

MINUTES OF MEETING OF WHITTLE OVERVIEW AND SCRUTINY COMMITTEE

15 JANUARY 2018

PRESENT:

Members of the Committee:

Councillors Sandison (Chair), Brader, Butlin, Douglas, Gillias, Mrs O'Rourke, Roberts and Ms Watson-Merret

In attendance:

Councillor Miss Lawrence

Officers:

Rob Back (Head of Growth and Investment), Dan Green (Head of Environment and Public Realm), David Burrows (Regulatory Services Manager), Michael Beirne (Tourism and Town Centre Team Leader), Verna Zinclair (Principal Environmental Health Officer), Colin Horton (Green Spaces Officer) and Linn Ashmore (Democratic Services Officer)

25. MINUTES

The minutes of the meeting held on 17 October 2017 were approved and signed by the Chair.

26. APOLOGIES

Apologies for absence from the meeting were received from Councillor Lowe.

27. DECLARATIONS OF INTEREST

There were none.

28. TOWN CENTRE HERITAGE – REVIEW REPORT

The committee received a report (Part 1 – agenda item 4) concerning the draft review report on Town Centre Heritage. The Chair of the task group, Councillor Miss Lawrence, presented the report.

The task group members were knowledgeable and passionate about the topic, particularly as there were five past mayor's in the group.

The stage of the review that engaged members the most was the consideration of augmented reality apps. This approach to attracting visitors and information sharing was supported by feedback from residents. Although an initial outlay would be required, some long term savings could be seen by

not needing to continuously update and produce paper copies of leaflets and literature.

During discussion the following points were made:

- The technology should be suitable for deaf people. No particular app had been identified yet and this point would be taken into account as the review outcomes were actioned.
- During the course of the review, the task group had discussed the protection of local heritage assets, raising the point that the council no longer had a dedicated conservation officer. However, the task group adhered to its specific brief and this fell under the remit of the Planning Services Working Party.
- Recommendation eight of the review report went some way to address this concern.
- Members commented that the council had a level of responsibility to keep an overview and protect important buildings or assets from falling into decline.
- The planning service had a range of legislation available to take enforcement action. The buildings were often under private ownership but officers, if necessary, would take action.
- The review should tie in with corporate objectives. It aligns to the corporate priority for Growth and Investment to “promote and grow Rugby’s visitor economy with our partners”. The Corporate Strategy states that to do this the council will “conserve and enhance the natural and built environment embracing Rugby’s proud heritage and history”. There was no requirement to specify particular priorities or actions from the Corporate Strategy in the review report and these priorities are embedded into the working practices of the planning service.
- The financial constraints of recent years may have had an impact on the level of investment and there was a fine line between meeting corporate priorities and budgets and meeting expectations. However, conservation was still possible.
- Landowners were legally responsible and the council’s main role was to work with and encourage them.
- Specific concerns around conservation should be referred to Planning Services Working Party, particularly if in relation to the town centre conservation areas.
- Members asked if there were any opportunities to link or piggy back onto the success of Coventry being named as City of Culture 2021, and were informed this would be an item on the agenda at the next meeting of the Visitor Economy Working Party.
- The condition of signage and presentation boards was raised during the task group review. They were of poor quality and the information was out of date. This topic also fell under the remit of the Visitor Economy Working Party.

RESOLVED THAT –

- (1) the review report be submitted to Cabinet for consideration at its meeting on 5 February 2018;
- (2) a copy of the report be forwarded to the Visitor Economy Working Party; and

- (3) specific concerns in relation to the conservation of Rugby's heritage assets be referred to Planning Services Working Party.

29. PUBLIC SPACES PROTECTION ORDER REVIEW

The Regulatory Services Manager and the Principal Environmental Health Officer gave members a verbal update on the progress of the review based on the following:

- Consultation responses highlighting the top issues;
- Review of the one-page strategy in the light of recently updated Home Office Guidance; and
- Whether site-specific controls should be introduced for parks and open spaces, and what other options were available.

Consultation Responses

- A consultation questionnaire was published on the council website and sub-group members held two public consultation exercises. These resulted in 75 responses being received, which will be considered in detail at the sub-groups next meeting.
- Responses had been received from a broad range of different age groups and geographical areas.
- Comparisons would need to be made against complaints received by the council over the last year to demonstrate clear evidence.
- The highest number of responses related to dog control issues and smoking in children play areas.
- Responses relating to ball games were split equally with half identifying this as an issue and half not.
- The behaviours relating to bikes, horse riding in open spaces and motocross were more diverse and controversial and needed to be separated. There were only a couple of examples of motocross bikes being a problem.
- There were other more appropriate tools to deal with some of the nuisance behaviours such as Community Protection Orders or dispersal orders.

One-page strategy and Home Office Guidance

Copies of the new Home Office guidance and guidance on Community Protection Notices issued by the Chartered Institute of Environmental Health had been circulated by email to committee members prior to the meeting.

The statutory guidance produced by the Home Office was updated in December 2017.

Key points to consider in relation to Public Spaces Protection Orders (PSPO's) included:

- Government guidance was clear that the impact of victims must be considered.
- Existing PSPO's in relation to the control of dogs must be reviewed if appropriate.

- An existing PSPO to control anti-social drinking in the town centre has been very successful. Similar orders could be considered for other forms of substance abuse.
- The Government guidance states that PSPO's should not be used to target homeless people or rough sleepers. Orders should only be used to address specific cases or anti-social behaviour. This will be explored in more detail by the sub-group.
- Any PSPO's issued would be based on guidance.

The committee considered the one-page strategy and agreed that, to reflect the updated Home Office guidance, a sentence be added to the wording for "What is the broad topic area?" to state that the needs of victims should be borne in mind.

