

## Cabinet Meeting

### 20 February 2018

<b>Report title</b>	Parking Outside Schools Scrutiny Review	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Steve Evans City Environment	
<b>Corporate Plan priority</b>	People - Stronger Communities	
<b>Key decision</b>	No	
<b>In forward plan</b>	Yes	
<b>Wards affected</b>	(All Wards)	
<b>Accountable Director</b>	Ross Cook, Service Director, City Environment	
<b>Originating service</b>	Scrutiny	
<b>Accountable employee</b>	Earl Piggott-Smith Tel Email	Scrutiny Officer 01902 551251 earl.piggott-smith@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	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

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#### 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