

Public Document Pack

Date of meeting Tuesday, 13th March, 2018
Time 7.00 pm
Venue Committee Room 1, Civic Offices, Merrial Street, Newcastle-under-Lyme, Staffordshire, ST5 2AG
Contact Jayne Briscoe 2250



**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

Civic Offices
Merrial Street
Newcastle-under-Lyme
Staffordshire
ST5 2AG

Cleaner Greener and Safer Communities Scrutiny Committee

AGENDA

PART 1 – OPEN AGENDA

- 1 DECLARATIONS OF INTEREST**
To receive declarations of interest from Members on items included in the agenda.
- 2 MINUTES OF THE PREVIOUS MEETING** (Pages 3 - 6)
To receive the minutes of the previous meeting of this Committee.
- 3 DOG CONTROL ORDERS** (Pages 7 - 12)
- 4 SUBWAYS REPORT - FINAL RECOMMENDATIONS - PROGRESS** (Pages 13 - 14)
- 5 AIR QUALITY IN THE VICINITY OF THE BUS STATION - RECOMMENDATION**
- 6 WORK PLAN** (Pages 15 - 18)
To discuss and update the work plans to reflect current scrutiny topics
- 7 PUBLIC QUESTION TIME**
Any member of the public wishing to submit a question must serve two clear days' notice, in writing, of any such question to the Borough Council.
- 8 URGENT BUSINESS**

To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act 1972.

9 DATE OF NEXT MEETING

Members: Councillors Burgess (Vice-Chair), Cooper, Dillon, P Hailstones, Jones, Mancey, Naylor (Chair), Panter, Reddish, Snell and G Williams

PLEASE NOTE: The Council Chamber and Committee Room 1 are fitted with a loop system. In addition, there is a volume button on the base of the microphones. A portable loop system is available for all other rooms. Should you require this service, please contact Member Services during the afternoon prior to the meeting.

Members of the Council: If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

Meeting Quorums :- 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

FIELD_TITLE

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

NOTE: THERE ARE NO FIRE DRILLS PLANNED FOR THIS EVENING SO IF THE FIRE ALARM DOES SOUND, PLEASE LEAVE THE BUILDING IMMEDIATELY FOLLOWING THE FIRE EXIT SIGNS. PLEASE **DO NOT** USE THE LIFTS.

COUNCIL CHAMBER: FIRE EXITS ARE AT THE REAR OF THE CHAMBER AT BOTH SIDES AND THIS IS THE SAME FOR OCCUPANTS OF THE PUBLIC GALLERY.

COMMITTEE ROOMS: EXIT VIA THE WAY YOU ARRIVED AT THE MEETING OR AT THE FAR END OF THE COUNCIL CHAMBER.

ON EXITING THE BUILDING, PLEASE ASSEMBLE AT THE REAR OF THE ASPIRE HOUSING OFFICE OPPOSITE THE CIVIC OFFICES. DO NOT RE-ENTER THE BUILDING UNTIL ADVISED TO DO SO.

Classification: NULBC **UNCLASSIFIED**

Cleaner Greener and Safer Communities Scrutiny Committee - 04/10/17

CLEANER GREENER AND SAFER COMMUNITIES SCRUTINY COMMITTEE

Wednesday, 4th October, 2017
Time of Commencement: 7.00 pm

Present:- Councillor Wenslie Naylor – in the Chair

Councillors Burgess, Dillon, Jones, Mancey, Panter,
Sweeney and G Williams

Officers Executive Director (Operational Services)
- David Adams, Nesta Barker - Head of
Environmental Health Services, Andrew
Bird - Head of Recycling, Waste and
Fleet Services, Jayne Briscoe - Scrutiny
Officer and Graham Williams -
Engineering Manager

1. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

2. **APOLOGIES**

An apology was received from Councillor P Hailstones. Councillor Hailstones was represented at the meeting by Councillor John Cooper.

3. **MINUTES OF THE PREVIOUS MEETING - 27 SEPTEMBER 2017 - TO FOLLOW**

Resolved: The minutes of the meeting held on 27 September were circulated and agreed as a correct record.

