

LOUGHBOROUGH AREA COMMITTEE
19TH JUNE 2019

PRESENT: Councillors Bailey, Boldrin, Bolton, J. Bradshaw, Brennan, Campsall, Forrest, Goddard, Hamilton, C. Harris, K. Harris, Miah, Morgan, Parsons, Parton, Smidowicz, Tillotson and Ward

Chief Executive
Head of Cleansing and Open Spaces
Head of Neighbourhood Services
Head of Leisure and Culture
Head of Finance and Property Services
Community Safety Manager
Head of Regulatory Services
Democratic Services Manager

APOLOGIES: Councillors Draycott and Mercer

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. He also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

1. APPOINTMENT OF CHAIR

RESOLVED that Councillor Hamilton be appointed as Chair of the Committee for the 2019/20 Council year.

2. APPOINTMENT OF VICE-CHAIR

RESOLVED that Councillor Tillotson be appointed as Vice-chair of the Committee for the 2019/20 Council year.

3. MINUTES OF PREVIOUS MEETING

The minutes of the meeting of the Committee held on 19th March 2019 were confirmed as a correct record and signed.

4. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

5. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions were submitted.

6. ROLE AND OPERATION OF THE COMMITTEE

A report of the Head of Strategic Support, providing guidance on the role and operation of the Committee, was submitted (item 7 on the agenda filed with these minutes).

The Democratic Services Manager provided assistance in consideration of this item and advised that the Committee had an advisory and consultative role in relation to the following matters:

- Budgetary and financial issues which either solely or predominantly affect the Loughborough town area;
- Matters of policy and strategic direction which relate to or affect the Loughborough town area.

RESOLVED

That the report be noted.

Reason

To ensure that members of the Committee are aware of its role and operational procedures.

7. DOG CONTROL PUBLIC SPACES PROTECTION ORDER

A report of the Head of Regulatory Services, setting out details of the review of the Public Spaces Protection Order (PSPO) for Charnwood Borough Council for dog control prior to the formal notification and consultation process commences, was submitted (item 8 on the agenda filed with these minutes).

The Enviro-Crime and Dog Control Manager assisted with consideration of the item and the following summarises comments and observations made by Members of the Committee present and responses to questions raised:

- The Council has had a PSPO in place since January 2017. PSPO's run for a maximum of 3 years so the one that covers Charnwood Borough Council for dog control will need to be extended or varied by January 2020.
- There was a first stage consultation which ran from early March 2019 to 24th May 2019. 320 responses were received about the proposals for dog control in the Borough.
- The Power to make, vary or extend an order comes from the powers within the Anti-Social Behaviour Crime and Policing Act 2014. The PSPO is a location based order which covers certain locations with various conditions to promote effective dog control.

- The Act also gives powers to local authorities to deal with individuals for a range of anti-social behaviour including dog control using Community Protection Notices. These two powers mean that the Council can use location based controls where a breach must be witnessed or a control for an individual which can be tailored to the individual's circumstances to deal with a full range of dog control issues.
- The main controls included in the 2017 PSPO will also be included in the PSPO for 2020. Any additional locations or controls which are requested must pass the legal test and must be justified.

- The legal test is:

The local authority may make a Public Spaces Protection Order if satisfied on reasonable grounds that two conditions are met. The first condition is that:

- a) activities carried out on or in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or:
- b) it is likely that activities will be carried out in a public place within that area will have such an effect.

The second condition is that the effect, or likely effect of the activities:

- a) Is likely to be, of a persistent or continuing nature;
 - b) is or is likely to be, such as to make the activities unreasonable:
 - c) justifies the restrictions imposed by the notice
- A report will be submitted to Cabinet on 4th July where approval is sought to publish the notice of intention and the draft order.
 - Following Cabinet and call in period, the Notice period is the next stage where the notice of intention is published so that comments, objections and suggestions can be made formally. After the 28 day period the information is reviewed and a decision is made, to:
 - a. vary the order as drafted;
 - b. Make minor amendments; or
 - c. If there are major amendments – take a further report to Cabinet.
 - Some members reported that residents had raised concerns about dogs not being on a lead in Queens Park especially near the children's play area. At present there was no restriction for dogs to be on a lead as there had been no evidence to support such a restriction. In order to change any conditions, there must be an evidence base so residents should report any incidents. Reports of incidents can be given in web form, by contacting the cleaner greener team on cleaner.greener@charnwood.gov.uk or via the Contact Centre on 01509

634564 or on the website on the page for reporting any dog related issues. Type dog into the search function and all report forms are on the page.

