

CITY OF
WOLVERHAMPTON
COUNCIL

Vibrant and Sustainable City Scrutiny Panel

4 October 2018

Time 6.00 pm **Public Meeting?** YES **Type of meeting** Scrutiny

Venue Committee Room 3 - Civic Centre

Membership

Chair Cllr Martin Waite (Lab)
Vice-chair Cllr Christopher Haynes (Con)

Labour

Cllr Ian Angus
Cllr Mary Bateman
Cllr Philip Bateman MBE
Cllr Greg Brackenridge
Cllr Val Evans
Cllr Bhupinder Gakhal
Cllr Keith Inston
Cllr Beverley Momenabadi
Cllr John Rowley

Conservative

Cllr Arun Photay

Quorum for this meeting is three Councillors.

Information for the Public

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Agenda

Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i> |
|-----------------|---|
| 1 | Apologies |
| 2 | Minutes of the previous meeting (Pages 3 - 10)
[To approve the minutes of the previous meeting as a correct record]. |
| 3 | Matters arising
[To consider any matter arising from the minutes]. |
| 4 | Scrutiny Work Programme (Pages 11 - 28)
[To receive the current Scrutiny Work Programme and suggest items for scrutiny for the forthcoming Council year]. |
| 5 | Kingdom - Update Briefing Note (Pages 29 - 32)
[To receive a briefing note on the matters arising from the last meeting with reference to the work Kingdom carry out on behalf of the Council. Shaun Walker – Service Lead -Residential will be in attendance]. |
| 6 | Parking Outside Schools - Review Progress of Implementation of Recommendations from the Scrutiny Review (Pages 33 - 50)
[A verbal update will be given at the meeting on the progress of the implementation of the recommendations from the Scrutiny Review of Parking Outside Schools. John Roseblade (Head of Transport), Nick Broomhall (Service Lead – Traffic and Road Safety) and Earl Piggott-Smith (Scrutiny Officer) will be in attendance].

[The initial report from the Scrutiny Review which was received by Cabinet on 20 February 2018, containing the recommendations in Section 9, is attached for information]. |
| 7 | Mechanisms to Control Vacant Sites
[Mr Colin Parr (Head of Business Services) will give a PowerPoint Presentation on the mechanisms to control vacant sites]. |

Vibrant and Sustainable City Scrutiny Panel

Agenda Item No: 2

Minutes - 12 July 2018

Attendance

Members of the Vibrant and Sustainable City Scrutiny Panel

Cllr Mary Bateman
Cllr Philip Bateman MBE
Cllr Greg Brackenridge
Cllr Val Evans
Cllr Keith Inston
Cllr Beverley Momenabadi
Cllr John Rowley
Cllr Martin Waite (Chair)

In Attendance

Cllr Steve Evans

Witnesses

Mr Daniel Edwards (Kingdom)
Mr Paviter Singh (Team Leader – Kingdom)

Employees

Martin Stevens (Scrutiny Officer) (Minutes)
Ross Cook (Director- City Environment)
Colin Parr (Head of Business Services)
Mike Butler (Lead Officer for Waste)
Shaun Walker (Service Lead – Residential)

Part 1 – items open to the press and public

Item No. *Title*

- 1 **Apologies**
Apologies for absence were received from Cllr Ian Angus, Cllr Bhupinder Gakhal and Cllr Christopher Haynes.
- 2 **Declarations of interest**
There were no declarations of interest.

3 **Minutes of the previous meeting**

The minutes of the previous meeting were confirmed as a correct record and signed by the Chair.

4 **Matters arising**

The Chair asked for an update to be given on the recommendations that had been made at the last meeting in relation to air quality. The Service Lead for Residential responded they were working with ICT on some technical issues to display the air quality data collected from the monitoring stations. The City Council were currently responding to the government mandate to produce a targeted feasibility study on how air quality could be improved at certain key locations. This was currently in development and would be made available at the end of the month. DEFRA had not permitted them to use the grant money available on new air quality monitoring equipment.

5 **Kingdom**

The Chair welcomed Mr Daniel Edwards and Mr Paviter Singh (Team Leader) representing Kingdom to the meeting.

The Team Leader for Kingdom gave a verbal presentation on the work which Kingdom carried out on behalf of the Council. He said Kingdom had been in partnership with the Council since 2015 to make Wolverhampton a safer, cleaner and greener place. They tackled issues surrounding litter offences and walkers failing to remove dog faeces. They had achieved considerable success since the contract commenced. Their work had initially begun with a twelve-month pilot scheme. Since the Council had begun working with Kingdom there had been a reduction in the overall amount of litter in the Wolverhampton area. Kingdom also had contracts with Walsall, Dudley and Birmingham.

Several members of the Panel expressed their support for the work Kingdom were carrying out on behalf of the Council. A Member asked about the recent coverage in the Express and Star newspaper regarding the headline of “dropped an apple, face an eighty pound fine.” The article was in reference to the PSPO (Public Space Protection Order) in Park Village. The majority of comments she had seen on the social media platform, Facebook, had been of a positive nature in reference to the PSPO. There were a couple of negative comments she had seen, which included a person who alleged his wife had been fined £75 for dropping a cigarette outside New Cross Hospital having just been diagnosed with Cancer. She was also aware of a homeless person who had been given a fine outside of a hostel. She asked how Kingdom supported vulnerable people including those with learning disabilities.

The Team Leader for Kingdom stated they had a representation process where if there were mitigating circumstances they could be forwarded in writing to them. The case would then be reviewed and if it was deemed appropriate the fixed penalty notice would be revoked. Kingdom Officers were allowed to give a verbal warning if it was obvious they were dealing with a vulnerable person, instead of issuing a fixed penalty notice.

The Cabinet Member for City Environment stated he had been the person responsible for signing the contract with Kingdom on behalf of the Council. Before this time, it had been a very limited in-house service, which had little resources dedicated to enforcement. When the service was in-house only 2-3 fines had been

issued in one year. Kingdoms patrols were not just restricted to the City Centre. The service was cost neutral to the Council as part of the fine income went to Kingdom and the remainder was received by the Council. Since the Council's contract with Kingdom, the amount of litter in Wolverhampton had significantly reduced and more people were being caught for dog fouling. Fines could be revoked when there were special circumstances. He was of the view that overall the partnership working with contractor Kingdom had been a great success.

A Member of the Panel asked what training Kingdom gave to their Enforcement Officers in relation to vulnerable people. He had witnessed an event where a person in a wheel chair with motor neurone disease had dropped a full packet of cigarettes when in conversation with him. Three enforcement Officers had appeared from inside the Civic Centre and had assertively issued him with a fixed penalty notice. Whilst the fixed penalty notice was ultimately revoked, he had been appalled by how the gentleman had been treated. The Team Leader for Kingdom in response stated each case was reviewed individually, if a need for training had been identified, the employee (s) would be instructed to undertake further training. There were various in-house training courses and they worked with provider Aspire. There was training in relation to vulnerable adults. He added that Kingdom were not only there to enforce but also to educate and inform.

A Member of the Panel stated that if education was part of the service Kingdom provided, he thought the visibility of their Officers should be improved. He did not agree with covert practices such as hiding behind corners or hiding in buildings. He was of the view that they should wear high visibility jackets with clear identifying marks, which would give people the opportunity to reform their behaviour. The Team Leader for Kingdom responded that the uniform had recently been reviewed. The jacket would be replaced with one of a high visibility style.

A Member of the Panel stated that the Magistrates in Wolverhampton had a diverse range of opinions on fixed penalty notices. Some were of the view that their time was not well spent on these issues. There were concerns around the area of vulnerable people. People with serious special needs would not be capable of effectively representing themselves to have fines revoked.

The Cabinet Member stated he thought it would be useful for the Scrutiny Panel to have an update on the number of people who had applied to have their fines revoked because of special needs or vulnerabilities and the amount of fines that had been revoked. He agreed that effective training should be in place for all Enforcement Officers. He was aware that about 10-15% of people gave false details to Enforcement Officers. He added that the number of fixed penalty notices remaining unpaid should form part of the update paper and the amount of people the Council had pursued through the legal system.

The Service Lead for Residential stated a, Single Justice Procedure, had been introduced where cases were held in Birmingham and not at the Magistrates Court unless the person had pleaded not guilty. The Council did have a policy of pursuing people for non-payment of fines because if they did not, then it would become known that people could get away with non-payment.

