited waiting bays in those streets where residents' parking is currently provided to allow resident permit holders to park.
- 2.3 A further recommendation was also endorsed by the Joint Scrutiny Committee that was presented in the report from the Car Parks Task and Finish Group; c) that the criteria for residential parking permit areas is reviewed to offer a more flexible approach that takes into account areas outside of principal towns where customer parking to access local businesses impacts on residential areas.
- 2.4 It should be noted that a) and c) would require the existing residents' parking policy to be amended, whereas b) could be implemented through the normal traffic regulation order process as the requested changes are not linked to any policy.

- 2.5 Officers are aware that there are other members who wish to seek amendments to the residents' parking provisions within their wards, and the detail of such requests would need to feed into any future policy review.

3. RECOMMENDATIONS

- 3.1 Scrutiny Committee are asked to:
- 3.2 Offer their views / comments on the requested changes to the existing policy.
- 3.3 Should Members wish to pursue any changes to the existing policy then it is recommended that a consultation exercise be carried out with all currently eligible residents (1844 properties) within existing schemes to gauge views and help formulate decisions. The format of this consultation would need to be discussed and agreed with Members.
- 3.4 It is recommended that any proposed change of policy would need to be reported to Cabinet following Member feedback and consultation with residents and consideration by the Environment & Sustainability Scrutiny Committee.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 As outlined in the report.

5. THE REPORT

- 5.1 The Council's resident permit parking scheme is intended to respond to residents' concerns in circumstances where there is limited available on-street parking (and generally no available off-street parking) that is under pressure from non-residential parking.
- 5.2 Resident permit parking schemes are complex by nature and due to the wide range of competing demands and individual circumstances that exist, such schemes are generally unable to fully meet every residents needs. However, the purpose of any policy is to provide a framework that can be applied across the County Borough to ensure that a consistent, but responsive, approach is maintained.
- 5.3 To be successful, adequate enforcement is required that can vary from area to area depending on need. With the current level of resource within the Parking Services Team (8 FTEs) enforcement outside of normal working hours, Monday to Saturday, is given a low priority.
- 5.4 It is important to note that residents' permit parking schemes are not an answer to a situation where the number of residents' vehicles exceeds the available on-street parking provision.
- 5.5 Where resident permit parking is introduced consideration must be given to prevent obstructive parking, provide some parking for visitors and to make provision for local businesses. The combination of parking restrictions will be determined for each location following consultation with ward Members and those affected. Normally the introduction of resident parking bays will result in there being less than one space available per property. If fully subscribed, residents will have little chance of parking

outside their own homes but should be able to park nearby. When all residents are home, even that may not be possible.

5.6 Existing Policy

5.6.1 The existing policy was last reviewed in 2012 via a report to the Regeneration Scrutiny on the 17 July 2012 and the recommendations were endorsed by the Committee and subsequently approved by the Council's Cabinet on the 31 July 2012. The administration charge was reduced by Cabinet on 28 November 2018 from £30 to £15 per permit per annum.

5.6.2 The existing policy covers three main aspects (refer also to Appendix 1):

5.7 **Assessment Criteria**

5.7.1 Requests will be limited to residential areas where:

- a) At least 50% of properties are unable to provide reasonable off-street parking.
- b) Are immediately adjacent to major shopping areas, large employment sites, main transport interchanges and colleges.
- c) The expected displacement of parking to adjacent streets must be acceptable.
- d) It is expected that at least 80% of residents support the introduction of a resident permit parking scheme having been made aware of all the restrictions and charges that apply.

5.8 **Need**

5.8.1 Any request for residents' permit parking must be supported by parking surveys that show:

- a) The problems for residents occur for at least four hours at a time and at least twice in most weeks.
- b) Residents must have to park some distance from their properties. The measure normally applied will be at least 85% of spaces occupied for the above periods.
- c) The non-resident element of parking must be at least 25%.

5.9 **Restrictions of the Scheme**

5.9.1 The following restrictions apply to the current resident permit parking scheme:

- a) Times of Operation: Monday to Saturdays, 8.00 am to 6.00 pm as a maximum restriction. This can be reduced depending on the local circumstances.
- b) Charges: £15 per permit per vehicle (registered at the property) per annum. Cars, motorcycles and vans may apply for a permit provided that the overall height does not exceed 2.44 metres and the overall length does not exceed 5.49 metres.
- c) A maximum of two permits per qualifying property will be issued, of which one permit can be designated as a visitor permit.
- d) Those properties whose hardstands or garages fronting on to areas of resident parking will not be eligible for a permit.

- e) Issue of business permits may be permitted where considered appropriate and supported by the ward Members (at a charge of £75 per permit per annum).
- f) Disabled badge holders are exempt from the resident parking regulations.

5.10 The attached appendix identifies some of the key issues that members need to consider when requesting changes to the existing policy.