4. **EXAMINATION OF THE AIR QUALITY IN THE VICINITY OF NEWCASTLE BUS STATION**

The Head of Environmental Health Services presented this report which was requested by members into the management of air quality, with particular reference to the bus station.

In accordance with statutory duties the Local Authority has responsibility for monitoring local air quality and during 2015 four Air Quality Management Areas (AQMAs) were declared for exceedances of the pollutant nitrogen dioxide. One of these areas included the vicinity of the bus station.

With regard to improving air quality members noted initiatives such as Eco-stars, the anti-idling campaign and reporting a smoky bus to the Driver and Vehicle Standards Agency.

Continuing, the Engineering Manager explained that the issue of keeping bus engines running whilst in the bus station had been raised at the last meeting with the

bus companies. The bus companies had outlined the measures that had been taken to help improve air quality and suggested the erection of signs reminding drivers to switch off engines after 4 minutes idling, if this was not automatic.

Agreed That Cabinet be recommended to pursue the erection of signs at the bus station to direct bus drivers to switch off engine after 4 mins idling.

5. **REVIEW OF THE COUNCILS WASTE AND RECYCLING SERVICE**

The Chair introduced Mr Andrew Bird, who had recently been appointed as Head of Recycling, Waste and Fleet Services.

The Head of Recycling, Waste and Fleet Services presented this report which examined the implementation of the recommendations of the Independent Review of the Implementation of the New Recycling and Waste Collection Service.

Members scrutinised each action on an individual basis.

In response to a question raised by a member for the Clayton area who referred to past difficulties regarding the timely collection of recycling it was confirmed that this issue was scrutinised on a daily basis and that the problems were unlikely to reoccur.

A member for the Kidsgrove area asked about the collection of recycling and at this point the Chair suggested that specific ward matters would be more appropriately raised with the Manager outside of the meeting. The officer confirmed that he was willing to attend site meetings with the ward councillors to look at individual issues.

It was acknowledged that there were unresolved difficulties due to the interface of 2 computer operating systems in respect of assisted collections.

The policy on the enforcement of kerbside collection had been sent to all members and Councillors were asked to raise any issues on the policy with the Head of the Service.

Regular meetings were held with the Customer Services Team to examine any service issues and as part of the planning process of any future major service change.

The latest information regarding the Missed Bin KPI for the month of September was circulated to members and the Executive Director noted that the total number of 442 was relatively low when compared to the 110,000 bins collected per month.

Councillor Panter thanked the service on behalf of the residents of Kennels Lane, Chapel Chorlton for their prompt attention and resolution to an issue.

Agreed That the report be received.

6. **REVIEW OF THE CLOTH NAPPY SERVICE**

In response to a request from a member a report was submitted on the cloth nappy service, as described on the Borough Council Website.

The Real Nappy Trail offers parents in the Borough an opportunity to borrow a trail kit for two weeks to see what they think of real nappies. Available in new born, birth to potty and toddler sizes the kits contain a variety of real nappies.

The kits are free to borrow but a £25 deposit is required which is refunded on return of the kit.

The Head of Recycling, Waste and Fleet Services explained that the nappy service was not a statutory requirement and was introduced as part of a larger waste minimization campaign when there was a reduction in frequency of residual waste collections.

In response to questions about take up of the service he confirmed that the 6 tester kits had been requested about 6 times in the 4 years since the service had begun.

Members went on to examine the merits of this service being offered by the Borough both in terms of the costs of providing the service including officer time and the specialised laundering required when the kits were returned and the visibility and promotion of the service to the public and the difficulties that could be caused by creating demand that could not be met within existing resources.

It was noted that the North Staffs Nappy Service was a non-profit organisation offering free and impartial advice as well as demonstrations relating to all aspects of cloth nappies. Their aim is to support and educate families who are already using or interested in using cloth nappies. The service covers Newcastle-under-Lyme and Stoke-on-Trent. Members considered that it would be more appropriate to signpost residents to this service on the Borough web site.