- The responses received did not indicate an overwhelming public aspiration to restrict or limit the number of dogs a person walks at any one time.
- Protection of wildlife deemed very important and indeed where necessary dogs on a lead by direction will be imposed. The condition can be enforced by a designated officer requesting a person to put their dog onto a lead. If the person refuses or fails to keep their dog on a lead they can receive a fixed penalty notice.
- Assistance and therapy dogs are exempted from the conditions in the PSPO and controlled instead through a licensed scheme.
- The Police deal with dog on human incidents, and the Council deal with dog on animal reports or concerns.
- There was discussion about commercial dog walking companies and dog training classes using public spaces. Some Councils such as Bristol City Council had recently introduced a charging scheme for such companies using the public space. It was suggested that officers investigate this further as a potential income stream.
- It was felt that the current mechanisms in place for controls dogs were working. The difference between dogs on lead and dogs on lead by direction was explained to the committee and they were advised that there had been a decrease in incidents since the last Public Spaces Protection Order was implemented in 2017.

RESOLVED

That Cabinet be advised of the above-mentioned comments and observations, when it considers the report to be presented to Cabinet on 4th July 2019.

Reason

To perform the Committee's function to be consulted on matters of policy and strategic direction which relate to or affect the Loughborough town area.

8. LOUGHBOROUGH ANNUAL UPDATE REPORT 2019

A report of the Heads of Finance & Property, Leisure & Culture, Neighbourhoods, and Cleansing & Open Spaces, providing information and updates on significant matters relating to the town of Loughborough, was submitted (item 9 on the agenda filed with these minutes).

The relevant Head of Service assisted with consideration of the item and the following summarises comments and observations made by Members of the Committee present and responses to questions raised:

- the Loughborough Special Expense Outturn was showing a favourable variance of £1k, and that further underspends identified as a result of lower re-charges are dependent on works undertaken in a financial year.
- the Loughborough Special Expense rate had been kept the same for the forthcoming financial year and an additional £17k had been added to the budget.
- Car parks in Loughborough are paid for from the Councils General Fund and not from Loughborough Special Expenses.
- The Town Hall had exceeded its income and profit level projections and whilst a subsidy was still in place, the overall aim was to reduce it.
- In respect of cemetery provision, noted that re-charges are made to the Special rate because of the change of location to Nanpantan, and as such is classed as a Loughborough facility.
- The market scheme improvements aim to improve the layout, attractiveness of entrances, and encourage a wider diversity of traders. One of the key challenges to the improvements related to improving the electrical supply and various possibilities were being explored.
- The development of street food areas was proving to be a great success with a waiting list of traders. It was noted that food hygiene and safety requirements must always be adhered to.
- The replacement of the town's festive lights and associated infrastructure to support an annual town centre dressing programme had been a great success with an increase in footfall.
- In respect of concerns about the increase of empty shops in the town centre, it was noted that the outcome of a bid submitted for high street funding was still awaited.
- A number of initiatives are in ongoing to work in partnership with the University and the BID.
- In respect of the Carillon Tower restoration project, noted it had been delivered on time and within budget. Committee members asked that details of the pre-arranged open days be sent to them in order for them to show their support.
- The Bell Foundry Estate in the east of Loughborough has been designated a People Zone based on a number of data sets and indices relating to crime and deprivation etc.
- Crime levels in Loughborough over the last two years had increased and the new Inspector of Police is very alive to this and has pledged to work proactively with the Council to address the issues.

- In respect of cemetery provision, noted that the two groundsmen do an excellent job and the current cemetery awarded Green Flag status.
- Reminder in respect of burials that a new three tier pricing system has been implemented.

RESOLVED that the report be noted.

Reason

To ensure that members of the Committee are kept up to date on significant matters relating to the town of Loughborough.

9. MEETING DATES

RESOLVED that it be noted that further meetings of the Committee had been scheduled for:

- Wednesday, 18th September 2019
- Wednesday, 18th December 2019
- Wednesday, 18th March 2020.

Reason

To inform the Committee of future meeting arrangements.

NOTES:

1. No reference may be made to these minutes at the Council meeting on 2nd September 2019 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Loughborough Area Committee.