Mr Daniel Edwards representing Kingdom said their Officers were mindful of being filmed and appearing on social media. All Kingdom Enforcement Officers had body

cameras on them which were activated before the issuing of a fixed penalty notice and remained recording until the Officer had walked away after the issuing of the notice. This allowed any complaints to be reviewed with the facility of watching the coverage. When Officers commenced their role, they had to complete a five day training course and two days law training. They then spent three days on patrol with experienced Officers. If they were deemed not capable of acting without supervision, they would continue patrols with experienced Officers until ready. Officers were not supposed to issue tickets to people with clear vulnerabilities. All fixed penalty notices issued had to be in the public's, Council's and Kingdom's interests and the representation procedure allowed for mistakes to be corrected. Kingdom were able to extend the 14 days permitted to pay a fine, to help people with financial difficulties.

A Member of the Panel said she had some concerns with dog fouling in the evenings and was particularly concerned about the areas surrounding the canals. The Team Leader for Kingdom said they were carrying out patrols along the canals. In the previous month, four patrols had taken place along the canals and there had been two already in the month of June. Two fixed penalty notices had been issued during the last weekend. They were also now carrying out dog fouling enforcement patrols on all seven days, having recently introduced Sunday's into their schedule.

A Member of the Panel asked how Kingdom dealt with 16 -18-year olds and students at University. The Cabinet Member stated a significant amount of work had taken place with the schools on environmental enforcement which included the use of completions. Education activities also took place within the parks and town centres. The Service Lead for Residential stated there was a Juvenile Enforcement Policy which meant in most circumstances that 16 and 17-year olds would not get a fixed penalty notice. A large amount of work took place with the University, which included them receiving information about fixed penalty notices in their induction packs. For the first two weeks in September enforcement was not carried out around the University grounds, which enabled the University to convey the policies to students around environmental enforcement in the City.

A Member of the Panel asked about the percentage income the Council received from fixed penalty notices. The Service Lead for Residential stated that the income from a fixed penalty notice was £75.00, if paid. £60.00 was received by Kingdom and the remaining £15.00 went to the Council. The Council did not pay any fees to Kingdom for carrying out the enforcement service.

A Member of the Panel stated that communication was key. When prior notice of speeding enforcement was given, some people reformed their behaviour. He felt a similar practice could be introduced for Kingdom enforcement patrols. They also felt the hours where enforcement was carried out by Kingdom should be extended. There was considerable littering in the late evening, which meant litter was visible first thing in the morning. Mr Daniel Edwards representing Kingdom responded that the risk assessment for night-time enforcement was considerably higher. Enforcement at such a time would require discussions with the local Police. People who dropped litter in the evening were often intoxicated and so Police support would be required. The Police provided support in Birmingham where night time enforcement did take place.

Resolved: That the Panel receive an update paper in the future covering the following areas: -

- a) The number of known people with special needs or vulnerabilities who had applied to have a fixed penalty notice revoked and the number that had been successful.
- b) The number of people who had failed to pay their fixed penalty notice.
- c) The number of people the Council had pursued through the legal system for non-payment of fixed penalty notices.

6 **Waste Strategy 2018 - 2028**

The Lead Officer for Waste gave a presentation on the Waste Strategy 2018-2028. There were huge challenges surrounding waste management which were increasing each year. The Council needed to shape its service requirements to be efficient and effective but by still meeting the community needs, legislative needs and financial and operational responsibilities. There was a significant amount of legislative requirements which were often difficult to balance against each other. The development and subsequent implementation of the waste strategy over the next ten years would ensure the timely provision of facilities and services that maximised the sustainable benefits for the community and support regeneration and growth in the City.

The Lead Officer for Waste said the services would be transferred from contractor Amey back in-house to the Council on 1 September 2018. There was a huge programme being undertaken, involving approximately 40 Officers, to make it a smooth transition. The move to alternate week collections for general waste would be phased and implementation would commence in October 2018. There was an assumption that this would be completed in time for Christmas 2018. The introduction of the subscription garden waste service would commence in February 2019. Applications for the service would be able to be made from October 2018 and the bins for the service would be delivered from January 2019. There were no perceived changes to the dry recycling collection service and so the fortnightly collection service would remain in place.

The Lead Officer for Waste stated the waste hold recycling offer would be reviewed and improved with an agreed position in place by April 2021. A major project to develop and deliver waste management facilities would commence early next year. This could include in 2027, replacements for waste transfer stations and the energy from waste contract arrangements.

The Lead Officer for Waste stated the strategy also covered the consolidation of the Council's collection and support operations onto a single site by September 2021. The proposal was to make the maximum use of the Council owned five-acre site at Hickman Avenue. The Council in the future was aiming for a zero waste to landfill service.

A Member of the Panel asked if Ward Members would be informed of the precise dates when the changes to the waste services would take place within their Ward

areas. The Lead Officer for Waste stated that elected members would be kept informed as part of a full communications programme.

The Cabinet Member for City Environment stated that the new subscription based garden waste collection service would provide those who subscribed with a purple coloured bin. People could have multiple purple bins, but they would be charged at £35.00 each per annum. The Council were trying to encourage people to compost as much as possible. There was also the option of people taking their garden waste to the HWRC (Household Waste Recycling Centre). The current household green coloured bins would no longer be able to be used for garden waste. People who wanted a larger bin for general waste, if they notified the Council, could use their current green coloured bin for this purpose and their brown coloured bin would be removed. If they didn't need a larger bin for general waste the green coloured bin would be removed, leaving them with their current brown coloured bin for general waste. Everyone would retain their black coloured bin for recycling.

A Member of the Panel asked what was being done to educate people about the appropriate use of the different coloured household bins. The Lead Officer for Waste responded a major programme of education was commencing from January next year. Nationally the Blue Planet and Sky Ocean Programmes were changing public attitudes towards recycling. A Member of the Panel asked if the Council could make it clearer to the public the types of supermarket like packaging which could be recycled. The Lead Officer confirmed that this would form part of the education programme.

A Member of the Panel referred to the high recycling rates in some countries like New Zealand which was at over 90%. He wanted the Council to push for higher recycling rates. The Lead Officer for Waste stated the Government had a target of eliminating all avoidable plastic waste completely by 2042. The Council aimed to continue to improve its recycling rates over the next ten years.

Members commented that waste and recycling needs had to be taken into account when housebuilding. Innovative solutions, such as underground storage of bins, could be implemented working in conjunction with the planning and city environment teams. There was much to learn from some European countries in how they handled waste.

The Lead Officer for Waste referred to the Council owned site at Hickman Avenue. There was potential for this site to be adapted in 2021 to allow the consolidation of the Council's collection and support operations. A Highways solution was being worked on for the site. Any proposals would have to go through a detailed consultation process. The Cabinet Member encouraged all Members of the Panel and Local Members to visit the site at Hickman Avenue, with the Lead Officer for Waste, if they had not already been on a site visit.

A Member of the Panel asked if there were any plans to improve the trade waste service. In response the Lead Officer for Waste said they were looking to review the service next year.

Resolved:

- A) That the Vibrant and Sustainable Scrutiny Panel receive a briefing note at their meeting on the 6 December 2018 detailing the arrangements for the Christmas waste collection service.
- B) That the Vibrant and Sustainable Scrutiny Panel undertake an evaluation of the Waste Management Delivery Plan at their meeting on 28 February 2019.

7 **Scrutiny Work Plan**
The Chair referred to the Work Programme which had been circulated with the agenda. He also commented that the Scrutiny Manager had circulated via email a list of the areas which had been raised during the Annual Scrutiny Work Programme session held on 28 June.

A Member asked for an item on tree policy to be included on the Work Programme. He was particularly concerned with trees owned by the Council which were overhanging.

The meeting closed at 7:52pm.

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Scrutiny Work Programme

Scrutiny Board

The Board will have responsibility for scrutiny functions as they relate to:

Combined Authority, Future Customer, Future Performance and Communications

Date of Meeting	Item Description	Lead Report Author	Specific Questions for Scrutiny to consider
09.10.2018	Petitions Annual Report Update on recommendations form the Fire Safety Scrutiny Invite Equalities Champion to meeting – plans for the year.	Jaswinder Kaur Julia Cleary and Martin Stevens Cllr Gakhhal	
11.12.2018	Budget		
08.01.2019	Update on the Combined Authority Overview and Scrutiny Committee and Task and Finish Groups	Overview and Scrutiny Officer – CA Julia Cleary	Cllr Peter Hughes and Lyndsey Roberts Cllr Steve Simkins
12.03.2019	Portfolio Holder for Governance Questions and Answer Session Leader Q & A Session		
09.04.2019			

Other potential items: -

1. Cyber Security

Scrutiny Reviews

1. Budget Task and Finish Group for the Combined Authority Scrutiny Committee
2. Transport- what could transport in the city look like in 20 years' time?
3. Possible Councillor engagement (See M. Sargeant Tettenhall Governance Review Report)
4. Flooding and Emergency Response – Cllr Bateman to chair.
5. Work Experience/Skills
6. Children and Adolescent Mental Health Services (response to Youth Council mini review).
7. Mini Scrutiny Reviews with Youth Council based on Make Your Mark
8. Autism
9. Review into CAMHS
10. Mini Review Transport Recommendations – invite Transport Police, Anti-Social Behaviour Officers and Safer Travel Team.

