

COMMUNITIES SCRUTINY COMMITTEE

Minutes of a meeting of the Communities Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Thursday, 6 March 2014 at 9.30 am.

PRESENT

Councillors James Davies, Peter Evans, Carys Guy (Vice-Chair), Huw Hilditch-Roberts (Chair), Rhys Hughes, Bob Murray, Cefyn Williams and Huw Williams.

Lead Member Councillor David Smith and Councillor Alice Jones, attended at the Committee's request.

Councillors J.R. Bartley, M.Ll. Davies, G.M. Kensler, A. Roberts and E.W. Williams attended as Observers.

ALSO PRESENT

Corporate Director: Economic and Community Ambition (RM), Head of Housing and Community Development (PM), Section Manager: Traffic and Transportation (MJ), Scrutiny Coordinator (RE), Senior Community Safety Enforcement Officer (TW-E), Planning and Public Protection Administrator (KB) and Administrative Officer (CW).

1 APOLOGIES

Apologies for absence were received from Councillors Win Mullen-James, Joe Welch and Cheryl Williams

2 DECLARATION OF INTERESTS

No Members declared any personal or prejudicial interests in any business identified to be considered at the meeting.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No items were raised which in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act, 1972.

4 MINUTES

The Minutes of a meeting of the Communities Scrutiny Committee held on Thursday, 23rd January, 2014 were submitted.

RESOLVED – *that the Minutes be received and approved as a correct record.*

5 PARKING POLICY AND PARKING AND TRAFFIC REVIEW SCOPING EXERCISE

A copy of a report by the Head of Highways and Environmental Services (HHES), which provided an overview of the draft new parking policy and detailed the scoping exercise carried out to assess options for conducting a Traffic and Parking Review (TPR) for the main towns across Denbighshire, had been circulated with the papers for the meeting.

The Section Manager: Traffic and Transportation (SMTT) introduced the follow up report to the one submitted in November, 2013, Appendix A, when it had been agreed that the parking policy be reviewed and a scoping exercise be undertaken to assess the options for a TPR.

Some items in the existing Policy, Appendix B, were still relevant with some having been superseded due to subsequent developments. The new policy, Appendix C, adopted an approach which recognised the role that effective management of parking could play in supporting the local economy. A well-managed parking regime could have a positive effect in assisting a retail centre. The ten priorities in the new policy had been listed in the report.

It was explained that Action 5.1d in the “Economic and Community Ambition Strategy” had been to carry out a TPR for the main towns across Denbighshire. The exercise had resulted in the development of a suggested methodology for the TPR which had been incorporated in Appendix D. Feedback received from the Economic and Community Ambition Board had been incorporated in the methodology.

The CDECA and Head of Housing and Community Development (HHCD) provided details of the review and its significance in identifying the needs of the residents, local businesses, and its importance in promoting and supporting the local economy.

The TPR had been proposed to evaluate how parking and traffic management could contribute towards the Corporate Priority of developing the local economy, and it had been recognised that parking provision alone could not influence the viability and vibrancy of town centres. The importance of good signage, provision of safe access for pedestrians, cyclists, passenger transport and those with impaired mobility had also been highlighted. It was noted that traffic congestion or a parking “free for all” could potentially create an unattractive, unsafe and unwelcoming environment.

Details of the data provided by present pay and display meters had been outlined, and it was explained that a current lack of data in certain areas had made it more difficult to evaluate and assess the costs involved. The proposed starting point for the TPR had been included in the report, with the final stage being to identify potential solutions to try and improve the influence of traffic and parking management in town centres. A summary of the costs had been incorporated in the report.

Members were informed that the parking policy review would need to be undertaken within existing service budgets, with the effect on costs and income levels requiring assessment during the reviews. The current budget pressure,

primarily relating to Prestatyn and Rhyl car parks, would need to be considered as part of the reviews. An Equality Impact Assessment document had been included as Appendix E.

Members discussed the contents of the report in detail and the following actions and issues were identified:-

- the need to liaise with Town Councils on the most appropriate days to earmark as 'free parking days' to ensure the County does not incur substantial income losses.
- it being important to ensure that all pay and display meters collect relevant and useful data to enable the Council to use it effectively.
- a need for car parks to have clear signage for short and long term stays and that all signage is current and up to date.
- that coach parking provision in towns be incorporated as part of the review.
- the need to explore parking provision in the County's rural areas, particularly in tourist areas.
- Maintenance issues and the number of pot holes in car parks which required attention.

