

2 June 2017

WHITTLE OVERVIEW AND SCRUTINY COMMITTEE – 12 JUNE 2017

A meeting of the Whittle Overview and Scrutiny Committee will be held at 5.30pm on Monday 12 June 2017 in Committee Room 1, Town Hall, Rugby.

Councillor Neil Sandison
Chair of Whittle Overview and Scrutiny Committee

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Minutes

To confirm the minutes of the meetings held on 13 March and 18 May 2017.

2. Apologies

To receive apologies for absence from the meeting.

3. Declarations of Interest

To receive declarations of:

(a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;

(b) pecuniary interests as defined by the Council's Code of Conduct for Councillors;

(c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

Note: Members are reminded that they should declare the existence and nature of their non-pecuniary interests at the commencement of the meeting (or as soon as the interest becomes apparent). If that interest is a pecuniary interest, the Member must withdraw from the room unless one of the exceptions applies.

Membership of Warwickshire County Council or any Parish Council is classed as a non-pecuniary interest under the Code of Conduct. A Member does not need to declare this interest unless the Member chooses to speak on a matter relating to their membership. If the Member does not wish to speak on the matter, the Member may still vote on the matter without making a declaration.

4. Scrutiny Review of Public Spaces Protection Orders.
5. Overview and Scrutiny Work Programme 2017/18.

Any additional papers for this meeting can be accessed via the website.

Membership of the Committee:

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

If you have any general queries with regard to this agenda please contact Linn Ashmore, Democratic Services Officer (01788 533522 or e-mail linn.ashmore@rugby.gov.uk). Any specific queries concerning reports should be directed to the listed contact officer.

If you wish to attend the meeting and have any special requirements for access please contact the Democratic Services Officer named above.

AGENDA MANAGEMENT SHEET

<i>Name of Meeting</i>	Whittle Overview and Scrutiny Committee
<i>Date of Meeting</i>	12 June 2017
<i>Report Title</i>	Scrutiny Review of Public Spaces Protection Orders
<i>Ward Relevance</i>	None
<i>Contact Officer</i>	David Burrows, Regulatory Services Manager, Tel: 01788 533806
<i>Summary</i>	Members are asked to consider the progress of the review.
<i>Financial Implications</i>	There is a budget of £500 available in 2017/18 to spend on the delivery of the overview and scrutiny work programme.
<i>Risk Management Implications</i>	There are no risk management implications arising from this report.
<i>Environmental Implications</i>	There are no environmental implications arising from this report.
<i>Legal Implications</i>	There are no legal implications arising from this report.
<i>Equality and Diversity</i>	No new or existing policy or procedure has been recommended.

Public Report to Whittle Overview and Scrutiny Committee

12 June 2017

Scrutiny Review of Public Spaces Protection Orders

Summary

Members are asked to consider the progress of the review.

1. BACKGROUND

The issue of enforcement of public space protection orders and the role of wardens and rangers in relation to dog control orders had emerged at the work programme workshop in March 2016 and the topic was included in the forward work programme by the Chairs and Vice-Chairs.

2. DOG CONTROL ORDERS

The Council has four orders dealing with different aspects of dog control. These orders expire in September 2017. The legislation under which the orders were made has been repealed. Dog control will now be carried out by means of public spaces protection orders (PSPO's) made under the Anti-social Behaviour, Crime and Policing Act 2014.

The Council also has a PSPO for the control of anti-social consumption of intoxicating substances.

At its meeting on 13 June last year Whittle approved the one-page strategy and agreed that membership of the task group should be sought.

3. CURRENT POSITION

The task group met once since it was convened in the Autumn of 2016 but since then there has been a lack of available resources, and service delivery demands that has required other business activities to take a higher priority. These pressures are now reducing and it is now possible to programme in the work of this task group.

The restriction around publicity as a result of the Purdah conventions means that after the General election officers will be looking to recommence the work of the task group.

4. KEY OBJECTIVES

In summary the following key objectives for the review are suggested:

- To convert the existing Dog Control Orders into PSPO's by October 2017.
- To consider developing alternative control measures to support responsible dog ownership.
- To identify other behaviours that cause problems that occur in public places which it may be possible to manage through the use of PSPO's.
- Consider how PSPO's can be enforced.

A copy of the original one-page strategy is attached at Appendix 1.

5. FUTURE WORK OF THE REVIEW

One of the consequences of the delay in progress of the task group is that it is necessary to split the development of replacement and new PSPO's due to time constraints. If the existing 4 Dog Control Orders are not converted or replaced with new PSPO's by October 2017 then we would be unable to take any action regarding dog fouling etc. Therefore, to ensure that we have continuity it is proposed that Cabinet on June 26th will recommend to Council on 18th July the conversion of these in their current form into PSPO's.

Concurrently to this, the task group will consider the benefits and disadvantages of other more innovative methods to promote responsible dog ownership and to drive behavioural changes in line with the new corporate strategy & priorities.

