

Guildhall Gainsborough
Lincolnshire DN21 2NA
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AGENDA

This meeting will be streamed live (at the below link) and the video archive published on our website

Regulatory Committee
Thursday, 10th September, 2020 at 6.31 pm
Virtual - MS Teams at:

<https://west-lindsey.public-i.tv/core/portal/home>

Members:

- Councillor Mrs Jessie Milne (Chairman)
- Councillor Mrs Angela Lawrence (Vice-Chairman)
- Councillor Liz Clews
- Councillor David Cotton
- Councillor Timothy Davies
- Councillor Mrs Caralyne Grimble
- Councillor Paul Howitt-Cowan
- Councillor Mrs Cordelia McCartney
- Councillor Mrs Judy Rainsforth
- Councillor Jim Snee
- Councillor Jeff Summers

1. **Register of Attendance**
2. **Public Participation**
Up to 15 minutes are allowed for public participation. Participants are restricted to 3 minutes each.
3. **Declarations of Interest**
Members may make declarations of Interest at this point or may make them at any point in the meeting
4. **Minutes of Previous meetings** (PAGES 3 - 7)
To approve the minutes of the Regulatory Committee held on 4 June 2020.
5. **Matters Arising** (PAGE 8)
 - i) Discharge of Trinity Arts PSPO

Agendas, Reports and Minutes will be provided upon request in the following formats:

Large Clear Print: Braille: Audio: Native Language

As mentioned in item 5, the decision to discharge the Trinity Arts Centre Public Space Protection Order is appended here. This took effect from 6 July and was circulated to Committee Members on 27 July. (PAGES 9 - 10)

Ian Knowles
Head of Paid Service
The Guildhall
Gainsborough

2 September 2020

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Regulatory Committee held virtually via Microsoft Teams <https://west-lindsey.public-i.tv/core/portal/home> on 4 June 2020 commencing at 6.45 pm.

Present: Councillor Mrs Jessie Milne (Chairman)
Councillor Mrs Angela Lawrence (Vice-Chairman)

Councillor David Cotton
Councillor Timothy Davies
Councillor Mrs Caralyne Grimble
Councillor Paul Howitt-Cowan
Councillor Mrs Cordelia McCartney
Councillor Mrs Judy Rainsforth
Councillor Jim Snee
Councillor Jeff Summers

In Attendance:
Alan Robinson Director of Corporate Services and Monitoring Officer
Andy Gray Housing and Enforcement Manager
Luke Thomson Community Action & Enforcement Officer
Katie Storr Senior Democratic & Civic Officer
Ele Snow Democratic and Civic Officer
James Welbourn Democratic and Civic Officer

1 CHAIRMAN'S WELCOME AND MOMENT OF SILENCE

The Chairman welcomed all Members and Officers to the first meeting of the Regulatory Committee to be held virtually. She acknowledged the meeting was being broadcast live and welcomed any members of the public who may have been watching.

Having welcomed all present, the Chairman expressed her sadness at the recent passing of Councillor Lewis Strange. After reading the following tribute to Councillor Strange, she requested for all to join in a moment of silence in his memory.

“Before I start this evening’s meeting, and because we held a minute’s silence at the start of the Licensing Committee, I would like to invite you to join me in a few moments of reflection for Councillor Lewis Strange who sadly passed away last Thursday.

Lewis was a long serving councillor of 21 years having first been elected in 1999. He also sat as a Lincolnshire County Councillor.

He was a hard working Member, with the interest of the residents of West Lindsey at heart, a true supporter of all things Lincolnshire a player and supporter especially of cricket, he had many stories to relate about the game.

His tremendous knowledge on many things was a great asset, and he was always there with

words of wisdom should you need help with any problem you may have.

A true gentleman who will be greatly missed for his loyalty, honesty and dedication.”

2 REGISTER OF ATTENDANCE

The Chairman undertook the register of attendance for Members and each Councillor confirmed their attendance individually.

The Democratic Services Officer completed the register of attendance for Officers and, as with Members, each Officer confirmed their attendance individually.