Scrutiny Board – Terms of Reference

- a. To arrange for the consideration of forthcoming Executive Decisions published in accordance with the Access to Information Procedure Rules with a view to identifying issues for early discussion with the Cabinet and/or scrutiny prior to decisions being made.
- b. The Board will oversee the operation of the [call-in mechanisms](#) with the Panels being responsible for hearing those call-ins related to their terms of reference. When the call-in relates to an overarching policy framework / budget issue or a matter that falls within the remit of more than one scrutiny panel it will default to the Scrutiny Board. Further, if the issue is considered to be of particular significance, either the Chair or Vice Chair of the Scrutiny Board can ask for it to come to the Board.
- d. The Board will oversee the work programmes of Scrutiny Panels to avoid duplication of work and to ensure coherence of approach to cross-cutting policy themes. The Board may determine that one named Panel shall take lead responsibility for a cross-cutting policy theme or may determine that the work be shared between one or more named Panels.
- e. The Board will ensure coherence between the policy development work of the named Panels and their role in the consideration of reports received from external auditors and external regulatory Inspectors.
- f. The Board will make recommendations to the Cabinet on the allocation of budgetary and employee resources held centrally for the purpose of supporting scrutiny work.
- g. The Board will ensure that good practices and methods of working are shared between Panels and in particular will seek to optimise the inclusion of citizens, partners and stakeholders in the work of Scrutiny.
- h. The Board will review or scrutinise non-Cabinet business and may make reports or recommendations to the Council. The Board will consider policy and due process and will not scrutinise individual decisions made by Regulatory or other Committees particularly those quasi-judicial decisions relating to development control, licensing etc.

which have been delegated by the Council. The Board will not act as an appeal body in respect of non-Cabinet functions.

- i. The Board will oversee the work of any Councillors appointed to act as lead members or 'champions' in respect of any specific priority tasks or areas of policy development identified by the Council.
- j. The Board or another relevant scrutiny panel will consider any petition that contains 2,500-4,999 signatures with a view to making recommendations for action by employees or review by the Executive as appropriate.
- k. The Board will undertake the tracking and monitoring of scrutiny review recommendations.
- L. The Board will oversee the coordination of the budget scrutiny process.

Confident, Capable Council Scrutiny Panel Work Programme

The Panel has responsibility for Scrutiny functions as they relate to, Strategic Financial Services, Revenues and Benefits, Strategic Procurement, The HUB, Audit, Human Resources, Corporate Administration, Democracy, Corporate Landlord, Transformation and ICT

Date of Meeting	Item Description	Lead Report Author	Specific Questions for Scrutiny to consider
26.09.2018	<ul style="list-style-type: none"> • Future Spaces – the use of the mezzanine area and temporary Councillor Office Area - future plans – briefing paper • Visitor Access to Civic Centre – public access to committee rooms and the Council Chamber - briefing paper • Treasury Management – Annual Report 2017-2018 and Activity Monitoring Quarter One 2018-2019 • The promotion of public participation in local and national elections • Polling Station provision • Local election – candidate expenses 	<p>Andy Moran, Director of Commercial Services</p> <p>Andy Moran, Director of Commercial Services</p> <p>Claire Nye, Director of Finance</p> <p>Laura Noonan</p> <p>Laura Noonan</p>	<p>Update on review Electoral registration scrutiny review report recommendations – 17.1.17 Scrutiny Board</p> <p>Briefing on the provision of polling places across Wolverhampton and comment on whether current provision is reasonable and practicable</p>

		Laura Noonan	
Tbc	<ul style="list-style-type: none"> • Future Spaces – update - capital funding of future projects and the management and disposal of council owned buildings and assets. The findings of the lessons learnt report on the Civic Halls 	Andy Moran, Director of Commercial Services/ Claire Nye, Director of Finance Sarah	
Tbc	<ul style="list-style-type: none"> • Training session on treasury management 	Claire Nye, Director of Finance	
28.11.2018	<ul style="list-style-type: none"> • Strategic Procurement (<i>Provisional</i>) • Customer Services Journey 	Andy Moran, Director of Commercial Services Paul O'Rourke, Performance Manager	
06.02.2019	<ul style="list-style-type: none"> • Welfare Reform Changes – Update (<i>Provisional</i>) 	Claire Nye, Director of Finance	To understand what benefits and support services are available to residents and the policies in place to help people come off, live better on, or avoid needing benefits and how effective they are.

	<ul style="list-style-type: none">• Portfolio Holder Session with Q & A	Cllr Louise Miles	
10.04.2019	<ul style="list-style-type: none">• Assessment and evaluation of the Smart Working Policy• Print and Design service – report on performance of the service following the installation of new machines.• Legal Services Private Work	Denise Pearce, Head of Human Resources Kevin O’Keefe, Director of Governance	How well is the service being used by the Council and external customers?

Future Items

Stronger City Economy Scrutiny Panel Work Programme

The Panel will have responsibility for Scrutiny functions as they relate to: -

Enterprise and Skills, City Development, Visitor Economy, Adult and Cultural Learning, Economic Inclusion and Service Development.

Date of Meeting	Item Description	Lead Report Author	Specific Questions for Scrutiny to consider
20.11.2018	<ul style="list-style-type: none"> • Portfolio Holder Session with Q & A • Supporting businesses in the City to Innovate 	John Reynolds Isobel Woods / Charlotte Johns	
12.02.2019	TBC		
02.04.2019	TBC		

Other Potential items (when something significant needs a panel recommendation):

1. The potential effects of Brexit on the local economy (inviting Black Country LEP Brexit Group Chair and support Officer)
2. Policy implications from West Midlands Combined Authority/Regional/National or International Sources
3. How do we monitor our communications?
4. Skills and Employment

Vibrant and Sustainable City Scrutiny Panel Work Programme

The Panel will have responsibility for Scrutiny functions as they relate to: -

Operational Services, Public Realm, Commercial Services, Regulatory Services (policy), City Housing, Planning (policy), Strategic Transport, Keeping the city clean, Keeping the city moving, Improving the city housing offer and Strategic Asset Management.

Date of Meeting	Item Description	Lead Report Author	Specific Questions for Scrutiny to consider
04.10.2018	<ul style="list-style-type: none"> • Parking Outside Schools – Review Progress of Implementation of recommendations • Update Report from Kingdom on number of tickets issued to people with special needs or vulnerabilities and the amount of people who do not pay FPNs • Mechanisms to control vacant sites 	Ross Cook & Earl Piggott-Smith Shaun Walker Colin Parr	
06.12.2018	<ul style="list-style-type: none"> • Active Travel • WV Active • Briefing Note – Christmas Waste Collections • Council's Tree Policy 	John Denley Sean McBurney Ross Cook Steve Woodward &	How well are WV Active doing at meeting their targets?