These could include, for illustration only:

- the requirement to have the means of clearing up after a dog when in a public place with a dog;
- requiring any dog on Council land to have been DNA registration;
- requiring dogs to be kept on leads on some sports fields; or
- restricting lead lengths to a maximum of 3m.

All of these are actual examples of what some other councils have or are implementing. The use of PSPO's can also be considered to address other behaviours that the Council may wish to reflect upon which may benefit from new powers and controls. The controls can include positive requirements and not just prohibitions.

Some possible examples, for illustration only, could include:

- prohibiting smoking in a children's play area;
- prohibiting Camping (e.g. caravans, mobile homes, tents or even rough sleeping) on Council land (without consent);
- prohibiting fires and BBQs on Council land;
- prohibiting horse riding on some or all Council land (without express consent)
- prohibiting ball games in certain areas;
- requiring businesses to comply with the WCC code of practice for A-boards and materials stored on the highway;
- requiring buskers and/or street traders operating in the Town Centre to register and comply with a code of practice;
- restricting Charity 'chuggers' or street entertainers, or requiring compliance with a code of practice;

- require individuals to disperse and leave an area if requested by RBC officer or Police and not return to same area for 24/48 hours; and
- prohibiting begging, swearing or spitting.

Note: In order to be able to justify the criteria for a PSPO the behaviour must be having, or likely to have a detrimental effect on the quality of life of those in the locality; be persistent or continuing nature and be unreasonable.

6. TASK GROUP MEMBERSHIP AND PROGRAMME OF WORK

The current task group membership consists of Councillors Mrs Garcia, Mrs Nash, Mrs New, Mrs O'Rourke and Sandison.

Following the changes made at Annual Council to committee memberships and the appointment of Mayor, the committee may wish to re-consider the representation of the task group. Officers have emailed councillors inviting them to submit their interest in joining the task group to the Democratic Services Officer.

It is anticipated the group will need to hold four meetings:

The initial refresh meeting will elect a chair for the task group and consider a proposal for initial public consultation on a wide range of behaviours to try to gauge the scale of need for any formal controls via PSPO's. The consultation would be of a general nature using a variety of media, but would also involve targeted consultations to a number of potentially affected organisations such as sport clubs, parish and county councils, and other 'interest' groups that may be appropriate.

The second meeting will be a workshop style event, possibly held in an afternoon, where presentations can be given from places where some of the more 'innovative' PSPO measures have been tried; and to explore what sorts of behavioural changes we may wish to encourage and in what locations.

The third meeting will seek to report back on the public consultation process and suggest a number of potential PSPO's that the group may wish to recommend for adoption and how these could be enforced in practice.

The fourth and final meeting (if required) would be to consider the final drafts of PSPO's that Cabinet will requested to consider and recommend on to Council for adoption. This meeting may also need to reflect upon enforcement, if this hasn't been covered fully beforehand.

7. CONCLUSION

The committee is asked to:

- revise and approve the one-page strategy
- re-consider the membership of the task group

Name of Meeting: Whittle Overview and Scrutiny Committee

Date of Meeting: 12 June 2017

Subject Matter: Scrutiny Review of Public Spaces Protection Orders

LIST OF BACKGROUND PAPERS

Document No.	Date	Description of Document	Officer's Reference	File Reference
1	July 2014	Anti-social Behaviour, Crime and Policing Act 2014: Reform of anti-social behaviour powers Statutory guidance for frontline professionals	David Burrows	

SCRUTINY REVIEW OF DOG CONTROL ORDERS AND PUBLIC SPACES PROTECTION ORDERS

ONE-PAGE STRATEGY

What is the broad topic area?

How can we encourage a change of behaviour on the part of those dog owners who do not comply with the present dog control orders?

What is the specific topic area?

The creation of public spaces protection orders (PSPOs) to replace the dog control orders when or before they become invalid in September 2017.

The inclusion in the PSPOs of other categories of persistent or continuing behaviour that has a detrimental effect on quality of life.

The enforcement of the new PSPOs, including clarification of the roles of the various wardens and rangers.

What is the ambition of the review?

Creation of an environment for the enjoyment of open spaces by all.

How well does the service perform at the moment?

There is a wide variety of open spaces and these are used in different ways by a range of different people. Consequently, some conflict arises, leading to community tension and complaints. There is limited ability to modify behaviour or enforce change because of limitations in the legislation.

The task group will seek to learn from the experience of the existing PSPO for the control of the anti-social consumption of intoxicating substances in the town centre area.

Who shall we consult about the current service and about how we can improve it?

Parish councils, users of parks such as sports clubs, dog club, model engineers and the general public.

What other help do we need?

Information from other councils, Legal Services.

How long should it take?

Six months maximum.

What will be the outcome?

Establishment of need for regulation to encourage appropriate behaviour in public spaces and to control inappropriate behaviour. Recommendations for implementing and enforcing this.