3 PUBLIC PARTICIPATION

The Democratic and Civic Officer confirmed there was no public participation for the meeting.

4 MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Regulatory Committee held on Thursday, 12 March 2020 be confirmed as an accurate record.

5 DECLARATIONS OF INTEREST

There were no declarations of interest at this point in the meeting.

6 MATTERS ARISING

The Chairman invited the Housing and Enforcement Manager to comment on the matters arising. He explained that the query regarding dog waste bags was included in the FAQ section of the first report for consideration by Members. The Member of Committee confirmed he had seen and was satisfied with the response. The Housing and Enforcement Manager also confirmed that council officers did have the authority to scan stray dogs for a microchip however this was usually dealt with by the kennels. He explained to Members that officers were reviewing whether there was more to be done with regards to this.

With no further discussion, the matters arising schedule was noted.

7 DISTRICT DOG FOULING PUBLIC SPACE PROTECTION ORDER

The Housing and Enforcement Manager introduced a report regarding the results of the consultation in relation to the District Wide Dog Fouling Public Space Protection Order (PSPO) and explained that it was recommended that it be varied and extended for a further three years. He highlighted section four of the report to Members, which was a summary of

the responses received. He added there had been a significantly higher number of responses and the majority had been in favour of amending and extending the existing order. Members were advised that there was additional signage being ordered to support the PSPO.

Members of the Committee thanked the Housing and Enforcement Manager for the detail of the report and praised him for the amount of responses his team had dealt with. Powers of enforcement were enquired about and it was explained that council officers targeted areas which were subject to complaints from the public but they also worked closely with Parish Councils and local communities for local level intervention.

With no further discussion, the paper was moved, seconded and voted upon. It was unanimously

RESOLVED that

- a) the results of the consultation in relation to the proposed extension and variation of the PSPO be noted; and
- b) the Dog Fouling PSPO be extended for a three year period from 5 June 2020; and
- c) the Dog Fouling PSPO be varied to include a requirement to produce a device or other suitable means of removing dog faeces and transporting it to a bin (whether or not the dog has defecated).

8 EXTENSION OF PUBLIC SPACES PROTECTION ORDER (PSPO) TRINITY ARTS CENTRE

The second report of the night was introduced by the Housing and Enforcement Manager. He explained the purpose of the report was to seek consent to discharge the Public Space Protection Order currently in place at Trinity Arts Centre in Gainsborough. He highlighted to Members that the Council had had in place a Public Space Protection Order (PSPO) at the Trinity Arts Centre since 2017. This PSPO was due to end on 24 July 2020. During this time, the Council had received no reports from the public in regards to breaches of the PSPO. Council Officers had provided advice to persons on the land on one occasion and the Police had received three alcohol reports in 2017 and two in 2018. As a result of this, it was not felt, at this stage, that the criteria was satisfied in regards to extending the PSPO. The issue did not appear to be persistent and continuing nor did it appear reasonable given the volume of complaints that had been received. It was highlighted to Members that there would be a consultation period and it was requested that the decision to discharge the PSPO be delegated to the Chief Executive, in consultation with the Committee Chairman, subject to the results of the consultation.

There was significant discussion amongst Members voicing concerns that the reason there had been no complaints was because the PSPO was in place. There was consternation that the removal of the Order would lead to a resurgence of problematic behaviour around the area of the Trinity Arts Centre. The Housing and Enforcement Manager was clear that the regulations governing PSPOs did not allow for potential problems, rather they had to focus

on the evidence of existing and continuing issues. As this was not the case, it was not recommended for the PSPO to be extended. He assured Members that should there be such problems after the expiration of the PSPO, there would be the option to reinstate a PSPO for the area. He also advised that there were alternative district-wide PSPOs which could be drawn upon to address difficulties which may arise.

Members of the Committee understood that the PSPO could not be in place in perpetuity and as the end of the three year time limit was approaching, it would be necessary to review the situation in due course.