		Richard Johnson	
28.02.2019	<ul style="list-style-type: none"> • Portfolio Holder Session with Q & A • Evaluation of Waste Management Delivery Plan 	Steve Evans Ross Cook	
11.04.2019	<ul style="list-style-type: none"> • Environment Survey Results • Full Review of Housing Allocations Policy 	Steve Woodward Mila Simpson	

Potential Future Item: -

1. The Condition of the Roads (Including Potholes) in Wolverhampton
2. Transport Scrutiny
3. Briefing note on the results of the Environmental Services Survey

Health Scrutiny Panel

The Panel will have responsibility for Scrutiny functions as they relate to:-

- All health-related issues, including liaison with NHS Trusts, Clinical Commissioning Groups, Health and Wellbeing Board and HealthWatch.
- All functions of the Council contained in the National Health Service Act 2006, to all regulations and directions made under the Health and Social Care Act 2001, the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002,
- The Health and Social Care Act 2012 and related regulations.
- Reports and recommendations to relevant NHS bodies, relevant health service providers, the Secretary of State or Regulators.
- Initiating the response to any formal consultation undertaken by relevant NHS Trusts and Clinical Commissioning Groups or other health providers or commissioners on any substantial development or variation in services.
- Participating with other relevant neighbouring local authorities in any joint scrutiny arrangements of NHS Trusts providing cross border services.
- Decisions made by or actions of the Health and Wellbeing Board.
- Public Health – Intelligence and Evidence
- Public Health – Health Protection and NHS Facing
- Public Health - Transformation
- Public Health – Commissioning
- Healthier City
- Mental Health
- Commissioning Mental Health and Disability
- HeadStart Programme

Date of Meeting	Item Description	Lead Report Author	Specific Questions for Scrutiny to consider
23.10.2018 (Special Meeting)	<ul style="list-style-type: none"> Strategic Mortality Rates 	John Denley, Director of Public Health	
25.10.2018 (Special Review Meeting)	<ul style="list-style-type: none"> Death certification process 	Julia Goudman (Registration Service), The Royal Wolverhampton NHS Trust (Dr Julian Parkes, Elaine Roberts)	
15.11.2018	<ul style="list-style-type: none"> Refreshed CAMHS Local Transformation Plan Winter planning/resilience plans - update Integrated Care Alliance in Wolverhampton 	<p>Margaret Courts Children's Commissioning Manager, WCCG</p> <p>Dr Odum, The Royal Wolverhampton NHS Trust</p> <p>The Royal Wolverhampton NHS Trust</p>	Primary Care Vertical Integration
24.01.2019	<ul style="list-style-type: none"> Black Country Partnership NHS Foundation Trust – Transforming Care Partnership – update and Quality Accounts 2018/19 – progress against priorities Eye and hearing checks 	<p>Lesley Writtle, Black Country Partnership</p> <p>Andrea Smith, Head of Integrated Commissioning, Wolverhampton CCG</p>	

	<ul style="list-style-type: none"> • Cancer treatment services – performance against national targets • RWHT – staff recruitment and retention • Patient Advice and Liaison Service (PALS) 	<p>The Royal Wolverhampton NHS Trust</p> <p>The Royal Wolverhampton NHS Trust</p> <p>Alison Dowling Head of Patient Experience and Public Involvement The Royal Wolverhampton NHS Trust</p>	<p>performance against local and national targets</p> <p>maintaining staff levels to deliver safer care and better patient experience</p> <p>Presentation will be given.</p>
21.03.2019	<ul style="list-style-type: none"> • Hospital Mortality Statistics – update • Public Health Vision – Review of Progress against national performance targets • GP appointment waiting times – involve Wolverhampton Healthwatch 	<p>Dr Odum, The Royal Wolverhampton NHS Trust</p> <p>John Denley, Director of Public Health</p> <p>Wolverhampton CCG and Healthwatch</p>	<p>http://www.wolverhampton.gov.uk/health</p>

List of potential topics - dates and method of scrutiny to be agreed by the panel

1. West Midlands Ambulance Service - Quality Accounts 2017/18 - May 2019 (tbc)
2. RWHT - Quality Accounts 2017/18 – 23 May 2019 (tbc)
3. Black Country Partnership NHS Foundation Trust – Quality Accounts – May 2019 (tbc)
4. Walsall CCG - [Reconfiguration of hyper acute and acute stroke services](#)
5. Ward sizes,age,transition arrangements for a young person moving to an adult ward

Adults and Safer City Scrutiny Panel

The Panel will have responsibility for scrutiny functions as they relate to: -

Older people assessment and care management, Financial support services, Libraries and community hubs, Independent living centre, Commissioning older people, Carers support and All age disabilities (disabilities).

Date of Meeting	Item Description	Lead Report Author	Specific Questions for Scrutiny to consider
27.11.2018	<ul style="list-style-type: none"> The West Midlands Police and Crime Plan 2016-20 	David Jamieson, West Midlands Police and Crime Commissioner	
	<ul style="list-style-type: none"> Transport – Safety, Bus Shelters (response to Youth Council mini review) 		
	<ul style="list-style-type: none"> 	Dawn Williams (Head of Safeguarding)	
29.01.2019	TBC		
26.03.2019	<ul style="list-style-type: none"> Principal Social Worker Annual Report Quality Assurance Compliance Update Transforming Care - Annual Report 2019 	Louise Houghton, Principal Social Worker	

Adults and Safer City Scrutiny Panel

Long list of topics - dates for presentation and method of scrutiny to be agreed

1. Quality of Care – issues of quality assurance - Sarah Smith, Head of Commissioning
2. Draft People Directorate Commissioning Strategy – 13.6.17
3. Responding to Serious and Organised Crime - To provide an outline of partnership proposals to address serious and organised crime in the city and the Council's contribution. (Karen Samuels – CWC Community Safety/Chief Inspector Karen Geddes – West Midlands Police/Andy Moran – CWC Procurement)

Briefing notes for distribution via the Document Library:

1. Fatal Contraband and Alcohol - Update requested from meeting in July 2016 – Sue Smith agreed to lead
2. Crime Reduction and Community Safety and Drugs Strategy Update – request from meeting held in July 2017 – Karen Samuels and David Watts
3. Supporting a Safe and Seamless Transfer from Specialist Care or Hospital Setting – Update to be provided following meeting on 31 January 2017 (David Watts).
4. Better Care Fund – Update requested at meeting held on 31 January 2017.
5. Dementia City – Update on how GP services could be improved, any identified strengths and weaknesses and if possible data on which GPs were reporting incidents – lead Kathy Roper
6. Wolverhampton Safeguarding Children and Adults Board Annual Report

Children, Young People and Families Scrutiny Panel

The Panel will have responsibility for scrutiny functions as they relate to: -

Children in need/child protection, Looked after children, Early help 0-5, Early help 5-18, Youth offending, Children's commissioning, School planning and resources and Standards and vulnerable pupils.

Date of Meeting	Item Description	Lead Report Author	Specific Questions for Scrutiny to consider
14.11.2018	<ul style="list-style-type: none"> The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning - Update 	Bill Hague, Head of School Planning	
	<ul style="list-style-type: none"> Wolverhampton Safeguarding Children and Adults Board Annual Report 	Dawn Williams (Head of Safeguarding)	Invite Linda Sanders – Confirm format of reports etc
	<ul style="list-style-type: none"> The provision of SEN at post 16 and presentation self-assessment report on current provision 	Adrian Leach, Head of Special Educational Needs and Disability	
	<ul style="list-style-type: none"> Progress report on the implementation of the 2018-19 Children and Young People Service Improvement Plan on 16 January 2019 	Emma Bennett, Director for Children's Service	
	<ul style="list-style-type: none"> Troubled Families Report Update 	Kate Lees - Strengthening Families Partnership Manager	
16.01.2019	<ul style="list-style-type: none"> Children and Young People Service Improvement Plan 2018-19 – update 	Emma Bennett, Director for Children's Service Stephanie Knight	

	<ul style="list-style-type: none">• The Vision for School Organisation and School Expansion	School Organisation Officer	
27.03.2019	TBC		

Long list of topics - dates for presentation and method of scrutiny to be agreed

1. Supporting Unaccompanied Asylum-Seeking Children
2. Mental Health Issues/CAMHS (Emma Bennett/CCG)
3. Unregistered independent schools and out of school settings
4. Youth Justice Plan 2018-2019 – action plan
5. Apprenticeship educational requirements
6. Progress report on school's expansion
7. Early Help Strategy 2018-2022
8. Children's Trust Board – briefing paper

Work Plan Version: 26/09/18 15:16

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Agenda Item No: 5

Briefing Note

CITY OF
WOLVERHAMPTON
COUNCIL

Title: Response to Questions from Scrutiny Panel – Kingdom Item
Prepared by: Shaun Walker **Date:** 26 September 2018
Intended audience: Internal Partner organisation Public Confidential

Purpose or recommendation

At the meeting of the Vibrant and Sustainable Scrutiny Panel on 12 July 2018, the Scrutiny Panel asked for further information from Kingdom and Council Officers on several areas. These were as follows: -

- A) The number of known people with special needs or vulnerabilities who had applied to have a fixed penalty notice (FPN) revoked and the number that had been successful.
- B) The number of people who had failed to pay their FPN.
- C) The number of people the Council had pursued through the legal system for non-payment of fixed penalty notices.

Responses

Kingdom have responded to question A as follows:

During 2017 there were 26 FPN representations put forward on the grounds of special needs or vulnerabilities. Following a case review all were cancelled as it was considered not in the public interest to pursue further. During 2018 eight similar representations have been received and all FPNs have been cancelled. All Kingdom staff have undergone the same Equality and Diversity training that is mandatory for Council staff.