Agreed That Cabinet be requested to signpost residents to the service offered by the North Staffs Nappy Service www.facebook.com/northstaffsnappyservice

7. **WORK PLAN**

The Scrutiny Officer circulated an amended work plan. In relation to the impact of the introduction of parking restrictions on the Lyme Valley a member commented that the need to take action was becoming increasingly apparent and concerns were expressed at the impact on adjoining areas.

8. **PUBLIC QUESTION TIME**

There were no members of the public presented at the meeting.

9. **URGENT BUSINESS**

The Chair reported on the decision of Cabinet (26/09/17) in respect of the recommendations from Cleaner, Greener, and Safer Scrutiny Committee in respect of Subways. On behalf of the Portfolio holder, Councillor Ann Beech the Chair thanked members of the Scrutiny Committee for their work on this important issue.

The report will now be forwarded to Staffordshire County Council with the request that they consider the issues highlighted and having considered these, confirm to the Borough Council whether they will put an Action Plan in place to secure a regular, sustainable programme of maintenance and repair to the subways in the Borough.

10. **DATE OF NEXT MEETING**

The date of the next meeting is 28 February 2018.

COUNCILLOR WENSLIE NAYLON
Chair

Meeting concluded at 8.00 pm

Report to the Cleaner Greener Safer

Overview and Scrutiny Committee

28th February 2018

Dog Control Orders



Report Author: *Nesta Barker & David Beardmore*
Job Title: *Head of Environmental Health Services/Environmental Services Team Manager*
Email: *Nesta.Barker@newcastle-staffs.gov.uk*
Telephone: *01782 74 2732*

Introduction

Across the Borough one in four households have one or more dog. Most dog owners act responsibly and their pets pose no problems for other residents. However, a minority are less considerate.

The council now receives 800 dog related complaints each year. Of those about 160 (20%) relate to dog fouling. Streetscene receive a similar number of requests for fouling removal. There are approximately 50 complaints about dogs behaving dangerously each year. Whilst the total number of complaints to the dog wardens are reducing, complaints about fouling are largely unchanged year on year.

Fouling bins, provided by Operational Services are well used with steady demand for additional bins. In some locations bagged dog waste, left by residents, is becoming a problem.

Cleaner Greener and Safer Communities Scrutiny Committee Chair explained on Wednesday, 27th September that she wished to review recent dog fouling initiatives to be included at the 28 February meeting.

This report details the dog controls currently in force and the action taken to publicise and enforce them.

Background

The authority has previously created four Dog Control Orders which came into effect on 1st April 2013. Legislative changes obliged the authority to review whether the controls remained fit for purpose. This review took place during summer 2017, and included a period of public consultation during August and September 2017. On 21st September 2017 Public Protection Committee agreed updated controls by adopting

a Public Spaces Protection Order (PSPO). The order applies across the whole of the borough for a period of three years, and on the whole simply continues the previous controls, without significant change.

Controls currently in force

The following details the six controls currently in force and has been reproduced from the council's website: www.newcastle-staffs.gov.uk/dogcontrols

Dog Fouling

It is an offence for an owner to allow their dog to foul any public place and not immediately remove the waste. These controls apply to almost all public places such as grass verges, pavements, churchyards and public open spaces.

Dog owners should carry a poop-scoop or other means with which to pick up and dispose of their dog's waste. Fouling controls apply whether or not there are signs or dog bins in the area. The Council is committed to placing more fouling bins in areas regularly used by dog walkers, however, where no bins are present dog owners should dispose of fouling in their domestic refuse bin.



Dog Exclusions

What it means

Dog walkers cannot take their dog into certain places – even if they have it on a lead.

Where it applies

Dogs are excluded from the following areas:

- Fenced or enclosed **children's play areas** signed at its entrance(s) as a "dog exclusion area" which are designated and marked for children's play
- Fenced or enclosed games areas such as tennis and ball courts, multisport areas, skate parks
- The grassed portion of all **bowling greens**
- Fishing **pools managed by angling clubs** as per their signs
- Fenced or enclosed portions of **Apedale Country Park** - signed at its entrance(s) as a "dog exclusion area" which are designated for wildlife conservation
- Open space owned by parish and town councils signed at its entrance(s) as a "dog exclusion area".

