

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Regulatory Committee held in the Virtual - MS Teams on 11 March 2021 commencing at 6.30 pm.

Present: Councillor Mrs Jessie Milne (Chairman)

Councillor Liz Clews
Councillor David Cotton
Councillor Mrs Caralyne Grimble
Councillor Mrs Cordelia McCartney
Councillor Mrs Judy Rainsforth
Councillor Jim Snee

In Attendance:

Andy Gray	Housing and Enforcement Manager
Katie Storr	Senior Democratic & Civic Officer
James Welbourn	Democratic and Civic Officer

Apologies: None.

15 PUBLIC PARTICIPATION

There was no public participation.

16 DECLARATIONS OF INTEREST

Councillor David Cotton declared a non-pecuniary interest in items 19 and 20 as their subject matter was Public Space Protection orders (PSPOs); should any PSPOs be subject to a court case, as a magistrate he would not be allowed to sit in on the hearings.

This did not preclude him from speaking, or voting on those items.

17 MINUTES OF PREVIOUS MEETINGS

The minutes of the meeting held on 10 September 2020 were approved as a correct record.

The meeting notes from the hearings held on 6 October 2020, 17 November 2020 and 25 February 2021 were noted.

18 MATTERS ARISING

The matter arising was noted.

19 PUBLIC SPACE PROTECTION ORDERS - GENERAL UPDATE

Members considered an update on the work undertaken in relation to PSPOs.

This report was before committee as Members had previously thought it useful to have regular updates on this topic.

The following pieces of information were highlighted:

- The District wide dog fouling PSPO was in place and was due to expire in June 2023. This related to the removal and disposal of dog fouling, as well as dog owners carrying the means to remove dog fouling;
- The PSPO previously in place at the Trinity Arts Centre expired in 2020;
- There were processes already in place for consultation. The response to the consultation on dog fouling was remarkable at over 1000 responses. Clearly matters such as dog fouling were relevant to West Lindsey's local communities;
- There was a list of PSPOs at section 4 of the report that had been talked about at committee, or raised outside of this process. The topics were:
 - **District wide dog control**: this would broaden work carried out into dogs on leads and areas that dogs can, or can't access. Gainsborough Town Council had raised concerns about some of their sites, including playing fields. This order across the District would be a huge piece of work, so it could make sense to focus this work where it was most appropriate;
 - **Household waste** – this issue arose when looking into bagged waste at the curb side. Legislation on littering as a result of the presentation of household waste was a 'three-strike' fixed penalty. On a third offence, the offender would receive a fixed penalty. A PSPO here would allow for a quicker penalty as a specific area would be given a set of requirements;
 - **Town Centre based PSPO** – this arose following discussions with ward Members in Gainsborough South-West about the now defunct Trinity Arts Centre PSPO, and whether anything could be done about street drinking. There was currently a PSPO in force in Lincoln City Centre. Unfortunately, the last 12-18 months have not helped in deciding whether this is a problem that needs addressing due to Covid-19.

Following this introduction, Members then asked questions of the Housing and Enforcement Manager. Further information was provided:

- If someone were to have committed three offences and received a penalty, on a 4th offence officers could start the whole process again, or more likely, would go straight to another fine to avoid undermining the process. To date, this had not happened to the knowledge of officers present;
- Officer time was always well spent when looking to educate residents, particularly around waste;
- There were existing powers on wheelie bin waste and side waste. If there were any reports of early presentation of waste, West Lindsey District Council (WLDC) would

contact the resident and ask them to take their bin back onto their land;

- The WLDC policy on side waste, or waste that was not in a bin but at the side of the bin, advises not to collect this waste. However, this would depend on the round or circumstance as on some occasions this was being collected;
- Fixed penalty powers were in place for general littering. The general principle behind PSPOs was that they cannot be used if there was an existing power in place. To help counter littering, engagement with schools and Parish Councils was key;
- It was important to be realistic around Council resources on litter picking. Clearly, the busy areas, such as main roads would be undertaken by WLDC teams, but other communities have taken it upon themselves to organise litter picks;
- The general rule around preventative signage was that officers could install a sign wherever it was needed. The signs were not of a size that caused any obstruction. Scope was there to work with schools on more localised signage, but a dedicated piece of work would be required for this to come to fruition.

The report was then moved and seconded, and following a vote it was unanimously **RESOLVED** to:

- (1) Note the content of the report and the update it provided;
- (2) Approve that the findings in relation to the future Public Space Protection Order (PSPO) proposals were brought back to committee within 12 months for a decision to be made on whether or not to pursue them.

20 HEMSWELL CLIFF PUBLIC SPACE PROTECTION ORDER

Members considered an update on the Hemswell Cliff Public Space Protection order, and a request to go to a consultation.

The current PSPO was due to expire in June 2021, and officers felt there was strong justification for extending it, as the PSPO had had a real impact. There would be a further meeting with Hemswell Cliff Parish Council to discuss any issues they may have.

A number of officers from WLDC had been involved with this work, and it had been a collective effort.

Comment from Councillors included praising the improvement seen at Hemswell Cliff and putting on record thanks to Councillor Paul Howitt-Cowan for his input.

Members were informed that some of the anti-social behaviour previously seen at Hemswell Cliff was related to deprivation and property prices. Hemswell Cliff was a specific example of seeing the result of fast house sales following the relinquishing of ownership by the Ministry of Defence.

The report was moved, seconded, and following a vote it was unanimously **RESOLVED** to approve the proposal to consult upon the extension of the Hemswell Cliff Public Space

Protection Order.

21 WORKPLAN

Members were informed that in addition to the reports contained within the workplan, there would be further reports to come to Regulatory Committee on the Gambling Act, and on abandoned shopping trolleys.

The workplan was then noted.

The meeting concluded at 7.26 pm.

Chairman