Response to question B: -

The number of people who had failed to pay their fixed penalty notice.

Period	FPNs issued	FPNs Paid	FPNs unpaid	Payment Rate
2016 Jan - June	4150	2823	1327	68%
2017 Jan - June	4913	3285	1628	67%
2018 Jan - June	2941	1838	1103	63%

During 2015 and 2016 offender details were verified by the officer calling an admin officer within Wolverhampton Civic Centre who would conduct validation checks using a licensed system known as Tracesmart. During 2017 this procedure changed and became centralised so all calls from around the various local authority sites were handled by a team in Head Office. In 2018 the company took the decision to try Tracesmart search technology built into the hand - held equipment used by the Field staff so that the information provided by the offender could be validated on the spot. It is thought that this change could be partly responsible for the drop- in payment rates and will be kept under review as the sole source of income for Kingdom is through paid FPNs.

The payment methods: (online / auto telephone / Paypoint / Council kiosks) have functioned well throughout the duration of the contract. Online payment remains the most popular with over 50% of people now choosing this method to pay their FPN which is currently set at £75.

Response to question C: -

The number of people the Council had pursued through the legal system for non-payment of fixed penalty notices.

Period	Non – paid FPN's	Prosecuted	Percentage of unpaid FPNs subsequently prosecuted
2015	864	107	12.38%
2016	3092	1363	44%
2017	3395	1932	56.9%
2018 Jan – May	941	1022 includes some from late 2017	100%

During 2015 – 2017 the number of prosecutions the Council was able to process was limited by Court time availability. This changed in 2018 when the Single Justice

Notice Procedure was introduced by Birmingham Magistrates' Court and now the Council is able to prosecute all who fail to pay a FPN. The revenue received from the successful recovery of prosecution costs averages £7,000 / months and now exceeds the amount received in paid FPNs. The whole amount of the prosecution costs recovered is retained by the Council under the terms of the contract.

Cabinet Meeting

20 February 2018

Report title	Parking Outside Schools Scrutiny Review	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Steve Evans City Environment	
Corporate Plan priority	People - Stronger Communities	
Key decision	No	
In forward plan	Yes	
Wards affected	(All Wards)	
Accountable Director	Ross Cook, Service Director, City Environment	
Originating service	Scrutiny	
Accountable employee	Earl Piggott-Smith Tel Email	Scrutiny Officer 01902 551251 earl.piggott-smith@wolverhampton.gov.uk
Report to be/has been considered by	Directorate Leadership Team Strategic Executive Board Sustainability Advisory Group Vibrant and Sustainable City Panel	8 January 2018 17 January 2018 1 February 2018 1 March 2018

Recommendation for decision:

The Cabinet is recommended to:

Approve the recommendations of the Vibrant and Sustainable City Scrutiny Panel as detailed in the report at Section 9.0.

1.0 Purpose

- 1.1 This report has been written to make Cabinet aware of the key findings and recommendations following a review of the issue of inconsiderate and illegal parking outside or near to the City's primary schools.
- 1.2 The problems caused by illegal and inconsiderate parking outside primary school's links directly to a priority in the Council's Corporate Plan 2016-2019 - **promoting and enabling healthy lifestyles, keeping the City clean and keeping the City moving.**
- 1.3 The panel considers that efforts to reduce traffic congestion during the school run and to create a safe and pleasant environment will result in an increase in the number of parents who are willing to walk their children to school.
- 1.4 The panel also wants to encourage a wider debate about the need to find sustainable and effective solutions to the problems highlighted during the evidence session.

2.0 Background

- 2.1 The Vibrant and Sustainable City Scrutiny Panel (VSCSP) met on the 28 September 2017 to consider witness evidence from a range of interested groups about the issue of inconsiderate and illegal parking outside and near to the City's primary schools. The following [link](#) will give details of the evidence considered at the meeting.
- 2.2 There is evidence from published research which explains that parents' fears about the safety of their children – particularly around walking to school independently - is a significant factor in persuading them to drive their children to school, rather than allowing them to walk with them, where this is possible.
- 2.3 The number of children killed or seriously injured as pedestrians rises markedly around the ages of 11 and 12 as they move from primary to secondary school, before declining slightly from 13 onwards. Furthermore, it was stated that this statistical 'spike' highlights the crucial role that parents can play in helping young children to learn important road safety skills before they reach this dangerous transition.
- 2.4 The review has therefore focused on the issue of parking outside primary schools as survey responses highlight the fears of parents and residents about the safety of children walking to school which has contributed to increased use of cars for short journeys and traffic congestion during the school run.
- 2.5 The issue of parking outside schools was agreed by Councillors as an issue that met the criteria for selecting topics – for example, an issue of interest to the wider public. The topic has generated a huge public response to a press release published on Wolverhampton Today (Facebook) asking people to share their experiences about the problems caused by illegal and inconsiderate parking outside schools. The issue was also reported on the local news media which led to further public comments.

- 2.6 The overall aim of the review was to make recommendations that will help create a safer walking environment during the school rush hour periods to help reduce traffic congestion, when the issue of parking outside primary schools is most acute. The members of the scrutiny panel also wanted to better understand the scale and nature of the problem with a view to making recommendations to help improve the situation.
- 2.7 The panel invited witnesses and members of the public to both highlight their experiences caused by problem parking but also to make suggestions of what could help to improve the situation – see [link](#) for details of the evidence presented at the meeting on 28 September 2017 and the [notes](#) of the discussion. Appendix 1 to this report details sample responses from the public when asked to share their experiences of problem parking.
- 2.8 The members of the panel considered evidence from residents, head teachers, parents, the police, school crossing patrol services, parking services, and a national charity – Living Streets - which aims to encourage children and parents to walk to school.
- 2.9 The members of the panel also considered a range of published reports and examples of good practice that would help to inform their findings and recommendations. For example, Leicester City Council have published Leicester’s Parking Improvement Action Plan 2016-2019 which details plans to reduce problems of traffic congestion.

3.0 Summary of Parking Enforcement Legislation and Guidance

3.1 Reducing and preventing accidents

Local authorities have a statutory duty under section 39 of the 1988 Road Traffic Act to “**take steps both to reduce and prevent accidents**”. The 1988 Road Traffic Act, Section 39 states:

- (1) provide for promoting road safety by disseminating information or advice relating to the use of roads.
- (2) each local authority must prepare and carry out a programme of measures designed to promote road safety and may make contributions towards the cost of measures for promoting road safety taken by other authorities or bodies.
- (3) each local authority:
- a. must carry out studies into accidents arising out of the use of vehicles on roads within their area
 - b. must, in the light of those studies, take such measures as appear to the authority to be appropriate to prevent such accidents, including the dissemination of information and advice relating to the use of the roads, the giving of practical training to road users, the construction, improvement, maintenance or repair of roads for which they are the highway authority and other measures taken in the exercise of their powers for controlling, protecting or assisting the movement of traffic on roads

- c. in constructing new roads, must take such measures as appear to the authority to be appropriate to reduce the possibilities of such accidents when the roads come into use.

3.2 Civil Parking Enforcement

Civil Parking Enforcement (CPE) means that local authorities, rather than the police, can choose to be responsible for enforcing on-street parking controls - most parking contraventions, including parking on yellow lines and in parking bays, are no longer criminal offences. The regulations are detailed in Schedule 8 Traffic Management Act 2004 – civil enforcement areas and enforcement authorities.

The police have responsibility for enforcing endorsable and most types of moving traffic offences and can also act against drivers where security or other traffic policing issues are involved. The police can issue a parking ticket for causing an obstruction.

City of Wolverhampton Council (CWC) Parking Services can take enforcement action against inconsiderate or illegal parking which occurs immediately outside or on the street near a school where a valid Traffic Regulation Orders (TRO) applies.

It takes approximately six months to issue a TRO and it is subject to public consultation about any proposed changes before it can be introduced – see **Appendix 2** for an example of a TRO.

A maximum number of 13 Civil Enforcement Officers (CEO) are available daily, over two shifts – to cover the City Centre and other areas. The CCTV vehicle has a scheduled visit to every school at least once a term, but dependent on circumstances the timings can change.

A CEO can issue a Penalty Charge Notice (PCN) to any vehicle which stops on a yellow zig zag line when the zig zag lines are operational (schedule 7 paragraph 4 section (2)(i)(i) The PCN is £70 but will be reduced to £35 if paid within 21 days.

Local authorities are required to use any income from parking tickets for the purposes described in accordance with the Traffic Management Act 2004.