These areas have been chosen because the presence of a dog, however well behaved, could cause problems and, on balance, we feel it would be better that the dog was not there.

The sites we have selected are all relatively small and have a fence around them. They have a limited number of entrances where appropriate signs can be displayed.



Dogs on Leads



Requires dogs to be on a lead in specific places

What it means

Dog walkers must keep their dog/s on a short lead (no longer than two metres) when they walk it in certain places

Where does it apply?

Dogs must be kept on a lead when being walked in the following areas:

- **Bradwell Crematorium, churchyards, cemeteries and closed churchyards**
- **Formal gardens**
- Marked out **sports pitches**
- **Unfenced children's play equipment** and a portion of the playing fields, extending 20 metres in all directions from it.
- Fenced/enclosed portions of **Apedale Country Park** signed at its entrance(s) as a "dogs on leads area" which are designated for wildlife conservation
- The northern section of **Bathpool Park**, from its entrance and car park at Boathorse Road, along the main access path which runs from the car park at Boathorse Road, adjacent to the children's play area - and - rugby pitches to its junction with footpath 146 which crosses the dam wall.
- Paths which adjoin Bathpool reservoir's main fishing pool and continue along the eastern side of the reservoir
- Public rights of way: Kidsgrove 130 to the reservoir embankment 144, 146 and 182.
- Fishing pools managed by angling clubs as per their signs
- Open space owned by parish and town councils as per their signs

Dogs on Leads by Direction

Requires dogs to be placed on a lead when requested to do so by an authorised officer.

What does it mean?

Officers such as dog wardens, park rangers, police officers and PCSOs can tell dog walkers to put their dog on a lead if they feel it is necessary for the safety of the dog or to safeguard others. If you fail to follow their instructions, they can issue a fixed penalty notice.

Maximum of Six Dogs NEW

We consider that if a person walks more than six dogs they will not be able to keep them all under proper control. The risk that they will not notice, or be able to remove, fouling increases. It is more likely that larger groups of dogs will behave as a pack. Other park users - including walkers, family groups, runners and cyclists - often report feeling intimidated by groups of dogs.

Locations where this order applies -

- Apedale Country Park
- Bateswood Country Park



- Bathpool Park
- Clough Hall Park
- Silverdale Country Park
- Lyme Valley Parkway
- Birchenwood Country Park

Means to pick up dog fouling NEW

Anyone walking a dog in a public place is obliged to clean up after their dog. This control requires a dog's owner to prove, if asked, they have a bag with them so are able to pick up after their dog.



Publicising Controls

As part of the review and public consultation prior to October 2017 the council published detailed proposals and contacted a number of stakeholders including housing providers, parish councils, and Staffordshire Police. Notices were placed on park notice boards and laminated signs added to lampposts in areas heavily used by dog walkers. Some 2,000 leaflets were distributed encouraging residents to see the additional information published on our web pages and take part on our on-line consultation.

The council's communications team also promoted details of proposals using social media. Public Notices were also published in The Sentinel

Following committees approval in October, updated notices were placed and the council's web pages refreshed.

We have reviewed signage at a number of locations and where resources permit upgraded signs. We aim to ensure that where park information boards are renewed, as part of planned maintenance, that the new boards prominently display details of dog controls.

A new requirement, included in response to requests from a number of angling groups has been a requirement for dogs to be kept on leads, and out of the water at a number of lakes managed by angling clubs. Dogs running free around such pools were becoming entangled in fishing line and snared by hooks. We have provided resources to angling clubs to help them promote these new controls.

We are working to develop location-specific leaflets, covering areas extensively used by dog owners, helping them understand the controls in that locality. We've a leaflet in respect of Bathpool park and now plan others for locations such as Lyme Valley and Bateswood County Park.

We have provided signs for the parks where the new maximum of six dogs controls apply.

