

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Regulatory Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 19 June 2017 commencing at 6.30 pm.

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

Councillor Mrs Gillian Bardsley
Councillor Owen Bierley
Councillor Paul Howitt-Cowan
Councillor Mrs Pat Mewis
Councillor Mrs Diana Rodgers

In Attendance:
Kathryn Hearn Senior Community Safety Officer
Dinah Lilley Governance and Civic Officer

Apologies: Councillor David Cotton
Councillor Mrs Maureen Palmer
Councillor Mrs Judy Rainsforth
Councillor Lewis Strange

Membership: There were no substitutions

5 PUBLIC PARTICIPATION

There was no public participation.

6 MATTERS ARISING

The Governance and Civic Officer noted that the outstanding Matters Arising was not yet due for completion, as it was a six month comparison of the costs of a PSPO against that of a dog warden.

RESOLVED that the Matters Arising Schedule be noted.

7 DECLARATIONS OF INTEREST

There were no declarations of interest.

8 MINUTES OF PREVIOUS MEETINGS

RESOLVED that the minutes of the meeting of the Regulatory Committee of 8 May 2017 be signed as a correct record.

RESOLVED that the minutes of the meeting of the Regulatory Sub-Committee of 19 May 2017 be noted.

9 PUBLIC SPACE PROTECTION ORDER GAINSBOROUGH TOWN COUNCIL LAND

The Senior Community Safety Officer informed the Committee that West Lindsey District Council had held a consultation on a proposal to make a Public Space Protection Order (PSPO). These Orders could be made on any land open to the air that the public have a right or entitlement of access to.

The proposal was to replace Dog Control Orders on Gainsborough Town Council (GTC) land, with PSPOs on all GTC land, to encompass restrictions on dogs, drinking of alcohol and recreational use of motor vehicles. The consultation was based on a request by GTC following reports by GTC staff and local residents about anti-social behaviour and environmental issues.

Public consultation was held from 10 April 2017 to 15 May 2017 including local press, social media, electronically and paper copies of the questionnaire. Statutory consultees were notified by direct email, including a link to the website consultation page.

While the responses received showed support for the PSPO, it was not felt that the 12 responses received was sufficient to make a recommendation. To do so could leave the council open to a legal challenge that the restrictions imposed were not justified.

It was therefore proposed that this consultation should be reopened for a further six weeks, with additional promotion and publicity to try to engage a wider response. Gainsborough Town Council have been informed of this and advised to promote the consultation amongst its network.

The recommendation proposed that this proposal return to the Regulatory Committee in September 2017 for a recommendation following the further consultation, however, due to operational capacity it was suggested that this request the resubmission to a 'future' meeting rather than specifying September.

Members of the Committee agreed that the response was disappointing and that to re-open the consultation was the right thing to do. It was questioned what would happen if no further responses were received. Whilst there was no guidance or legislation specifying the response rate, it was felt that to give a further opportunity to comment would ensure that every effort had been made to consult with the public and interested parties.

The amendment to the recommendation was moved, seconded and voted upon and it was:

RESOLVED that the date for the report to return to the Committee be non specific.

The amended recommendation was then moved, seconded and voted upon, and it was:

RESOLVED that:

- a) the results of the public consultation be noted; and
- b) the report be submitted to a future Committee meeting following further consultation.

10 PUBLIC SPACE PROTECTION ORDER TRINITY ARTS CENTRE

The Senior Community Safety Officer informed the meeting that West Lindsey District Council had held consultation on a proposal to make a Public Space Protection Order. These Orders could be made on any land open to the air to which the public have a right or entitlement of access.

It was proposed that an order be made on the land at the Trinity Arts Centre (TAC) including the pocket park on Cleveland Street, to ban the consumption of alcohol in the outdoor space and to restrict access by dogs. This was considered following numerous complaints relating to this issue by staff at, and visitors, to the TAC, as well as local residents.

Public consultation was held from 10 April 2017 to 15 May 2017 including local press, social media, electronically and paper copies of the questionnaire. Statutory consultees were notified by direct email, including a link to the website consultation page. An email was also sent to all addresses on the Trinity Arts Centre distribution list.

78 responses were received. A small number of respondents had not agreed with the alcohol ban or the restrictions on dogs, however the majority were in favour.

The recommendation therefore was that the PSPO be made; that the drinking of alcohol or possession of an open container of alcohol within the land at Trinity Arts Centre and the pocket park be banned; that dogs be excluded from the land (except for guide dogs and medical alert dogs).

It should be noted that drinking alcohol or having an open container of alcohol in the land would not in itself constitute a breach of the PSPO; a breach would occur when the drinker was asked to move on or hand over the alcohol by an authorised officer and did not comply.

The effective date of 24 July 2017 was proposed to allow for publicity, internal preparations and local signage. A copy of the final draft order was attached to the report Annex A.

Members sought clarification that no forms of support/guide dogs would be excluded by the order, this was affirmed.

It was agreed that the antisocial behaviour associated with alcohol was often intimidating, and it was questioned how enforcement would be carried out. The Senior Community Safety Officer acknowledged that it would be a learning process to see what worked best, and that training was being offered to Town and Parish Councils, TAC staff etc, and there would also be CCTV coverage. It was suggested that it would be useful to see feedback after six months on how the scheme had worked.

All agreed that this would be an excellent piece of legislation which would enhance the reputation of the Trinity Arts Centre and improve the amenity of nearby residents.

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The recommendations were therefore moved, seconded and voted upon.

RESOLVED that:

- a) the results of the public consultation be noted; and
- b) the making of the Public Space Protection Order be agreed with an effective date of 24th July 2017.

The meeting concluded at 6.54 pm.

Chairman