3.3 CCTV Vehicle Enforcement

Local authorities have a duty to tackle dangerous parking and the Traffic Management Act 2004 allows councils to enforce parking contraventions by CCTV cameras in problem areas. CWC use a CCTV vehicle to address parking at hotspots or problem areas where motorists are putting the safety of others at risk and causing unnecessary congestion.

Legislation only allows authorised CCTV vehicles to enforce school keep clear signs.

3.4 **Parking on school zigzag lines**

3.5 Yellow zig zag lines outside schools that have signs listing hours of operation are enforced legally by the council by issuing a penalty charge notice. The hours of operation stated usually relate to drop off and pick up times, but outside these windows, drivers are legally permitted to park on the yellow zig zag lines unless a TRO is present restricting parking either sides of the road.

3.6 Yellow zig zag lines without signs simply advise motorists not to wait or park on them at any time.

3.7 **What does a 'grace period' mean?**

Grace applies where a vehicle is stationery in a designated parking place and the vehicle has been left beyond the permitted parking period. No penalty charge is payable for the contravention where the vehicle has been left beyond the permitted parking period for a period not exceeding 10 minutes. Grace period does not apply to locations which are designated parking places – for example locations with 'no waiting' restrictions (yellow lines). A 'designated parking place' means a parking place established by a Traffic Regulation Order.

3.8 **Is 'pavement parking' legal?**

There are issues with the terminology in this area, so it is important to understand what is being referred to when this term is used:

- 'Pavement parking' is parking where one or more wheels of a vehicle are on the pavement
- 'On-street' parking is any other parking at the side of the road

There is no national prohibition against either on-street or pavement parking except in the latter case in London and more widely in relation to heavy commercial vehicles. However, it is an offence to drive onto the pavement, whether with intention to park or not. Because this is a criminal offence, as opposed to most of civil parking offences, it is enforceable by the police, not the local authority.

Local authorities and the police may act to tackle on-street and pavement parking under legislation governing obstruction and dangerous parking, designating limited areas of 'no pavement parking' through a Traffic Regulation Order (TRO), or establishing a special parking area.

4.0 Findings

- 4.1 In evidence to the review from the Service Lead - Traffic & Road Safety it was stated that there is an issue about the perception of the scale of child accidents and the number of near misses across Wolverhampton. The panel was advised to note the following:
- between 2012 and 2017 (5 years) there were 198 child pedestrian casualties in Wolverhampton of which just 11 were outside schools during school travel times (1 serious, 10 slights). This equates to just 5.5% of Wolverhampton's child pedestrian casualties.
 - a sizable percentage of the complaints received by City of Wolverhampton Council are concerns about parking on footways/verges, drivers blocking resident driveways and congestion issues rather than significant road safety risks because of inconsiderate or illegal parking near schools.
 - in most cases high levels of on-street parking near to schools can act as a 'traffic calming' measure by reducing traffic speeds that would otherwise be higher if traffic was free flowing. Manor Primary School on A4126 Ettingshall Road is a good example of where traffic speeds outside of school travel times are significantly higher in free flow conditions.
- 4.2 The panel accept these points and want to offer reassurance to parents about the scale of the issue and the level of risk. However, it is clear to panel members and witnesses that they want to see progress made to reduce the number of accidents and near misses involving vehicles. The panel also want to respond to the real concerns expressed by both parents and residents about the problems caused and the need to find sustainable local solutions to the issue.
- 4.3 The panel share the strong views expressed by the public in the survey responses and witnesses evidence about the importance of making real progress in reducing the number of complaints about illegal or inconsiderate parking outside schools. The panel acknowledge the need for everyone to work constructively to find local solutions that create a safe and pleasant travelling environment for everyone – but accept that there are no simple solutions which can resolve often conflicting interests of schools, parents and residents living near schools.
- 4.4 An increase in the number of parents who walk their children to school rather than drive will clearly reduce congestion and improve the health of children. A key issue highlighted in evidence presented by the Public Health Service is the need to reduce unnecessary short car journeys - **63% of people make a journey of less than two miles by car at least once a week. Around four in ten say they make journeys by car that could easily be completed by walking (41%), by cycling (43%) or on the bus (35%).** ([British Social Attitudes](#))

- 4.5 The panel agree that while public information and provision of alternative travel options have a key role in improving the situation there is also a need to have a strong and visible deterrent to stop or deter people who continue to park illegally outside primary schools from doing so. The panel consider that it is important that there are real consequences for people who choose to park illegally.
- 4.6 The comments from members of the public suggest that there is a lack of confidence in the willingness of the Council and Police to provide the necessary staff resources or use their enforcement powers to act against drivers whose behaviour places children and other road users at risk.
- 4.7 Members of the public were invited to share details of problem parking outside their local schools – along with any suggestions to improve the situation. A [press release statement](#) was published on 25 September 2017 which led a press report on ITV news. In addition, 300 responses were received from members of the public on the [Wolverhampton Today Facebook page](#).

5.0 The following is a summary of the general findings from the review:

- a. The issue of illegal, dangerous and inconsiderate parking is a problem outside many primary schools in the city, but it is not a problem unique to Wolverhampton. At the national level local authorities have investigated this issue and introduced different policies to find lasting solutions to create safe walking routes to school.
- b. Important to monitor the effectiveness and efficiency of the Council's parking enforcement policy and its contribution to improving road safety. The policy should support the wider aims of the Council but success of the policy should not be simply judged by an increase in the number of parking fines. The Department of Transport published a list of criteria that can be used to assess the effect of the enforcement policy- see below:
- i. the justification for, and accuracy of, existing traffic orders;
 - ii. the adequacy, accuracy and quality of traffic signing and road markings which restrict or permit parking within or outside a Controlled Parking Zone;
 - iii. the level of enforcement necessary for compliance;
 - iv. the levels of penalty charges;
 - v. the need to resource the operation effectively and ensure that all parking staff are appropriately trained; and
 - vi. impact on traffic flow, i.e. traffic or congestion outcomes
- c. City of Wolverhampton Council published a [Walking Strategy Policy document](#) in 2005 – the aim of the policy was to “**encourage walking by recognising its role as a mode of transport and part of the solution to tackling traffic congestion as well as urban regeneration and to improve our environment and health**”. The policy detailed a series of actions to achieve this and it is useful to review the document with a specific focus on the issue of parking outside schools and what can

be done to encourage more people to choose walking as an alternative to driving short distances.

- d. A significant increase in the number of parents who walk their children to school is the desired outcome for members of the panel and is an important part of the solution to problems outlined by witnesses.
- e. The public want to see a regular visible presence by Parking Enforcement Officers and Police to deter offenders and increase the chances of offenders being caught.
- f. Irresponsible parking can force pedestrians to step out into the street to get around parked vehicles. This is a key issue highlighted in responses from the public. This is particularly challenging for parents with prams, or blind or partially-sighted people, or people with mobility difficulties when using pavements outside or near schools.
- g. The issue of illegal and inconsiderate parking near schools is a public safety issue – the actions of some drivers presents a danger to the safety of our school children. Schools have introduced a range of local schemes to reduce traffic congestion and encourage parents and carers to follow parking restrictions and advice, for example, staggered starting times, with varying degrees of success.
- h. Schools have tried several initiatives to reduce the problem of illegal and or inconsiderate parking – a lot of school staff time is spent on trying to enforce the current policy and dealing with complaints from parents and other residents.
- i. There is no ‘silver bullet’ solution and you cannot simply enforce your way out of the problem; it is as much about awareness raising, education and the provision of alternative safe and sustainable travel options so that parents and children can consider walking to school their natural choice – routes to schools that have crossings which are sufficient and fit for purpose and streets are designed with people in mind are all vital factors in creating an environment where people want to walk to school.
- j. There was support among VSSC panel and in the public responses for stronger enforcement action against parking offenders. Between the period 4.4.17 to 15.7.17 – (63 school term days) a total of 88 Penalty Charge Notices(PCN) have been issued.
- k. The response from schools was very positive about the impact of work being led by Living Streets to encourage parents and children to walk to school.
- l. The panel would like planning appeals considering primary school expansion plans to give more consideration to findings of traffic impact assessments and plans to mitigate the impact of the expected increase in the number of vehicles on the road network.