We will continue to make signage available to Members and community groups, and ensure there are also resources downloadable from our web pages for residents who wish to remind dog owners of their obligations.

Following a Member request we now advise dog owners that they can place dog waste into litterbins, if a dog waste bin is not available on their route, or must take bagged waste home for face action for littering if they leave bagged waste behind.

We will continue to take every opportunity to explain the controls in force across Newcastle and help dog owners understand what they are obliged to do and why.

Enforcing Controls

Anyone who breaches a Public Spaces Protection Order can be issued with a fixed penalty (£100) or fined up to £1,000 by the courts on conviction.

We will continue to ensure that we talk with dog owners whenever we can promoting controls and that where we witness controls being breached that we take appropriate action. We will ensure that we focus available time patrolling ‘hot spot’ areas and encourage residents and members to help us identify locations where officer time can be most effectively used.

Where others witness offences occurring we will encourage them to provide the necessary information to enable enforcement to follow. – especially if they witnessed the incident as part of their job – e.g. housing officer, country park ranger, Keele estates officer etc. We will help them confirm what they have seen in a statement which we can use if the dog owner opts for the matter to be heard at the Magistrate’s court.

The number of occasions where officers have witnessed offences, and the number of others providing sufficient information to enable enforcement has reduced significantly in the last two years. As a result the number of penalties being issued is declining.

We will continue to ensure that we publish details of the penalties we have issued (or fines awarded), as we recognise residents want to see this information. Details are published at <https://www.newcastle-staffs.gov.uk/all-services/environment/dog-wardens/dog-control-order-penalties>



Related Matters

In response to resident's requests we will continue to look if certain areas, where dogs would ordinarily be banned can be made available to dog owners – who want a secure area to exercise or train their dog. Locations include former tennis courts and bowling greens, where the area is no longer maintained for its intended use, but remains in the council's ownership.

Operational Services will establish if these areas can be rented out for use by dog trainers, or can be used by residents. We aim to actively promote these areas and ensure that they are clearly signed.

Conclusions

We believe that the current Public Spaces Protection Order sets appropriate controls which on the whole are being complied with by our dog owners. We will continue to ensure we keep our residents informed and make best use of available enforcement resources.



Background Materials

Public Protection Report: Public Spaces Protection Order - Dog Controls, including responses to consultation

<http://sviam/documents/s24167/4%20PSPO%20Dog%20Controls%20Adoption%20Report.pdf>

Public Spaces Protection Order – Dog Controls

<https://www.newcastle-staffs.gov.uk/sites/default/files/IMCE/Environment/DogWarden/DogControlOrder2017.pdf>

Dog Controls Sign (available for residents to download / display at their property)

https://www.newcastle-staffs.gov.uk/sites/default/files/IMCE/Environment/DogWarden/Dog_Control_web_sign.pdf

Dog fouling witness report

<https://www.newcastle-staffs.gov.uk/sites/default/files/IMCE/Environment/DogWarden/FoulingWitnessQuestionnaire.pdf>

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Report on Subways - Recommendations

1 Engage further 'community payback' teams to start on a publicly visible and ongoing approach to cleaning off graffiti Ask partner organisations (see Section 1) for their experience with these initiatives indicating successes and limitations .Police Commissioner's Proceeds of Crime and People Power Funds may offer routes forward

2 Safer Routes to School initiative of the County Council could be seen as a driver to improving the environment of identified relevant arms of subways. No parent wants to be explaining offensive drawings and words on subways to children on their way to school. County Council to be engaged with this with a view to funding clean up schemes

3 Drains need more frequent suction. Responsibility and process mechanisms to be identified clearly and on a proper maintenance programme to be agreed between NBC and SCC Together with an agreed cleaning maintenance and renovation programme

5 Develop the idea of paid for advertising panels; this had been mooted by the County's portfolio holder as something to be trialled in Stafford. An example was cited; Newcastle College might wish to publicise courses in the subway arm nearest to it and where student footfall was at its highest. It could be that the college itself could fund or get sponsors for such an installation