5.11 Existing Provision

5.11.1 Almost 1900 properties/households qualify for residents' permits under the existing scheme. In 2021 a total of 1489 permits were issued.

5.11.2 The total residents' parking provision/length of bays marked on-street within the borough is approximately 6200 metres, a breakdown of which is provided below.

- Residents' only parking bays – 3600 metres
- Shared residents' parking / limited waiting bays – 2600 metres

5.11.3 If it is assumed that the average length required to park a typical car is 6 metres then it can be determined that the current scheme provides a total parking capacity for approximately 1033 vehicles.

5.11.4 The scheme does not appear to provide adequate parking provision for the current level of take up (when all permits are utilised/vehicles are parked at the same time). However, it is the norm for residents' parking schemes to operate on a first come first served basis and it would not be feasible to provide enough parking spaces for the level of demand as it is not possible to park two cars in the frontage of a terraced property.

5.12 TRO Delivery Programme

5.12.1 On the 29th October 2019 an update report was presented to the Environment & Sustainability Scrutiny Committee on Civil Parking Enforcement (CPE), which included a list of historic requests for changes to existing parking restrictions throughout the county borough. At that meeting Members of the Committee recognised the scale of the request for changes to parking related TROs and unanimously agreed with the recommendations on how these should be prioritised as detailed below:

- *Initially officers would focus on a countywide TRO to look at what parking restrictions can be removed or reduced that are likely to be uncontentious – **Phase 1 (estimated timescale for delivery 9 months) – Current position: completed***
- *The second countywide TRO will consider where new parking restrictions are deemed necessary in order to improve safety, reduce congestion and aid public transport – **Phase 2 (to be delivered upon completion of Phase 1) – Current progress: ongoing (It is anticipated that this phase will be completed by the end of the current financial year).***
- These would afford all wards the opportunity of some early 'wins' to address some of the issues that our proactive CPE has thrown up.

- All remaining TRO requests (including changes to existing residents' parking schemes) will be considered as part of individual TRO area reviews in a future programme of works, as they would be more involved in terms of consultation and engagement – **Current position: Phase 3 (to be delivered as a rolling programme of works after completion of phases 1 & 2). Work has not yet commenced.**

5.13 Current Position

5.13.1 Phase 1 of the traffic regulation order programme was completed in March 2021. Officers are now working on Phase 2 of the programme, which relates to new parking restrictions that are deemed necessary to improve safety, reduce congestion and aid public transport, and good progress has been made. Within Phase 2 there are more than 148 scheme locations to consider within 31 Council Wards and it is estimated that this substantial piece of work will be completed in 2023.

5.13.2 **It should be noted that officers are committed to delivering Phase 2 of the programme before any elements of Phase 3 can be progressed – as agreed by the Environment & Sustainability Scrutiny Committee on 29th October 2019.**

5.13.3 Budget approval has been granted for 2 additional FTE staff resources within the Traffic Management team to assist with this work, however recruitment has been unsuccessful and alternative options are being explored to find suitably qualified/ experienced staff.

5.14 Next steps

5.14.1 Based on the information provided officers would be grateful to receive the Environment & Sustainability Scrutiny Committee's comments / views on the request for changes to the existing policy.

5.14.2 Should the committee wish to pursue any changes to the existing policy then it is recommended that a Task and Finish Group be established to enable the complexities and implications of any proposed changes to be fully considered.

5.14.3 As part of a Task and Finish Group's remit it is likely that a consultation exercise will need to be carried out with all currently eligible residents (approximately 1900 properties) within existing schemes to gauge views and help inform decisions.

5.14.4 Any policy changes that may be recommended by the Task and Finish Group would need to be reported to Cabinet following consideration by the Environment & Sustainability Scrutiny Committee.

6. **ASSUMPTIONS**

6.1 The process/timescale for implementing changes to the residents' parking schemes on the ground is dependent on the level of resource within the Traffic Management Section. Any delay in filling the vacant posts will have an adverse effect on scheme delivery.

7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

7.1 This report is for information only and therefore an IIA is not required.

8. FINANCIAL IMPLICATIONS

8.1 There are no financial implications arising from this report.

9. PERSONNEL IMPLICATIONS

9.1 There are no personnel implications arising from this report.

10. CONSULTATIONS

10.1 The views of consultees to this report have been taken account of in the report.

11. STATUTORY POWER

11.1 The Road Traffic Regulation Act 1984 affords Highway Authorities the necessary powers to implement residents' permit parking schemes on the public highway. The powers for determining traffic regulation orders have been delegated to officers.