Having been moved, seconded and voted upon, it was

RESOLVED that

- a) the Council consult upon the discharge of the PSPO at Trinity Arts Centre; and
- b) subject to the results of the consultation, the decision on discharging the PSPO be delegated to the Chief Executive in conjunction with the Chairman of the Regulatory Committee.

9 FOOD AND HEALTH AND SAFETY WORK PLAN 2020/2021

The Housing and Enforcement Manager introduced the final report of the evening, the purpose of which was to seek approval for the Food, Health and Safety Work Plan 20/21. He explained that the Council was required to produce and approve a work plan that was in line with the Food Standards Agency Framework Agreement and the Statement of Commitment agreed nationally between Local Authority Representatives and the Health and Safety Executive. The plan covered all work undertaken within the Housing and Environmental Enforcement work area relating to Food and Health and Safety. The purpose of the work plan was to set out how the Council delivered its official controls and fulfils its duties under food, health and safety, public health and drinking water legislation.

It was explained to Members that, as a result of the global pandemic, the Food Standards Agency had suspended all routine food safety inspections but the Enforcement Team still reserved the right to inspect a premises should there be any complaint received. He also added that several of the inspectors were involved in frontline work relating to covid-19. A Member of Committee enquired whether there had been any reports of food places breaking the law and it was confirmed that there had been reports of places operating outside of the lockdown regulations but there had been no complaints about food places.

Members of the Committee thanked the Manager and his team for their work and it was unanimously

RESOLVED that

- a) the progress made within the Food and Health and Safety work area during 2019/2020 be noted; and

- b) the Work Plan for 2020/21 be approved.

The meeting concluded at 7.46 pm.

Chairman

Regulatory Committee Matters Arising Schedule

Purpose:

To consider progress on the matters arising from previous Regulatory Committee meetings.

Recommendation: That members note progress on the matters arising and request corrective action if necessary.

Meeting Licensing and Regulatory Committee

Status	Title	Action Required	Comments	Due Date	Allocated To
Black	Dog waste bags	Councillor Paul Howitt-Cowan asked whether it would be possible to run past the legal team how many dog bags would need to be carried by a responsible dog owner?	Details explained in report to committee 4 June 2020	04/06/20	Andy Gray
Black	Microchipping	Andy agreed to find out which authority was responsible for dealing with dog microchipping.	Committee updated 4 June 2020	04/06/20	Andy Gray
Black	TAC PSPO	Following committee in June 2020, a consultation was to take place on any potential extension of the Trinity Arts Centre PSPO.	The consultation had taken place and there had been no responses, although Ward members had consulted with the Housing and Enforcement Manager. The delegated decision on this matter will be appended to the agenda for September's meeting.	03/09/20	James Welbourn
Green	PSPO Monitoring Report	Andy to bring back PSPO monitoring report in December to Regulatory Committee.	(blank)	10/12/20	Andy Gray



DELEGATED DECISION

Date: 3 July 2020

Subject: Trinity Arts Centre – Discharge of Public Space Protection Order

Background

The Regulatory Committee at its Meeting on 4 June 2020, resolved that: -

- a) the Council consult upon the discharge of the PSPO at Trinity Arts Centre; and
- b) subject to the results of the consultation, the decision on discharging the PSPO be delegated to the Chief Executive in conjunction with the Chairman of the Regulatory Committee.

Notes relevant to decision

That consultation has now been undertaken and no responses were received, nor additional evidence provided to suggest that the PSPO should not be discharged. The normal statutory consultees were contacted and other than initial responses from the Police, only the ward councillors provided comments in a meeting with the relevant officers.

These comments have been summarised and sent back to ward members as part of the process and remain on file.

On that basis, it is proposed that the PSPO now be discharged and as a result will cease to have an effect from Monday 6th July 2020.

Financial Detail

None arising from the decision to discharge – FIN REF 16/21/A/SSc

Decision

That The Trinity Arts Centre PSPO is discharged and will cease to have effect from Monday 6 July 2020.



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Ian Knowles
Chief Executive

As the Chairman of the Regulatory Committee I have been fully consulted on this matter



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Councillor Jessie Milne
Chairman of Regulatory Committee