During the ensuing discussion, Members requested that a progress report on the Parking Review be included in the Committee's Forward Work Programme for October, 2014.

RESOLVED – *that, subject to the consideration of the above points and inclusions to the report, the Committee:-*

(a) endorsed the introduction of the new parking policy as drafted in Appendix C to the report.

(b) supported the suggested approach for conducting traffic and parking review for the towns listed in the report, and

(c) requested that the findings of the traffic and parking review be reported to the Committee in the autumn of 2014.

6 SAFER ROUTES SCHEME

A copy of a report by the Head of Highways and Environmental Services (HHES), which detailed the Safe Routes in Communities (SRIC) initiative, and provided the background to the initiative as well as the processes involved at the various stages of a project funded by the Welsh Government's SRIC Grant, had been circulated with the papers for the meeting.

The HHES introduced the report and referred to school related parking problems which were often worse at urban schools. The report highlighted the main aim of SRIC projects, and Appendix A included details of SRIC projects undertaken since 2006. The report summarised the administrative process for the SRIC schemes undertaken, which included the production of a Travel Plan by the respective schools/communities,.

Councillor E.A. Jones and Bodelwyddan Town Council had expressed concerns about the management of the Bodelwyddan SRIC project. Councillor E.A. Jones

provided a detailed summary of the problems which had been encountered by residents in Bodelwyddan, particular reference being made to issues arising following the implementation of the traffic calming scheme on Ronaldsway which had it was claimed exacerbated the problems in the area. The view was expressed by Councillor Jones that this had been a complicated scheme in a small area and concerns had been expressed regarding the quality and standard of work, particularly relating to the provision of the speed cushions.

The suggested differences between the agreed scheme and what was implemented were highlighted and included in Appendix B. Only Phase 1 of the scheme had been implemented to date and details were provided of the consultation process adopted. The drop off area had been added following requests received arising from the consultation responses, and had not been communicated to the Town Council's Travel Committee until after the bid had been submitted due to a lack of time. The tight timescale had arisen from the Travel Committee's desire for the scheme to start as soon as possible, rather than waiting for the next funding cycle. The view had been expressed that the Town Council had not engaged fully in the project and that there had been a lack of ownership of the scheme.

Concerns were raised with respect to the Welsh Government's criteria for this Scheme, as the change in criteria had led to confusion with respect to the Scheme. Members noted the problems that had arisen with the Scheme in Bodelwyddan and agreed that clear lines of engagement and communication between the County Council, contractors, Town and Community Councils and the public were crucial if such schemes were to be successfully delivered. They also requested that officers liaise with Councillor E.A. Jones and the Member Area Groups with respect to the specific problems and consequences of the scheme at Bodelwyddan.

Members agreed that a letter be sent by the Chair on the Committee's behalf to the Welsh Government's Minister for Economy, Science and Transport urging her to review the criteria for the Safer Routes in Communities Scheme and restrict in future to safer routes to schools.

RESOLVED – *that:-*

(a) *subject to the observations provided the Committee supports the continued application for Safe Routes in Communities funding in Denbighshire, and*
(b) *a letter be sent by the Chair on the Committee's behalf to the Welsh Government's Minister for Economy, Science and Transport urging her to review the criteria for the Safer Routes in Communities Scheme and restrict in future to safer routes to schools.*

7 DOG CONTROL ORDERS

A copy of a report by the Head of Planning and Public Protection (HPPP), which detailed the potential for the Council to introduce additional legal controls over dogs and their owners across the County, had been distributed with the papers for the meeting.

Councillor D.I. Smith introduced the report and informed Members of additional

legal powers available to enforce against irresponsible dog owners, and requested approval to allow officers to progress with a public consultation on introducing Dog Control Orders across the County.

The Dogs Fouling of Land Act 1996 and the Clean Neighbourhoods and Environment Act 2005 had been summarised in the report. Dog fouling was a persistent source of complaints and current powers limited the action which could be taken against dog owners who allowed their dogs to foul in certain areas. There was a clear public health and amenity improvement argument for introducing more legal controls, in the form of Dog Control Orders, to address the problem of dog control in a different and more robust way. Dog fouling was currently controlled by the Dogs Fouling of Land Act 1996, which made it unlawful to fail to pick up faeces after your dog had fouled. However there were exemptions on certain kinds of public land including land used for agriculture or woodlands, rural common land, land that was predominantly marshland, moor or heath and highway land with a speed limit of 40mph or more. No enforcement could currently take place in these areas.