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Consultees: Councillor Tudor Davies, Chair of Environment and Sustainability Scrutiny
Councillor Adrian Hussey, Vice Chair of Environment and Sustainability Scrutiny
Councillor Julian Simmonds Cabinet Member for Highways and Transportation
Christina Harrhy, Chief Executive
Mark S. Williams, Corporate Director for Economy and Environment
Robert Tranter, Head of Legal Services and Monitoring Officer
Stephen Harris, Head of Financial Services and S151 Officer
Marcus Lloyd, Head of Infrastructure
Clive Campbell, Transportation Engineering Manager
Lynne Donovan, Head of People Services

Background Papers: None

Appendices:
Appendix 1 Key issues for Members to consider

Appendix 1: Key issues that need to be considered when requesting changes to the existing residents' parking policy

Existing Policy	Issues / Considerations
Assessment Criteria	
Requests will be limited to residential areas where:	
<ul style="list-style-type: none">• At least 50% of properties are unable to provide reasonable off-street parking.• Are immediately adjacent to major shopping areas, large employment sites, main transport interchanges and colleges.• The expected displacement of parking to adjacent streets must be acceptable.	<ul style="list-style-type: none">• The majority of our residents' parking schemes were implemented prior to this criterion being introduced. Most of the streets included within our existing schemes would not satisfy this if they were reassessed against the current policy.• Residents' permit parking schemes are not an answer to a situation where the number of residents' vehicles exceeds the available on-street parking provision. It is essential that the policy only allows residents' parking to be introduced where there is an evidenced problem of non-residents parking for extended periods. Schools, corner shops, pubs, train stations, take-away food outlets, etc. do not qualify. There is an option to amend the reference to 'major' shopping areas to enable more flexibility/responsiveness to be given to smaller communities/settlements. However, schemes should not be introduced in order to address parking problems caused by single shops/business premises or schools.• Residents' parking schemes are generally introduced on a zonal basis to prevent non-resident vehicles from being displaced into adjacent streets. This also provides residents a greater opportunity to park, as they are able to park in an

- It is expected that at least 80% of residents support the introduction of a resident permit parking scheme having been made aware of all the restrictions and charges that apply.

Need

Any request for residents' permit parking must be supported by parking surveys that show:

- The problems for residents occur for at least four hours at a time and at least twice in most weeks.
- Residents must have to park some distance from their properties.
- The measure normally applied will be at least 85% of spaces occupied for the above periods.
- The non-resident element of parking must be at least 25%.

Restrictions of the Scheme

The following restrictions apply to any resident permit parking scheme:

adjacent/nearby street if they are unable to find a space in their own street

- Consideration needs to be given to what level of support needs to be evidenced in order to remove existing schemes.

- The scheme needs to retain quantifiable criteria in order to allow consistent assessment of sites.

- Times of Operation: Monday to Saturdays, 8.00 am to 6.00 pm as a maximum restriction. This can be reduced depending on the local circumstances.
- Requests have been received to extend the times of operation, however it should be noted that this would lead to a reduced level of enforcement during the working day when parking problems tend to be greater. The current policy states that 'enforcement outside of normal working hours, Monday to Saturday, is likely to receive a low priority'.
- Charges: £15 per permit per vehicle (registered at the property) per annum. Cars, motorcycles and vans may apply for a permit provided that the overall height does not exceed 2.44 metres and the overall length does not exceed 5.49 metres.
- It should be noted that many households have more than two vehicles and are currently able to park those vehicles without permits in the streets outside of the working day.
- A maximum of two permits per qualifying property will be issued, of which one permit can be designated as a visitor permit.
- The £15 charge was agreed by Cabinet on November 2018. The existing size criteria appears to work well, and we have not received many requests for over-sized vehicles or complaints about the types/sizes of eligible vehicles.
- Those properties whose hardstands or garages fronting on to areas of resident parking will not be eligible for a permit.
- Past experience has shown that there isn't a consensus amongst residents regarding the optimum number of permits as this is dictated by personal circumstances.
- Issue of business permits may be permitted where considered appropriate and supported by the ward Members (at a charge of £75 per permit per annum).
- The reason for this is that a resident effectively has a reserved space on the highway in front of their drive. It should be noted that some historic schemes may offer permits to those with hardstands or garages.
- At present we only consider issuing business permits when a business is located on a street where a residents' parking scheme is in operation and it is essential that the vehicle is located nearby for operational reasons.

- Disabled badge holders are exempt from the resident parking regulations.

- This exemption was included in the TRO following legal advice obtained in conjunction with Gwent Police.

Other considerations

Changes to the physical restrictions on site e.g. altering the extent of existing residents' bays / providing new bays, changing the times of operation (within the parameters of the existing policy), adding to the list of eligible properties would not require the existing policy to be changed. Such changes could be taken forward via the normal traffic regulation process, however this process would require extensive consultation with residents on a street-by-street basis and would take a significant amount of time to deliver.

Policy changes e.g. extending enforcement hours, would require detailed consideration by Members and public consultation and engagement to inform a Cabinet decision.