6.0 The problem of parking outside schools is compounded by a range of factors, including:

- a. The massive growth in the use of cars for short trips and the increase in the number of households that have two or more cars parked on the road which can lead to delays in journey times at peak times during the day. The increase in the number of households where both parents/carers work, who are can't walk their children and drop them off at school on the way to work.
- b. The high number of complaints about drivers ignoring parking restrictions and the lack of signage outside schools. There is an issue of confusion among some members of the public about the situations when a PCN can be issued.
- c. The growing demand for school places at popular schools has led to the creation of extra provision – adding further pressure on the existing road network. The Royal School Wolverhampton in evidence to the review reported that the school has grown significantly in the last 2 years which has meant a significant issue for parking near and outside the school. The current number of pupils on roll is 1200, which is expected to rise to 1500 by 2021.
- d. The location of our schools and associated access routes - many were built in the 1950s/60s, if not earlier, and were not designed in keeping with today's traffic pressures and working patterns. The current road and transport network was developed to manage car traffic flows at a set level, but is insufficient to accommodate the volume of traffic now using it during peak times.
- e. Furthermore, the introduction of more Traffic Regulation Orders to restrict parking will not provide a quick solution – there is evidence of people continuing to park illegally despite the legal restrictions in force. The introduction of TROs and other road restrictions has shifted the problem of inconsiderate parking to surrounding streets beyond the immediate area; which has led to complaints from residents and other users about their impact – see below.

I am writing on behalf of Wildside Activity Centre in Hordern Road which is immediately opposite SS Peter and Paul Catholic Primary Academy and Nursery. We read the article in the Express and Star newspaper on 26th September about launching a drive on the problem of parking outside schools, and wanted to let you know that parking along this part of Hordern Road is becoming increasingly hazardous particularly since the school installed a barrier on their own driveway to prevent parents parking on their premises.

The bad parking affects cars, buses, cyclists etc. commuting along the road, and parking is on footpaths, outside houses, in the entrance to Wildside which also has pedestrian access to the Northern House Academy. The danger from our point of view is when staff and visitors cannot drive in due to parked vehicles meaning they add to the chaos.

Should it be necessary for an emergency vehicle to attend our site at these times of day then it would be difficult. We have groups of school children, vulnerable adults and many other users that need access to our site.

We would be grateful if consideration could be given to looking at ways of improving the situation and hopefully arrive at a happy compromise for everyone as we appreciate that some parents may not have an alternative to cars.

- f. The behaviour of some parent drivers when challenged about inconsiderate or illegal parking is a cause for concern. The panel heard evidence which highlighted numerous examples of verbal threats and acts of violence against people and in some instances children, when asking drivers to move their vehicle to a location which does not put the safety of other road users at risk.
- g. It is important to note that in evidence to the review it was reported that parents at some schools would contact other parents to warn them when a patrol or CCTV car was operating in the area.
- h. The parking service is already experiencing difficulties in recruiting people willing to work one and half hours in the morning and afternoon sessions required, who face abuse from drivers when challenged about their driving or parking habits. There will be cost implications to CWC if more CEOs are deployed for schools and also evidence that people return to normal poor parking habits after a period of targeted enforcement action.
- i. More parental choice about schools – children either cannot attend their local schools or parents choose to send their child to another school, which may require longer journey travel times and as a result there is increasing reliance on friends and family members taking and collecting children to and from school – adding further pressure on the road network.

7.0 Updates on progress

Sustainability Advisory Group

A copy of the report was considered at a meeting of the Sustainability Advisory Group on 5 February 2018. The group supported the review findings and recommendations.

Living Streets

The panel note the early success of number of local initiatives and positive responses from children, parents and schools to the work of [Living Streets](#). The panel support the aim of the organisation to - **every child that can, walks to school**. The panel was recently advised by Tom Richards, Project Coordinator West Midlands (Schools), that nine local schools have registered on the programme. In addition, there are discussions ongoing with two Multi Academy Trusts to bring six more schools on board. The panel

also welcome the prospect that funding for the post will be extended to August 2018 to allow this important work to continue.

Wolverhampton Park and Stride scheme

The panel were given an update on the plans to build on the previous initiative '[Beat the Street](#)' programme which ended in 2017 by introducing a Park and Stride scheme. Further details on the scheme can be found [here](#).

Based on data from the local adult lifestyle survey and the [Health Related Behaviour Survey](#) for children and young people potential areas were identified where a pilot would be beneficial to be run.

At the date of drafting four potential primary schools have been identified – work is on-going to identify possible sites within a 10-minute walk of the schools involved. The response from schools has been positive to the idea. Potential costs of marketing the scheme will be factored into the pilot. The owners of the land will be approached for their agreement, which may involve further costs. The scheme will hopefully be launched during spring 2018 and the impact will be assessed at the end of the school academic year.

Safety Outside Schools (SOS)

The issue of parking outside schools was also highlighted by Wolverhampton South East MP Pat McFadden who launched an initiative called 'Safety Outside Schools (SOS)'. The initiative was launched at Hill Avenue Primary School on 10 November 2017. The scheme involves school children taking on the role of junior road safety officers. Further details about the scheme can be found [here](#).

Public Health Service

The Director of Public Health made the following comments in response to findings and recommendations of the review:

- The Council to look further at the potential of "[filtered permeability](#)" – closing off certain roads to discourage through-traffic movements, some of which could be closed to school-run traffic. The policy has been used quite successfully in certain London boroughs like Waltham Forest.
- We support a publicity campaign/factsheet which should also contain key relevant public health information and would be happy to help with putting together. This should contain more than just parking and enforcement advice – becoming more of a "self-help package" for encouraging active travel in general and walking/cycling to school.

- The [school exclusion zone pilot from Solihull](#) is an interesting concept and could easily be applied here, as well as the “[Play Streets](#)” initiative from Bristol. We would encourage both concepts to be explored over the coming months.
- We support investigating the feasibility of a second CCTV camera car, as raising the profile of these operations may further discourage parking on zig-zag lines, if there is a greater threat of being caught.

8.0 Conclusions

- a) An approach based heavily on enforcement action, while understandable from a view of the public, will not deal with the scale of the problem of illegal and inconsiderate parking outside or near schools. However, it is important that parking offenders should expect to be fined to deter other drivers from similar behaviour.
- b) The wider public need to have confidence that CWC’s enforcement policy is working effectively and that there are the necessary resources to issue fines and or respond to complaints about illegal or inconsiderate parking outside or near schools.
- c) A sustainable solution to parking problem outside schools requires a combination of targeted enforcement action and improved parental education which leads to a shift in thinking to consider other alternatives to driving – particularly for short distances.
- d) CWC must continue to support initiatives that work towards reducing the number of cars used for short journeys to schools, where walking is an alternative.
- e) CWC cannot tackle this problem alone – it requires a genuine partnership approach between the Police, schools, parents and residents.
- f) Funding cuts mean that the Police and the CWC have fewer resources to dedicate to tackling problem parking outside schools and to respond to the high number of complaints from residents. However, both organisations have a statutory responsibility and powers to act to respond to an issue which the public have great concerns about.
- g) The Government must continue to work with local authorities to ensure that good practice and guidance about parking enforcement is coordinated and disseminated.

9.0 Recommendations to Cabinet

The recommendations of the VSCSP have been arranged under broad themes: supporting behaviour change, providing information and advice, enforcement action against persistent or serious parking offenders, and encouraging and supporting walking and other alternatives to short car trips during the school run.

Supporting behaviour change

1. Children and Young People's Health Improvement Adviser, to be invited to report on the impact of the Park & Stride scheme at the July 2018 meeting of VSCSP. Depending on the success of the scheme the City of Wolverhampton Council and other partners such as Wolverhampton Homes should be challenged to consider offering "relief" parking provision on nearby land close to schools at peak times to reduce pressure on the road network.

Response: The Public Health Service is currently being restructured. The consultation on the new service ends on 19.2.18. The Director of Public Health will consider the feasibility of introducing the scheme but this will depend on the resources available. Director of Public Health to present a progress report to VSSC panel 6.12.18.

2. All primary schools in Wolverhampton to be encouraged to consider what further changes would help to either reduce the number of vehicles or improve traffic flow at peak times during the day. For example, The Royal Wolverhampton School have introduced a voluntary one-way system and the use of park and drop on school sites or safe drop off points, and Uplands Junior School have extended front verges to be used as a layby for drop offs. Schools to be actively encouraged to report issues of problem parking to their local councillor to highlight the issue.

Providing information and advice

3. Service Lead, Traffic and Road Safety, to lead the development of a factsheet in conjunction with Councillor Development and IT Advisory Group. The information should be published in the councillor learning page. The factsheet should set out the respective enforcement roles and legal powers of the Police and the Local Authority to tackle problems linked to issues of parking outside and near schools. The factsheet should include details about what action can be taken for illegal or inconsiderate parking, by whom and how i.e. CCTV vehicle can only issue FPNs against motorists parked on zig zag lines, and where to report concerns to.
4. Service Lead, Traffic and Road Safety, to develop a similar information/Q&A resource for the public on CWC's website which summarises the respective responsibilities and enforcement powers to deal with complaints about parking outside schools, and how to report a problem. Consideration to be given to updating CWC's Report It app to allow people to report problems of illegal parking directly.