Councillor Smith explained that it was proposed that 3 Dog Control Orders be introduced subject to consultation with City, Town and Community Councils, members of the public and other relevant stakeholders. These Orders included:-

- The Draft Fouling of Land by Dogs (DCC) Order 2014. This would make it unlawful to foul on any land within the administrative area of the Council unless the person had permission from the landowner.
- The Draft Dogs on Lead by Direction (DCC) Order 2014. This would make it unlawful to be in charge of a dog which was not on a lead on any highway or any other land which was clearly signed at every entrance highlighting that dogs must be kept on a lead. The 'other land' areas had been defined at Appendix 1.
- The Draft Dogs Exclusion (DCC) Order 2014. This would make it unlawful for dogs to enter a designated area which was clearly signed at each entrance that dogs were specifically excluded. The consultation would set out exactly which areas could be included as exclusion areas, and had been listed at Appendix 2.

Breaching Orders would result in a criminal offence which could either be prosecuted in the Magistrates Court or the dog owner be afforded the opportunity to pay a FPN of between £75 and £150. The current financial penalty was £75 and the tough enforcement approach to the nonpayment of FPN would continue, with persons choosing not to pay their FPN being prosecuted. Councillor H.O. Williams proposed, and Councillor C.H. Williams seconded, an amendment that FPN's be increased from £75 to £100. The vote was tied and the Chair exercised his casting vote in favor of the recommendation in the report, that FPN's remain at £75, and the amendment was lost.

Details of the consultation process undertaken had been included in the report. The need for additional legal controls in the form of Dog Control Orders had previously been agreed as part of the Council's Corporate Anti-Fouling Strategy. If approval was granted to progress, a 28 day consultation period would take place

with City, Town and Community Councils, County Councillors, members of the public and other identified stakeholders. All responses would be discussed with the Lead Member, and it was emphasised that if the Orders were implemented the enforcement approach would need to be sensitive, proportionate and gradual. This would include the use of verbal warnings, appropriate signage and publicity.

Councillor H.O. Williams requested that consideration be afforded to the possibility of extending enforcement areas beyond rural car park boundaries, such as the one at Moel Famau, to cover footpaths, areas within the AONB and other popular locations utilised by the public. Councillor Smith explained that problems had been encountered regarding the placement of dog waste bins and signage within the AONB.

The Committee supported requests from Members that:-

- the Welsh version of the dog fouling signs be rectified as the translation was incorrect.
- a copy of the letter sent to all Town and Community Councils urging them to buy dog fouling bins and invest in keeping their communities tidy be sent to all county councillors for information.
- a communication be sent to all County Councillors advising them on where dog fouling bags could be obtained so that they could inform their residents.
- the feasibility of sending flyers to all residents with their Council Tax bills outlining the penalties for dog fouling offences be explored.

Details of restrictions relating to dogs on beaches within the County was provided in response to concerns raised by Members. Councillor H.O. Williams proposed, and Councillor C.H. Williams seconded, an amendment that FPN's be increased from £75 to £100. The vote was tied and the Chair exercised his casting vote in favour of the recommendation in the report, that FPN's remain at £75, and the amendment was lost.

Following further discussion the Committee supported the principle of introducing dog control orders across the County, and it was:-

RESOLVED – *that the Committee:-*

- (a) support and agree with the Dog Control Order options put forward in the report,*
- (b) recommends that officers be allowed to progress with a public consultation on the introduction of Dog Control Orders across the County, and*
- (c) recommends that the Fixed Penalty Notices associated with the proposed Dog Control Orders be set at £75.*

8 KINGDOM

A report by the Head of Planning and Public Protection and the Public Protection Manager, which provided a comprehensive update on the environmental crime enforcement activities of Kingdom Security Ltd (KSL), how the service was managed and developed over the last 12 month period, and the associated costs, had been circulated with the papers for the meeting.

Councillor D.I. Smith introduced the report and explained that in October, 2012 the Council had appointed KSL to undertake the important role of the enforcement of environmental crime across the County. KSL were responsible for enforcing against environmental crimes such as littering, dog fouling, fly posting, smoking in an enclosed space and graffiti. Dog fouling had been the most persistent source of complaints, with littering being the source of the greatest number of FPN's served.