Site-specific controls

The sub-group had previously reviewed a detailed list of over forty parks and play areas produced by the Green Spaces Officer. It was clear that each site was different and site-specific proposals in consultation with local residents would be the best approach.

The public had highlighted a range of issues including dog fouling, litter and vandalism. Some issues could be linked to Community Protection Orders (CPN's) rather than PSPO's.

During discussion the following points were made:

- The sub-group should focus on complaints which were based on the key issues and linked to identifiable harm.
- The Green Spaces Officer reported that most open spaces surfaces were not suitable for horses, though they are entitled to use bridleways. The damage caused by churning up the edges of paths etc. had so far cost the council £75,000 to repair the Great Central Way, and further works costing £30,000 were required.
- Photographs showing examples of horse related damage were circulated to members.
- The Great Central Way was a particular problem area as it is an enclosed narrow area used by a range of people. Some of the concerns included dogs that may startle horses and the fact it is a national cycle route.
- Guidance states that to be able to enforce a ban on using a particular site an alternative must be provided.
- The Green Spaces team has carried out work to identify alternative sites. They were working with the British Horse Society around the use of the lower fields near the Diamond Wood.
- Bridleways were public rights of way and the responsibility of Warwickshire County Council.
- Members raised some concerns about the presence of ragwort but were informed that in general there were no particular issues in the area around the Diamond Wood and monitoring took place on an ongoing routine basis.
- A suggestion was made that motocross riders could form a partnership and use the dedicated tracks that were situated nearby.

- Issues caused by the use of nuisance motor bikes, including mini motos and quad bikes, could be dealt with by CPN's rather than PSPO's.
- A balanced approach was needed to target real issues rather than one-off instances and a strong evidence base was required. Key factors included identifiable harm, anti-social behaviour, or serious nuisance. Some form of trigger mechanism may be useful.
- There was a good range of evidence available dating back to 2004 that would allow comparisons to be made between the old style orders and the new legislation. There wasn't much past evidence in relation to horses and the use of CPN's was probably the best approach for that type of nuisance.
- Once the sub-group had agreed on potential PSPO's public bodies would need to be consulted. Further consultation with local residents would be appropriate for matters such as local play areas.
- With limited resources available there was a need for the sub-group to be realistic about the recommendations and future roll out of the review outcomes.
- PSPO's can be issued for periods from one to three years. There were examples in the past when orders were issued for one year and then dropped.
- One example of successful partnership working was the PSPO issued to tackle anti-social drinking in the town centre, and this could be repeated for other substance abuse.
- A small number of focussed PSPO's dealing with direct issues would be more useful and appropriate than trying to tackle problems on a blanket basis.
- Other tools were available that could be used to target issues affecting particular communities such as ball games.
- Blanket orders would be in contravention to the council's current Play Strategy.
- Simple more visual signage could be used to send positive messages showing what areas or activities were accessible or allowed for users. It was better to aim at peoples' conscience rather than prohibiting or restricting them. The signs could feature emblems or icons that local groups or societies would recognise. Local schools could be asked to help with designs.
- Contact details or email addresses could be added to signs to encourage members of the public to report nuisance. As a result of the council's communications strategy, email addresses were linked and made more generic, and reporting was now simpler.
- Council wardens took an educational and encouragement approach rather than enforcement but more severe action, including the issue of fines or possible court action, were used when necessary.
- Issues around dog walking related to safety, and the approach taken by officers was to lead by direction. Action would be proportionate to the owner or animal.
- Staff from Rugby First and BID Rangers could be trained to carry out enforcement work or collect evidence. It was important partner agencies supported each other.
- Criminal damage was a key issue for local residents and tougher sanctions were needed. The graffiti sprayed on the town's Memorial Gates had recently featured in the local press.

- Legalisation in relation to drones only applied to large police style drones and not the smaller ones more commonly used in open spaces but there could be privacy issues. Drones were one of the items listed for consideration by the sub-group.

A detailed report on the consultation responses would be circulated to members and published on the council website as part of the next stage of the review.

RESOLVED THAT –

- (1) the one-page strategy be updated as minuted above; and
- (2) the progress report be noted.

30. OVERVIEW AND SCRUTINY WORK PROGRAMME 2017/18

The committee received a report (Part 1 – agenda item 5) concerning the progress of scrutiny reviews and the overview and scrutiny forward work programme for 2017/18.

Public Spaces Protection Orders – the next meeting of the sub-group would be arranged by email.

Town Centre Heritage – as minuted above.

Informing and Engaging our Communities – four members have come forward to make up a task group and further volunteers were being sought.

Future work programme

Joint Meeting of Brooke and Whittle – 29 January 2018

Members were reminded to submit questions for the Leader and/or Executive Director. The scrutiny committee chairs were meeting to discuss these on 17 January.

Overview and Scrutiny Work Programme Workshop – 7 March 2018

Members were invited to submit suggestions for scrutiny reviews.

One suggested topic was facilities for disabled people, to include disabled changing facilities and access and facilities for blind and deaf people, and wheelchair users, including access to open spaces/parks.

Whittle – 12 March 2018

The agenda will include an item to discuss member training needs. Some comments on this topic included:

- More technology based and online training should be considered. This would be easier for members to access with some form of questions or test to be completed at the end.
- Members were often expected to attend duplicate training. Some topics such as equality and diversity and safeguarding were carried out by other external partner agencies or bodies but they do not recognise each

others' training. It would save time and resources if core training could be produced, or evidence of previous training would be accepted.

- Training was often more appropriate to officers than members.

The committee noted the position regarding reviews and the work programme for the remainder of the municipal year.

RESOLVED THAT – the report be noted.

CHAIR