5. CWC Communications Team to lead the development of a communications campaign, utilising Wolverhampton Today and Twitter, to:
 - a) promote safe and respectful parking outside schools and b) promote walking to school – it should draw on the law, relevant statistics and learning from the scrutiny session.
 - b) campaign activity could be linked to/heightened during [International Walk to School](#) month held annually in October.
 - c) The responses submitted by the public for improving the situation to be actively pursued and promoted if there is evidence that it will have desired impact.
6. Service Lead, Traffic and Road Safety, to monitor outcomes from other regional and national initiatives, including the car exclusion zone pilot on Solihull (“School Streets”), with a view to learning from, and implementing established good practice and report findings to a future meeting of VSSC panel. The Service Lead to report on the impact of introducing parking TROs outside schools or surrounding areas in responding to the concerns of parents and residents.

Enforcement of regulations to support behaviour change

7. The Leader of the Council to be invited to write to the Secretary of State for Transport summarising the issues experienced in Wolverhampton and request that they review the effectiveness of regulations governing TROs and parking enforcement
8. City of Wolverhampton Council to continue to seek, where appropriate, to expand the use of loading bans near schools and commit to associated enforcement resource. CWC should take account of all road users and pedestrians when taking decisions on pavement parking restrictions or allowances, and clearly indicate what rules are in place and their purpose.
9. Parking Services Manager (CWC) should publish details of how performance in relation to enforcement activity is measured in their parking annual reports. Service Lead, Traffic and Road Safety, Annual to present report to VSSC panel which details performance against criteria suggested by Department of Transport so that it can be supported by the public.
10. Parking Services Manager (CWC) must make full use of its powers to issue Fixed Penalty Notices (FPNs) for vehicles parked illegally. VSCS Panel recommends a zero-tolerance approach and that persistent offenders must be targeted. The number of parking fines issued for parking illegally outside schools to be reported six monthly to VSCP to assess the impact of the policy as part of a review of the effectiveness and efficiency of the current parking enforcement policy.

11. The Cabinet Member for City Environment to review the level of resource within the Council available to promote behaviour change and enforcement against illegal parking outside schools. The review to consider if the current policy is contributing to achieving the vision detailed in 'Safety Outside Schools Programme' and 'Safer Routes to School Initiative'.
12. The Cabinet Member for City Environment to consider and report on the feasibility of providing a second CCTV vehicle and other staff resources to provide extra capacity that offer parents and residents increased confidence that the Council will act against people who park illegally outside schools.

Supporting an increase in the number of parents who walk to school with their children and creating safer walking spaces for other road users

13. Chair of VSCS Panel to write to the Mayor of the West Midlands Combined Authority summarising the issues experienced in Wolverhampton and to respond to the issues raised. The letter to invite the WMCA to commit to developing and or outlining a strategic approach to funding the creation of safer walking spaces for parents and children across the region – particularly primary aged school children.
14. VSCS Panel should be invited to comment on future primary school expansion plans in areas already badly affected by problem parking to review the evidence detailed in the [traffic impact assessment](#) and specifically what is being proposed to mitigate the effects arising from an increase in traffic congestion in the area.
15. Representatives from Living Streets to be invited to report on the impact of its work in Wolverhampton after 12 months, with a view to making further recommendations to Cabinet about what further action is needed to build on progress.
16. Director of Public Health to lead on the drafting of a review of the City of Wolverhampton Council's 'Walking Strategy' (August 2005) and to provide a revised draft to a future meeting of VSCS Panel for consideration on 16.12.18.
17. Scrutiny Officer to prepare report in consultation with Service Lead, Traffic and Road Safety, and other witnesses to Scrutiny Board on 11 September 2018.18 with a summary of progress against all the above recommendations

10.0 Evaluation of alternative options

- 10.1 The draft recommendations have been shared with witnesses for their comments and changes made as appropriate that will support the shared aim of wanting to reduce the number of people who park illegally or inconsiderately during the school run periods.
- 10.2 The recommendations acknowledge the challenges facing the Council and the Police to enforce traffic regulations around schools and the need to consider alternatives which do not rely on enforcement action as solution.

11.0 Reasons for decisions

- 11.1 The problems caused by illegal and inconsiderate parking outside schools link directly to the priorities detailed in the Council's Corporate Plan 2016-19 - **promoting and enabling healthy lifestyles, keeping the city clean and keeping the city moving.**
- 11.2 Council action in dealing with problem parking will contribute towards raising awareness of the issue among the public and provide challenge to key organisations about the effectiveness of their current policies and practices and respond to criticism of their impact.
- 11.3 The Council has a statutory duty to reduce the number of road accidents and it is important to have confidence that there is the necessary level of cooperation from all key agencies to achieve this and give public reassurance.
- 11.4 The panel consider that efforts to reduce traffic congestion and improve traffic flow will contribute to achieving these objectives and respond to the issues highlighted in witness evidence and public comments about the range of problems caused by poor parking outside or near schools.
- 11.5 The Council will be seen by the public as being responsive to the issue of problem parking outside schools. The issue of problem parking outside schools itself has been longstanding and judging by witness evidence has led to a range of disputes locally for which schools have struggled to find a sustainable solution.
- 11.6 There is a consensus among witnesses that more needs to be done to reduce the number of complaints about illegal or inconsiderate parking outside schools. The issue of parking outside schools has led to media interest and the local MP highlighting the range of problems caused by problem parking and the need for action.
- 11.7 A reduction in the number of people who park illegally or inconsiderately will create an environment that will encourage parents to consider alternatives to using a car where possible when taking children to school and reduce traffic congestion during the school runs.

12.0 Financial implications

- 12.1 Recommendations 11 and 12 to Cabinet could have specific financial implications for the Council but at this stage these are with the service for consideration in line with existing budget provisions. Any investment requirements will be subject to a business case in line with existing processes and be included in future reports to Councillors as necessary.
- 12.2 Costs associated with any additional Traffic Regulation Orders will be accommodated within existing revenue budgets within City Environment.

Any enforcement income received through the issue of penalty charge notices will be used as directed in the Traffic Management Act 2004.

[TT/24012018/V]

13.0 Legal implications

13.1 We are here dealing with three types of enforcement (CPNs, FPNs and prosecutions) and Council Enforcement Officers will need to be very clear what they can and cannot do and what processes they need to follow. A robust policy will need to be in place and followed and enforcement will need to be sustained, meaning extra resources will be required.

13.2 This will require legal involvement and enforcement officers (Parking Attendants / CEOs) on the streets.

[LW/22012018/U]

14.0 Equalities implications

14.1 There are no direct equalities implications arising from the recommendations in the review report. However, careful consideration will need to be given by the responsible lead to the equalities implications and a full EA is required to ensure that those equality groups mentioned in the report and any others unmentioned are protected from any adverse impacts. In particular, the needs of children or parents/carers with walking disabilities will need to be considered when making changes to existing arrangements. The overall aim should be to provide alternatives to parents using their car to take children to school, particularly for short journeys, wherever possible.

14.2 It is important to note that not all disabled people will be adversely affected by the review recommendation which seeks to encourage more parents, where possible, to walk to school with their children - creating safer walking routes and spaces outside schools will benefit everyone.

15.0 Environmental implications

15.1 A reduction in level of car usage, particularly for short journeys, will support wider Council aims to improve air quality and to reduce traffic congestion at peak times. The findings and recommendations support the Safer Routes to Schools Initiative – the aim of which is to address concerns over rising traffic levels and school gate parking issues and offer reassurance to parents.

16.0 Human resources implications

16.1 The report recommendation 12 make comment about funding to considered for an extra CCTV vehicle. The panel are concerned about the level of staff resources in parking services. The panel consider current resources are insufficient to provide the necessary support to schools and deal effectively with the scale of the parking problems highlighted during the review.

17.0 Corporate Landlord implications

17.1 There are no corporate landlord implications arising from the recommendations in this report.

18.0 Schedule of background papers

18.1 [Parking outside Schools - Vibrant and Sustainable City Scrutiny Panel – 28 September 2017.](#)

19.0 Appendices

Appendix 1: Responses from members of the public and suggestions

Appendix 2: Example of Traffic Regulation Order