The role and remit of KSL officers had been summarised in the report. Member briefings had been sent to all Members and City, Town and Community Councils on a quarterly basis to provide updates on officer activities and the number of FPNs which had been served. Appendix 1 incorporated the latest Member briefing.

Special operations had been undertaken to tackle problematic or 'hot spot' areas for dog fouling, which included early morning and weekend operations at various locations. CCTV had been used to support the operations and a successful week long educational event had been undertaken on Rhyl High Street.

With the aid of a PowerPoint presentation the KSL representatives provided Members with video footage of a FPN being issued on the Coast Road between Rhyl and Prestatyn.

Financial information and background details pertaining to FPN's had been included in the report. The total number of patrols undertaken across the County and number of warnings and cautions issued had been incorporated in Appendix 2. Members were informed that particulars relating to complaints received since October, 2012, the investigation procedure adopted, consultation process, risks and the steps implemented to address them had also been provided.

Members were provided with the details of the recently launched "bin it to win it" scheme introduced by KSL to provide further incentive to the public to dispose of their litter and dog waste in a responsible manner. Councillor Smith highlighted the importance of maintaining the momentum of the work being undertaken regarding the enforcement of environmental crime in the County.

In response to concerns raised by Councillor R.M. Murray regarding the provision of guidance and clarity in relation to the requirement for KSL officers to wear official uniforms when undertaking their official duties, the KSL representatives explained that casual dress was more conducive when undertaking certain activities, such as those relating to dog fouling offences. The KSL representatives explained that they would be unable to provide a further response to any complaints received pending a full analysis of any associated evidence. Councillor Murray was informed that he would be provided with a detailed response, which could be related to members of public, pending completion of the investigations. Members were provided with an assurance that KSL officers would in future wear official uniforms when undertaking duties in Town Centres.

Details pertaining to the use of body cameras by KSL officers, and the hours during which the officers undertake their duties, were provided for the Committee.

RESOLVED – that subject to clarification on the Council's guidelines to the Company with regards to enforcement officers' wearing of uniform, to support the continued approach and partnership with Kingdom Security Ltd. for the enforcement of environmental crime.

9 SCRUTINY WORK PROGRAMME

A copy of a report by the Scrutiny Coordinator, which requested the Committee to review and agree its forward work programme and which provided an update on relevant issues, had been circulated with the papers for the meeting.

The Cabinet Forward Work Programme had been included as Appendix 2 and a table summarising recent Committee resolutions, and advising on progress with their implementation, had been attached at Appendix 3 to the report.

The Committee considered its draft Forward Work Programme for future meetings as in Appendix 1, and the following amendments and additions were agreed:-

(a) A report on the scheduling and quality monitoring processes with respect to Council housing refurbishment work to be included in the Committee's Forward Work Programme for May, 2014. The report to detail the improved scheduling and monitoring of refurbishment work on the Council's housing stock to ensure that future contracts are properly monitored to deliver high quality work in a rational way.

(b) A report on the progress and measures taken to date to deliver the Council's Corporate Communication Strategy be included in the Committee's Forward Work Programme for April, 2014. The report to detail the two way communication between the Council and residents, the press and other media channels, and Councillors. Members felt that effective communication would assist the Authority in transmitting its messages across to residents via all available channels.

The Committee agreed that the respective Lead Members be invited to present the reports.

In response to a question from Councillor T.R. Hughes, the Corporate Director: Economic and Community Ambition explained that issues pertaining to the Compulsory Purchase Order in respect of the former North Wales Hospital Site, Denbigh would be presented to Cabinet and the Planning Committee for consideration in due course.

RESOLVED – that, subject to the above amendments and agreements, the Work Programme as set out in Appendix 1 to the report be approved.

10 FEEDBACK FROM COMMITTEE REPRESENTATIVES

The Chair reported he had recently attended the following Service Challenge meetings:-

Human Resources:- Work was being undertaken on issues identified.

Education:- Very positive meeting, good leadership with good work being undertaken.

The Committee endorsed a request by the Chair that the list of Members nominated to attend Service Challenge meetings be circulated.

RESOLVED – that:-

- (a) the report be received and the contents noted, and*
- (b) the list Members nominated to attend the respective Service Challenge meetings be circulated.*

Meeting ended at 12.35 p.m.