

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 15 March 2018 commencing at 6.30 pm.

Present:

Councillor Mrs Jessie Milne (Chair)
Councillor Mrs Angela Lawrence (Vice-Chairman)

Councillor Mrs Gillian Bardsley
Councillor Owen Bierley
Councillor David Cotton
Councillor Mrs Pat Mewis
Councillor Mrs Judy Rainsforth
Councillor Mrs Diana Rodgers

In Attendance:

Andy Gray Housing and Enforcement Manager
Phil Hinch Licencing & Local Land Charges Manager
Kathryn Hearn Senior Community Safety Officer
James Welbourn Democratic and Civic Officer

Apologies:

Councillor Maureen Palmer

25 PUBLIC PARTICIPATION

There was no public participation.

26 DECLARATIONS OF INTEREST

Councillor David Cotton declared a non-pecuniary interest in item 29 (Wheelchair Accessible Vehicles in relation to the Equality Act 2010) as he occasionally uses a wheelchair.

27 MINUTES OF PREVIOUS MEETINGS

RESOLVED that the minutes of the meeting of the Regulatory Committee of 12 December 2017 be signed as a correct record.

Councillor Jessie Milne requested an update on the safeguarding training item from December's meeting. The Licensing and Local Land Charges Manager confirmed that there were 12 taxi drivers who had not completed the training prior to December's meeting. Of those twelve drivers, one subsequently completed the training and the other eleven had their licences suspended.

28 MATTERS ARISING

The Senior Community Safety Officer updated committee members on:

- The costs of the District wide Public Space Protection order (PSPO) to tackle dog fouling, against the cost of employing a dog warden over a six month period;
- The success or not of all PSPOs, and how enforcement was to be carried out.

It has been difficult to cost the district wide PSPO because it had been done within parts of other officer's roles. However, the indication was that the current approach to PSPOs was more cost effective than having a full-time dog warden.

It had been agreed through an earmarked reserve from vulnerable communities to put in place a three year contact for someone to do specific work on enforcement of fixed penalty and PSPO offences. Included within that would be the provision for the extension of CCTV within Gainsborough, some support for private sector landlords, and young person's projects within the south-west Ward.

As yet, no fixed penalty notices have been issued, but the option to do was there. Communication with parish councils had been increased as a result of the introduction of fixed penalty notices.

ID cards were required for locally appointed dog wardens before they could go out. These were being developed.

29 WHEELCHAIR ACCESSIBLE VEHICLES IN RELATION TO THE EQUALITY ACT 2010

Members considered a report from the Licensing and Local Land Charges Team Manager on Wheelchair Accessible Vehicles in relation to the Equality Act 2010.

The report was about providing greater accessibility and increased equality for those who need to travel in licensed vehicles. These provisions could be made under the Equality Act 2010 using sections 165, 166 and 167 – these became effective in 2017.

Further points were highlighted:

- These changes are not mandatory, but the government recommended that they be implemented;
- If the recommendations were approved, the relevant taxi and private hire operators would have their vehicles placed on a list; therefore drivers could no longer discriminate against wheelchair users;
- Drivers could apply for an exemption not to provide assistance for wheelchair users on medical grounds, but if the council resolved not to issue an exemption, the drivers

would have to appeal that decision in the courts;

- If a vehicle was placed on the list against the wishes of a driver, this could also be appealed at court.

RESOLVED:

- (1) That, under the Equality Act 2010, to approve the introduction of a list of designated wheelchair accessible vehicles licensed by this Authority. The list is to be made up of all relevant hackney carriage and private hire vehicles;
- (2) To delegate the authority to grant long-term exemptions (in excess of three months to licensed drivers on medical grounds and/or the driver's physical condition) to the Regulatory Sub-Committee;
- (3) To delegate to the Head of Paid Service the authority to grant short-term exemptions (up to 3 months) to licensed drivers on medical grounds and/or the driver's physical condition = this matter to be included in the annual review of the Constitution at Governance and Audit committee.

30 HEMSWELL CLIFF PUBLIC SPACE PROTECTION ORDER - RECOMMENDATION ON MAKING AN ORDER

Members considered a report on the results of a public consultation on a proposed PSPO at Hemswell Cliff.

The following points were highlighted:

- Hemswell Cliff was now part of a wider strategy agreed at Prosperous Communities committee;
- The consultation ran from 11 December 2017 to 22 January 2018, meeting the Council's standard consultation period. Public notices were placed in local media, as well as there being articles in the local press. Documents were available on the council's website, at the Guildhall and in the local school. All statutory consultees were notified directly by email;
- 35 people responded to the consultation – a good response rate for a small area. Residents, business, representatives from the school, visitors and landlords were amongst the responders;
- Out of those that responded, 33 people indicated that they had witnessed anti-social behaviour, or had witnessed an environmental incident at Hemswell Cliff. The remaining 2 people knew someone that had witnessed an incident falling into one of the above categories;
- There were a number of different issues raised, such as waste and litter, or the grazing of animals. Other issues raised outside the scope of the PSPO had been

passed onto the relevant team within the council to deal with;

- 34 respondents were in favour of making the PSPO; the other remaining consultee was unsure.

A change to recommendation 2 as written in the report was moved and seconded, and it was:

RESOLVED to:

- (1) Note the results of the public consultation;
- (2) Approve the making of the Public Space Protection order (PSPO), with an effective date of 4 June 2018.

The meeting concluded at 6.52 pm.

Chairman