AGENDA MANAGEMENT SHEET

<i>Name of Meeting</i>	Whittle Overview and Scrutiny Committee
<i>Date of Meeting</i>	12 June 2017
<i>Report Title</i>	Overview and Scrutiny Work Programme 2017/18
<i>Ward Relevance</i>	None
<i>Contact Officer</i>	Linn Ashmore, Democratic Services Officer, Tel: 01788 533522
<i>Summary</i>	The report updates the Committee on the progress of task group reviews within its remit and details the overview and scrutiny forward work programme for 2017/18.
<i>Financial Implications</i>	There is a budget of £500 available in 2017/18 to spend on the delivery of the overview and scrutiny work programme.
<i>Risk Management Implications</i>	There are no risk management implications arising from this report.
<i>Environmental Implications</i>	There are no environmental implications arising from this report.
<i>Legal Implications</i>	There are no legal implications arising from this report.
<i>Equality and Diversity</i>	No new or existing policy or procedure has been recommended.

Public Report to the Whittle Overview and Scrutiny Committee

12 June 2017

Overview and Scrutiny Work Programme 2017/18

Summary

The report updates the Committee on the progress of task group reviews within its remit and details the overview and scrutiny forward work programme for 2017/18.

1. PROGRESS ON SCRUTINY REVIEWS

1.1 Public Space Protection Orders

This topic is covered by item 4 on the agenda.

1.2 Town Centre Heritage Task Group

The proposed date for the inaugural meeting of the task group is 22 June. Topics for discussion will include setting the scene, the one-page strategy and programme of work.

2. FUTURE WORK PROGRAMME

The content of each committee's work programme have been agreed by the Chairs and a copy of the future work programme is attached at Appendix 1. Committee members are invited to suggest items for inclusion.

3. CONCLUSION

The committee is asked to:

- note the progress in the task group reviews; and
- agree the future work programme for the committee.

Name of Meeting: Whittle Overview and Scrutiny Committee
Date of Meeting: 12 June 2017
Subject Matter: Overview and Scrutiny Committee Work Programme 2017/18

LIST OF BACKGROUND PAPERS

There are no background papers relating to this item.

Overview and Scrutiny Work Programme 2017/18

Brooke 13 July 2017

Topic	Description
Finance and Performance Monitoring 2017/18 Q4	End of year outturn report
Scoping of reviews of Recycling and Waste, Fly Tipping and Street Cleaning	
Review of Homelessness	Draft review report
Review of The World Rugby Hall of Fame	Revised one-page strategy
Overview and Scrutiny Work Programme 2017/18	

Whittle 11 September 2017

Topic	Description
Air Quality Monitoring	Annual review
Finance and Performance Monitoring 2017/18 Q1	
Scoping of review of the Town Hall complex and Asset Management Plan	

Brooke 12 October 2017

Topic	Description
Review of The World Rugby Hall of Fame	Draft review report

Joint Overview and Scrutiny Meeting 17 October 2017

Topic	Description
Meeting with Portfolio Holders	Question and answer style discussion on performance with the portfolio holders

Whittle 6 November 2017 – agenda to be agreed by Chairs

Brooke 7 December 2017 – agenda to be agreed by Chairs

Whittle 15 January 2018 – agenda to be agreed by Chairs

Joint Overview and Scrutiny Meeting 29 January 2018

Topic	Description
Leader and Executive Director	Discussion of performance and future strategy with Leader and Executive Director

Brooke 15 February 2018 – agenda to be agreed by Chairs

Work Programme Workshop 7 March 2018

Topic	Description
Work Programme Workshop	Public workshop to discuss topics for scrutiny reviews during 2018/19

Whittle 12 March 2018

Topic	Description
Crime and Disorder	Annual review

Brooke 12 April 2018 – agenda to be agreed by Chairs

Items remaining to be allocated carried over from 2016/17 work programme

Topic	Description
Coventry and Warwickshire Stroke Service Reconfiguration	Public Consultation

Items for the 2017/18 work programme to be allocated to future meetings

Topic	Description
Members' IT and Digitalisation	Reduce paper and make savings. Use of IT equipment and software. Members use of Office 365 Costs of paper vs electronic means. Improvements to the Council Chamber.
Communication, Engagement and Public Consultation	Internal and external communication. How to better engage with the public. Improvements to the website Meetings calendar. Better engagement with rural wards.
Rugby's Heritage, Heritage Quarter and Promoting Rural Rugby	Recognise Rugby's engineering past and promote attractions outside the town centre. Boost town centre economy. Promote rural heritage assets. Encourage visitors to venture wider than the town centre. Rugby Festival of Culture – include events outside the town centre?
Links between the North and South of Rugby	Transport links. Section 106 funds.
Housing Maintenance/Repairs	Issues, delays and managing customer expectation. Review new working arrangements.
Finance and Performance Monitoring 2017/18 Q2	
Finance and Performance Monitoring 2017/18 Q3	