6 Build on the popular 'Art in Subways' NBC/BID could work jointly to gain funding

7 Some subways could be gated off entirely. Start the process of identification. Whilst this is a costly process in the long term, it is a logical step and plans should be drawn up and agreed between NBC and SCC identifying where closure could take place, and what alternatives can be made available for pedestrians such as Pelican Crossings

8 The offer from the portfolio holder Councillor Mark Deaville at SCC to be taken up and agreed for the first of regular quarterly meetings An agenda item for the first meeting to be: discussion of County handing over responsibility and funding for complete maintenance of subways to the Borough Council

9 Council's website to allow reporting by members of the public on subway 'issues'

10. Probation Service Offer (Under discussion at present)

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Members: Burgess (Vice Chair), Dillon, P. Hailstones, Jones, Mancey, Naylor (Chair), Panter, Reddish, Snell, Sweeney, G. Williams

CLEANER, GREENER AND SAFER COMMUNITIES SCRUTINY COMMITTEE

Chair: Councillor Naylor
Vice Chair: Councillor Burgess

Portfolio Holder(s) covering the Committee's remit:

Councillor Mark Holland (Leisure and Culture)

Councillor Trevor Johnson (Environment and Recycling)

Councillor Jill Waring (Community Safety and Wellbeing)

This document sets out the work programme of the Cleaner, Greener and Safer Communities Scrutiny Committee 2017/18

The Cleaner, Greener and Safer Communities Scrutiny Committee may wish to scrutinize the following topic areas which fall under the remit of the Committee:

- Anti-Social Behaviour Orders
- Civil Contingencies
- CCTV
- Community Cohesion and Safety
- Community Safety and Section 17
- Decriminalised Parking Enforcement and On-Street Parking
- Emergency Planning
- Streetscene – Litter, Grounds Maintenance, Parks and Gardens
- Buses and Concessionary Travel and Taxis
- Car Park Management

- Climate Change, Sustainability and Energy Efficiency
- Environmental Health
- Flooding and Drainage
- Highways and Transport (Operational)
- Recycling and Waste Management

Elected Members review their Work Programme from time to time and may change it to respond to requests and issues which are seen to be a priority.

Our work results in recommendations for the Borough Council and sometimes the County Council and other organisations and helps to make improvements for the benefit of our communities. **Councillor Wenslie Naylor, Chair of Cleaner, Greener & Safer Communities Scrutiny Committee.**

If you would like to know more about our work programme please get in touch with Jayne Briscoe, Democratic Services Officer on 01782 742250 or jayne.briscoe@newcastle-staffs.gov.uk

Date of meeting	Item	Reason for Undertaking the Scrutiny	Cabinet Response/Outcomes
27 July 2017	Final report – Condition of Subways in the Borough		Cabinet (26-9-17) considered the final report which will now be forwarded to Staffordshire County Council with the request that they consider the issues highlighted and having considered these confirm to the Borough Council whether they will put an action plan in place to secure a regular sustainable programme of maintenance and repair to the subways in the Borough
	Work Plan and Scrutiny Topics for 2017/18		
27 September - Special Meeting	Traveller Incursions – legal powers and fly tipping enforcement	Scrutiny suggested by Leader following question at Council	Information given at the Scrutiny Committee circulated to all members of the Borough Council
4 October 2017	Examination of the air quality in the vicinity of Newcastle bus station	Member request from the Chair	Recommend to Cabinet that signs be erected at the bus station directing drivers to switch off engines after 4 minutes idling if this was not automatic.
	Review of the Cloth Nappy Service	Member request from Councillor Mancey	That Cabinet be requested to sign post residents to the service offered by the North Staffs Nappy Service
	Review of the Councils Waste and Recycling Service	Member request from Councillor Sweeney	Report be received
28 February 2018	Impact of overnight charging on Council-owned car parks	Member request from Councillor Sweeney	

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	Impact of the introduction of parking restrictions on the Lyme Valley	Member request from Councillor Sweeney	
	Report on the 3 month operation of revised Dog Control Orders	Member request following implementation of new "rules"	
	Condition of Subways Report - Progress	Member follow –up	

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